House of Representatives

The House met at 10 o’clock and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of Heaven and Earth, we give You thanks for giving us another day.

Lord, You know our capabilities as a nation. You know our limitations better than we know ourselves. You see clearly the needs of our day and the steps that must be taken.

For the Members of the people’s House, be a gentle light. Lead them forth day by day along the path of consistency and integrity, that the knots of contradiction would be unraveled and together Your people will walk with clarity of vision, determination of purpose, and a new depth of human understanding.

Bless all the people of our Nation, especially those in most need of Your mercy.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WALZ 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.

READING OF THE CONSTITUTION

The SPEAKER. Pursuant to section 5(a) of House Resolution 5, the Chair now recognizes the gentleman from Virginia (Mr. GOODLATTE) for the reading of the Constitution.

Mr. GOODLATTE. Mr. Speaker, this morning, for the fourth time in the history of the House of Representatives, we will read aloud on the floor of the House the full text of the U.S. Constitution.

It is our hope that this reading will help demonstrate to the American people that the House of Representatives is dedicated to the Constitution and the system it establishes for limited government and the protection of individual liberty. We also hope that it will inspire many more Americans to read the Constitution themselves.

The text we will read today reflects the changes to the document made by the 27 amendments to it. Those portions superseded by amendment will not be read.

In order to ensure fairness to all those interested in participating, we have asked Members to line up to be recognized on a first-come, first-served basis. I will recognize Members based on this guidance. Each Member will approach the podium and read the passage laid out for him or her.

In order to ensure relative parity and fairness, I may recognize Members out of order in order to ensure bipartisanship and balance. Additionally, because of his long-term leadership on civil rights issues, I will recognize the gentleman from Georgia, Representative John Lewis, to read the Thirteenth Amendment.

I want to thank the Members of both parties for their participation in this historic event. I will begin by reading the preamble to the Constitution:

“We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.”

I now yield to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Article I, section 1:

“All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

Mr. GOODLATTE. I now yield to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. “No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

“The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.”

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. “The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one,

□ 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.
Maryland six. Virginia ten. North Carolina five. South Carolina five. and Georgia three."

Mr. GOODLATTE. I now yield to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. "When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies."

"The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Section 3:

"The Senate of the United States shall be composed of two Senators from each State, for six years; and each Senator shall have one vote."

"Immediately after they shall be assembled, and before they shall take into consideration the first election, they shall be divided as equally as may be into three classes."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. BOST).

Mr. BOST. "The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CARDEÑAS).

Mr. CARDEÑAS. "No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. "The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided."

"The Senate shall choose their other officers, and also a President pro tem, in the absence of the Vice President, or when he shall exercise the office of President of the United States."

Mr. GOODLATTE. I now yield to the gentleman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. "The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two thirds of the Members present."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. "Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Section 4:

"The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators."

Mr. GOODLATTE. I now yield to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH. Section 5:

"Each House shall be the judge of the elections, returns and qualifications of its own members; and a Senator may be impeached by the Senate, and convicted and removed for breach of the privileges and regulations of that House, in the same manner as a Member of the House of Representatives."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. "Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two thirds, expel a Member."

"Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may be in their judgment require secrecy; and the yeas and nays of the Members of either House on any question, shall, at the desire of one fifth of those present, be entered on the Journal."

Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. "Neither House during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Section 6:

"The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States; but the Congress may at any time, by law, increase the extant of the compensation of any Senator or Representative."

Mr. GOODLATTE. I now yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments thereof shall have been increased during such time; and no person holding any office under the United States, shall be a Member of either House during his continuance in office."

Mr. GOODLATTE. I now yield to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Section 7:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

Mr. GOODLATTE. I now yield to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. "Every bill which shall have passed the House of Representa-
tives and the Senate, shall, before it become a law, be presented to the President of the United States: if he approve he shall sign it, but if he shall return it, with his objections to that House in which it shall have origi-
nally passed, and it shall be reassembled at large on their Journal, and proceed to reconsider it."

Mr. GOODLATTE. I now yield to the gentlewoman from Florida (Ms. GAVIN).

Ms. GAVIN. "But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. "If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. "Every order, resolution, or vote to which the concurrence of the Senate and House of Representa-
tives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to
the rules and limitations prescribed in the case of a bill.'

Mr. GOODLATTE. I now yield to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM: Section 8:

"The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CORREA).

Mr. CORREA. "... to borrow money on the credit of the United States; "To regulate commerce with foreign nations, and among the several States, and with the Indian Tribes; "To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. "... to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures; "To provide for the punishment of counterfeiting the securities and current coin of the United States; "To establish post offices and post roads; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. "... to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Pennsylvania (Mr. ROSE).

Mr. ROTHSFUS. "... to constitute tribunals inferior to the supreme Court; "To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. BERA).

Mr. BERA. "... to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; "To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. "... to provide and maintain a navy; "To make rules for the government and regulation of the land and naval forces; "To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. "... to provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. "... to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. "... 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.

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Section 9:

"The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

Mr. GOODLATTE. I now yield to the gentleman from Colorado (Mr. PERNUTTER).

Mr. PERNUTTER. "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it. "No bill of attainder or ex post facto law shall be passed."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. "No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken. "No tax or duty shall be laid on articles exported from any State."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. VARGAS).

Mr. VARGAS. "No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another."

Mr. GOODLATTE. I now yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. "No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emoluments of office, or other whatever, from any king, prince, or foreign state."

Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Section 10: "No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility."

Mr. GOODLATTE. I now yield to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. "No State shall, without the consent of the Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress."

Mr. GOODLATTE. I now yield to the gentleman from Kansas (Mr. YODER).

Mr. YODER. "No State shall, without the consent of Congress, lay any duties on tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

Mr. GOODLATTE. I now yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Article II, section 1: "The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President chosen for the same term, be elected as follows:"

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. "Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of
trust or profit under the United States, shall be appointed an elector;"

Mr. GOODLATTE. I now yield to the gentleman from Oregon (Mr. BLUMENAUER).

Ms. DEMINGS. "No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to that office; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. Babin).

Mr. Babin. "No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to that office; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States."

Ms. CASTOR of Florida. "The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them."

Mr. GOODLATTE. I now yield to the gentleman from Washington (Mr. Brown).

Mr. BACON. "The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Ms. McCollum).

Ms. McCOLLUM. "...he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States."

Mr. GOODLATTE. I now yield to the gentleman from Nebraska (Mr. Bacon).

Mr. BACON. "...he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper;..."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Ms. Bonamici).

Ms. BONAMICI. Section 3: "He shall from time to time give the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient;..."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. Carter).

Mr. CARTER of Georgia. "The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

Mr. GOODLATTE. I now yield to the gentleman from Connecticut (Ms. Esty).

Ms. ESTY. "...to controversies to which the United States shall be a party;—to controversies between two or more States, between citizens of different States,—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. Huizenga).

Mr. HUIZENGA. "In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the supreme Court shall have original jurisdiction. In all the other cases before mentioned, the supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Mr. GOODLATTE. I now yield to the gentleman from New Hampshire (Ms. Kuster).

Ms. KUSTER of New Hampshire. "...in all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the supreme Court shall have original jurisdiction. In all the other cases before mentioned, the supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Mr. GOODLATTE. I now yield to the gentleman from Wisconsin (Mr. Gallagher).

Mr. GALLAGHER. Section 3: "The President shall be Commander in Chief of the Army and Navy of the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court."

Mr. GOODLATTE. I now yield to the gentleman from California (Ms. Matsui).

Ms. MATSUI. "The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attained."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. Zeldin).

Mr. ZELDIN. Article IV, section 1. "Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof."
Mr. GOODLATTE. I now yield to the gentlewoman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Section 2: "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. "Any person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. FASO).

Mr. FASO. Section 3: "New States may be admitted by the Congress into this Union: but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. "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."

Mr. GOODLATTE. I now yield to the gentleman from Indiana (Mr. HOLINGSWORTH).

Mr. HOLINGSWORTH. Section 4: "The United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when legislature cannot be convened), against domestic violence."

Mr. GOODLATTE. I now yield to the gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Article V: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several States . . ."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. "... or by conventions in three fourths thereof, to be valid to all intents and purposes, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses of the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. GOODLATTE. I now yield to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Article VI: "All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation."

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Mr. GOODLATTE. I now yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. "The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States."

Mr. GOODLATTE. I now yield to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Article VII: "The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. "Done in convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth in witness whereof we have hereunto subscribed our names."

Mr. GOODLATTE. I now yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. George Washington, President and deputy from Virginia.


Maryland: James McHenry, Daniel of St Thomas Jenifer, Daniel Carroll.

Virginia: John Blair, James Madison, Jr.


South Carolina: John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.


Mr. GOODLATTE. I now yield to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. New Hampshire: John Langdon, Nicholas Gilman.

Massachusetts: Nathaniel Gorham, Rufus King.


Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas FitzSimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

Amendment I: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Mr. GOODLATTE. I now yield to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS. Amendment II: "A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Amendment III: "No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

Mr. GOODLATTE. I now yield to the gentlewoman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Amendment IV: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Mr. GOODLATTE. I now yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Amendment V: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger."

Mr. GOODLATTE. I now yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Amendment V: "... nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against
Mr. GOODLATTE. I now yield to the gentleman from Maryland (Mr. HOYER).

Mr. GOODLATTE. I now yield to the gentleman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Amendment VI:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Amendment VII:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Amendment IX:

"The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Amendment VIII:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are retained by the States respectively, or to the people."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Amendment XI:

"The judicial power of the United States shall be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Amendment XII:

"The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; . . ."

Mr. GOODLATTE. I now yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Amendment XIV, section 1:

"All persons born or naturalized in the United States shall be citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

Mr. GOODLATTE. I now yield to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE. "... nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Section 2:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. "But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the Members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens bears to the whole number of male citizens twenty-one years of age in such State."

Mr. GOODLATTE. I now yield to the gentlewoman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Section 3:

"No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States . . ."

Mr. GOODLATTE. I now yield to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. "... or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability."
The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Section 5:

"The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

Amendment XV, section 1:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. ROYDNEY DAVIS).

Mr. ROYDNEY DAVIS of Illinois. Section 2:

"The Congress shall have the power to enforce this article by appropriate legislation."

Amendment XVI:

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Amendment XVII:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies; . . ."

Mr. GOODLATTE. I now yield to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. "... provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct."

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Amendment XIX:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I now yield to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Amendment XX, section 1:

"The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of the year in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

Section 2:

"The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day."

Section 3:

"If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case where neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. LAMALFA).

Mr. LAMALFA. Amendment XXIII, section 1:

"The District constituting the seat of government of the United States shall appoint in such manner as Congress may direct:

"A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be elected by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment."

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Amendment XXIV, section 1:

"The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax."

Section 2:
Mr. GOODLATTE. I now yield to the gentleman from California (Mr. McNERNEY).

Mr. McNERNEY. Amendment XXVI, section 1:

"The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age."

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL, Amendment XXVII:

"No law, varying the compensation of the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

Mr. GOODLATTE. Mr. Speaker, that concludes the reading of the Constitution. I would like to thank all of the Members who participated.

I ask unanimous consent that I may insert omitted material in the RECORD during the reading of the Constitution.

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

There was no objection.

RECESS

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

Accordingly (at 11 o'clock and 15 minutes a.m.), the House stood in recess.

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

LAKE TRAVIS CAVALIERS

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

Mr. WILLIAMS. Mr. Speaker, I rise today to congratulate the 2016 Lake Travis Cavaliers on winning their sixth State championship in Texas. I am proud to say that the L.T. takeover of class 6A high school football is complete.

The Lake Travis Cavaliers, led by their head football coach, Hank Carter, defeated The Woodlands in grand fashion by a score of 41-13. Coach Carter has assembled a great coaching staff and built Lake Travis into one of the best high school football programs in the State of Texas. I look forward to seeing what the program will continue to accomplish in the coming seasons under Coach Carter’s leadership.

I would also like to congratulate senior quarterback Charlie Brewer who was the Texas Associated Press Sports Editors’ high school player of the year. Charlie led the offense and finished the season with a record-breaking 75 percent completions. I wish Charlie and the rest of the seniors the best of luck in their future endeavors.

This season will go down in the history books for Lake Travis High School. Great job to Coach Carter and the 2016 team.

Mr. Speaker, Texas is the greatest football State in America, and because Lake Travis High School is the greatest team in Texas, it certainly must be the greatest high school team in the country, if not the world if you ask me.

Go Cavaliers. In God We Trust.

AFFORDABLE CARE ACT

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Affordable Care Act works, but the majority of Republicans want to make America sick again. Republicans have voted more than 60 times to roll back the historic progress that has been made to expand health care to 20 million-plus Americans and to improve coverage for those who already have it. At every turn, they have undermined the law at the expense of American families and now are setting the path for full repeal.

2.6 million Texans stand to lose health care coverage, including 20,000 in our district. Fifty thousand of my constituents would gain coverage if Texas would have expanded Medicaid along with more than 1 million Texans. Texas stands to lose $62 billion in Federal funding for Medicaid, CHIP, and financial assistance for marketplace coverage if the new President and Congress repeal the Affordable Care Act.

Making America sick again is not the solution. Let’s don’t have a repeal until we have a replacement.

THE LEGACY OF PRESIDENT OBAMA

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

Mr. WILSON of South Carolina. Mr. Speaker, in an Associated Press article titled, “As Obama accomplished goals, the Democratic party floundered,” the disastrous statistics of the Obama legacy were revealed.
The Associated Press analyzed:
There’s one number you will almost never hear: more than 1,000 seats. That’s the number of spots in State legislatures, Governor’s mansions, and Congress lost by Democrats during Obama’s Presidency. It is a statistic that reveals an unexpected twist of the Obama years.

The Associated Press went on to say:
The defeats have been hard-won victories for a generation of young Democrats, leaving the party with limited power in statehouses and a thin bench to challenge an ascendant GOP majority eager to undo many of the President’s policies . . . but, say experts, Obama’s tenure has marked the greatest number of losses under any President in decades.

When it comes time to the battle of programs, American families overwhelmingly choose limited government and expanded freedom over the alternative: Big Government and lesser freedom. This is clear with the failing of ObamaCare destroying jobs.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Congratulations to our colleague Congressman Ted Poe on his remission under treatment of cancer. God bless Ted Poe.

OPPOSITION TO GOP AGENDA TO REPEAL THE AFFORDABLE CARE ACT

(Ms. Eddie Bernice Johnson of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition of the GOP agenda which will repeal the Affordable Care Act and cause 30 million Americans to lose healthcare coverage.

Mr. Speaker, I ask the Republicans to please examine the harm that this will do. Because of the Affordable Care Act, the uninsured rate in Texas has fallen by 28 percent and still has the largest number of uninsured Americans, allowing 1.7 million Texans to gain coverage.

While Texas did not expand Medicaid, the State still benefits from many other reforms brought by the Affordable Care Act. For instance, Sean, a Ph.D. candidate in economic development at the University of Texas at Dallas and his wife, Jamie, relied on the Affordable Care Act when their son was born prematurely and with a heart defect that required surgery and a transfer to another Dallas hospital. Sean was reassured that, with his family’s ACA marketplace plan, his newborn son would not be denied coverage for lifesaving treatment.

It is unconscionable to me that the GOP refuses to look at what works and what needs improvement in this law instead of full repeal as the only option. This will deeply harm American families.

ENDING THE REGULATION NATION

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

Mr. EMMER. Mr. Speaker, I rise today to talk about the problem of excessive government. The United States of America, the land of the free and the brave, a country created to provide everyone an equal opportunity to survive and thrive, has now become the regulation Nation.

In my travels across the great State of Minnesota, I have met and talked with people from all walks of life: farmers and manufacturers, teachers and entrepreneurs, community bankers and credit unions, and they are all crying out for relief from the excessive, overly burdensome, and duplicative regulation that is stifling growth and stealing opportunity.

For the past 8 years, opportunity in America has been under attack by regulations and unelected regulators from Washington. If every American is to have the opportunity to pursue the American Dream, this must end. That is why policy reforms such as the REINS Act are so important.

Under this vital legislation, any major rules from a Federal agency will require congressional approval. This is a great step to end the regulation Nation. We in the House must continue to work together to make life easier for the American people, not more difficult.

In the 115th Congress, we must—and we will—work with the incoming administration to roll back excessive and unnecessary regulation so that American families and businesses not only survive but can once again thrive.

DON’T REPEAL THE AFFORDABLE CARE ACT

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

Mr. PALLONE. Mr. Speaker, Americans today have better health coverage and health care, thanks to the Affordable Care Act.

The ACA has expanded and protected coverage for millions of Americans. More than 20 million previously uninsured Americans have newfound health security, including 95 percent of America’s children.

I just want to mention two of my constituents who tweeted me within the last day or so about the ACA. One is from Long Island, and the other is from Cape Cod. It said: ‘‘The ACA helped me to stay on my parent’s healthcare for 3 years after college, which was a huge relief in a tough job market.’’

There are so many cases, Mr. Speaker. I could go on all afternoon. The bottom line is the Affordable Care Act is also controlling costs for millions of Americans. Premium growth has slowed over the last 6 years, compared to the years before the ACA.

Mr. Speaker, if Republicans proceed with repealing the ACA, they will make America sick again. They will risk the health care of millions of people and raise premiums for millions of others.

Repealing the ACA will move us from true care to total chaos. Republicans are blinded to the success of the Affordable Care Act. Asking the Affordable Care Act is not logical, it is ideological, and I would strongly urge my Republican colleagues to start looking at this practically rather than ideologically.

REMEMBERING RONNIE HAWKINS

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

Mr. McHENRY. Mr. Speaker, I rise today to honor a dear friend, constituent, and tremendous public servant in North Carolina, Cleveland County Commissioner Ronnie Hawkins.

A native of Cleveland County, Ronnie was an Army veteran and devoted husband to his wife, Libby. He was a respected and compassionate funeral director, comforting families in their time of need and grief. He took the same type of caring and compassionate approach to his service as one of Cleveland County’s longest-serving elected officials, serving 16 years on the Cleveland County Commission, as well as 12 years on the Kings Mountain School Board. He never forgot who was actually his boss at home: his constituents.

Ronnie was a dear friend, and I extend my thoughts and prayers to his wife, Libby, his family, and his friends.

FEDERAL WORKERS

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

Mr. KILMER. Mr. Speaker, I rise today to defend jobs.

In my region, Federal workers at Olympic National Park, which brings millions of visitors to our area, help that park run smoothly. They provide needed health services and care for our veterans at local VA facilities. Federal workers serve our Nation and help our sailors and submariners be safe through their work at the Puget Sound Naval Shipyards, which has been operating for 125 years.

We should have admiration and respect for the work they do. I don’t think that this Chamber did right by them this week. That is because the
House approved a rule that would allow any Member to add an amendment to spending bills to cut Federal jobs and lower the pay of workers.

These workers shouldn’t be unfairly singled out on the House floor. This is not the way to do business. Having worked in the private sector, you would never see a successful employer treat their employees with the disrespect that Congress treats the Federal workforce.

It is time to tell everyone at that shipyard, at the park, at the VA, and all Federal workers in my region and throughout this country that Congress respects and honors the work that they do. It is time to do away with this rule.

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

Mr. POE of Texas. Mr. Speaker, I have traveled to the southern border dozens of times over the years, and the problem is always the same. The people who defend our border—really, defend our country—do the best they can with what they have got, but they are outmanned, outgunned, and outfinanced by the drug cartels and the people coming across from the other side.

The continued failure to protect our border threatens our national security and the sovereignty of America. The reality is that the majority of the southern border territory is controlled by someone other than the United States. Why? Because there is no workable plan. Also, there is no moral will by this administration to protect our border.

My bill, the SMART Border Act, outlines a robust border protection strategy that includes achieving operational control of the border within 1 year, provides smart border technology, and mandates more boots on the ground, including 10,000 National Guard troops at the request of the four border State Governors.

Mr. Speaker, we must have the moral will to protect our borders. All types of people are crossing the border into the United States illegally—the good, the bad, and the ugly—and those days need to end. No one should come into America without America’s permission. And that is just the way it is.

ACA AND WOMEN
(Ms. DELBENE asked and was given permission to address the House for 1 minute.)

Ms. DELBENE. Mr. Speaker, at this very moment, House and Senate leaders are working on a dangerous plan to dismantle the Affordable Care Act and strip more than 20 million Americans of the health insurance. And if they succeed, it will have devastating consequences for our constituents, particularly women.

Repealing the ACA means allowing insurance companies to charge women more, simply for being a woman; endangering access to care for 65 million women with preexisting conditions; and stripping more than 55 million women of free preventative care, like birth control and mammograms.

It is easy to forget how broken the system was before the Affordable Care Act. But make no mistake: dismantling it now means being a woman will once again be treated as a preexisting condition. It will mean fewer options, less access, and higher costs for tens of millions of women.

We should be building on the progress we have made, not turning back the clock. Women deserve better.

SUPPORT THE REINS ACT
(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, as the House is set to begin debate on H.R. 26, the Regulations from the Executive in Need of Scrutiny Act, commonly referred to as the REINS Act, as a co-sponsor of this bill, I rise to express my strong support for its passage.

This bill requires that any Federal regulation with a significant economic impact be subject to an up-or-down vote in both Chambers of Congress. Currently, the President has the power to implement regulations over executive agencies on a broad basis with little congressional consent.

The balance of power in Washington has often shifted increasingly toward the executive branch. This enables executive agencies to create regulations that Congress would never have approved. The pace and volume of Federal regulations and rules are increasing. In 2016 alone, the Obama administration broke all records in printing more than 97,000 pages and by issuing more than 3,800 rules and regulations in the Federal Register.

Unfortunately, the bureaucracy has been empowered to create punitive regulations rather than promoting collaborative efforts with States, businesses, and the average citizen. Mr. Speaker, I encourage each of my colleagues to think of the American people and vote “yes” on the REINS Act.

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

Mr. SCHNEIDER. Mr. Speaker, a little over a month ago, I attended the funeral of Javon Wilson. Javon was the grandson of my good friend, Congressman DANNY DAVIS, and he was just 15 years old when he was shot and killed in Chicago.

At the funeral, Javon’s best friend remembered their talks. “We were going to be the ones that never died . . . if we get shot, we were never going to die,” he said.

No child should grow up in a world where gun violence is so common that this talk seems normal.
This week, we turn the page to a new Congress. There is no reason that commonsense measures like universal background checks, making gun trafficking a Federal crime, and reinstating the ban on military-style assault weapons should fall victim to partisan gridlock.

Together, we have the opportunity to save lives and make our communities safer. This is a priority for me and my constituents, and I look forward to working with my colleagues on both sides of the aisle to make progress on reducing gun violence and building a safer future for all our children.

SUPPORTING OUR NATION’S VETERANS

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

Mr. BILIRAKIS. Mr. Speaker, as the 116th Congress kicks off this week, I remain committed to supporting our Nation’s veterans. We made some good progress last year, but there is still much more work to be done.

While our military spends over 6 months preparing soldiers for assignment, we only spend 6 days preparing them to reintegrate to civilian life. I will be making it a priority to ensure veterans have a robust transition and support system for returning home.

We also must bring greater accountability and transparency to the VA. If a VA employee fails to do their duty to care for our Nation’s heroes, they should be swiftly terminated. We need to turn around the culture of mediocrity at the agency. I look forward to working with Chairman Roe and my colleagues on the House Committee on Veterans’ Affairs this year to stand up for our men and women in uniform.

COOL SCIENCE TOPICS

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

Mr. McNERNEY. Mr. Speaker, I rise today in opposition to the majority’s efforts to repeal the Affordable Care Act and make America sick again.

It is atrocious that Republicans intend to repeal ObamaCare without any plan for replacement. It is barbaric to take health care away from 30 million Americans. It is cruel and disgraceful to go back to the dark times when there were annual and lifetime limits on care for all Americans. It is gutless to repeal the law that protected breast cancer survivors like me and up to 129 million Americans with preexisting conditions. It is fraudulent to tell the American people that we can keep popular provisions like that one without any mechanism to share risk to keep health care affordable.

It is greedy to give insurance and drug companies billions of dollars in tax breaks but cut funding for Medicare expansion. It is heartless to take away critical services like cancer screenings from 55 million Americans, particularly seniors and people with disabilities in Medicare. It is indefensible to roll back the $23.5 billion in prescription drug savings realized by seniors on Medicare in the donut hole. It is past time—long past time—that my Republican colleagues understand from A to Z that repeal is unacceptable and a disaster waiting to happen.

PROTECTING THE ACA

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in opposition to the majority’s efforts to repeal the Affordable Care Act and make America sick again.

It is atrocious that Republicans intend to repeal ObamaCare without any plan for replacement. It is barbaric to take health care away from 30 million Americans. It is cruel and disgraceful to go back to the dark times when there were annual and lifetime limits on care for all Americans. It is gutless to repeal the law that protected breast cancer survivors like me and up to 129 million Americans with preexisting conditions. It is fraudulent to tell the American people that we can keep popular provisions like that one without any mechanism to share risk to keep health care affordable.

It is greedy to give insurance and drug companies billions of dollars in tax breaks but cut funding for Medicare expansion. It is heartless to take away critical services like cancer screenings from 55 million Americans, particularly seniors and people with disabilities in Medicare. It is indefensible to roll back the $23.5 billion in prescription drug savings realized by seniors on Medicare in the donut hole. It is past time—long past time—that my Republican colleagues understand from A to Z that repeal is unacceptable and a disaster waiting to happen.

OUR NEW ADMINISTRATION WILL SUPPORT ISRAEL

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

Mrs. WAGNER. Mr. Speaker, I stand today to express my extreme disappointment in the Obama administration’s betrayal of Israel. The administration’s destructive decision was a cop-out. Iran has even greater leverage on anti-Israel boycotters and anti-Semites across the world.

This act screamed of personal vengeance and hostility, directly harmed American interests, and undermined peace in the Middle East. It was cowardly and foolish parting shot for an administration that flagrantly ignores serious global challenges—Syria, Aleppo, ISIS, Iran, China, Russia, and the list goes on.

By abstaining from the vote to censure Israel, President Obama vetoed the U.S.-Israel alliance and violated the faith of the American people. I look forward to a new day, to a new administration that will support Israel and refuse to abandon our allies on the world stage.

THE AFFORDABLE CARE ACT

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

Mr. McEACHIN. Mr. Speaker, it has been my observation that often in this body there are people who would suggest to us that their actions are motivated and guided by an adherence to the Judeo-Christian ethic.

Mr. Speaker, in Jesus’ first sermon. He said, among other things, “The spirit of the Lord is upon me to bring good news to the poor.” We have done that with the enactment of the Affordable Care Act.

Mr. Speaker, the notion of taking away the Affordable Care Act by repealing it, I would suggest to this body, is antithetical to those Judeo-Christian values. More than 20 million Americans of all socioeconomic backgrounds have benefited from this act.

Mr. Speaker, it is my hope that reason will prevail and that while we may tweak the Affordable Care Act, it will not be repealed.

TWO-STATE SOLUTION IN ISRAEL

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

Mr. GOHMERT. Mr. Speaker, we are going to be taking up a resolution that is designed to reflect our discontent with the resolution of the United Nations. I am totally in favor of expressing our discontent. I think we ought to cut our funds to the U.N. until such time as Resolution 2334 is repealed.

But the resolution today, at four different places, refers to our push in the United States for a two-state solution in Israel. Look, Hebron is in what was the promised land. David ruled from there for the first 7 years he was King over Israel. Hebron is part of the two-state solution going to the Palestinians. How did the Palestinians deserve the land that was given as the promised land 1,600 years before Muhammad even existed?

I can’t understand the resolution when we are advocating what Joel 3 says will bring judgment down upon our Nation for trying to partition Israel—can’t do it.

WE MUST NOT MAKE AMERICA SICK AGAIN

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

Mr. BEYER. Mr. Speaker, I rise to read a letter from my constituent, Mrs. Karen O’Hern, of Alexandria, Virginia: “Congressman BEYER.

We are a family of four. The company my husband worked for went bankrupt in 2009 after the 2008 financial meltdown—losing income, retirement savings, and health care.

He now owns a small business and we now get our health insurance through healthcare.gov.

“We need you to defend the ACA. We depend on the availability of this insurance option.

My son had surgery on December 30 at Fairfax Hospital to remove a brain tumor. His prognosis is good. I cannot imagine how we would manage financially without this health insurance.

“Please be strong on this matter and represent the needs of your constituents.

“I need my Affordable Care Act health insurance.

Regards, Karen O’Hern.”

Mr. Speaker, millions like Karen O’Hern will lose their coverage if the Affordable Care Act is repealed. We must not make America sick again.

WEST VIRGINIANS WANT THEIR VOICE TO BE HEARD

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

Mr. JENKINS of West Virginia. Mr. Speaker, we are about to vote on the REINS Act, which will hold our agencies accountable to the people of America. I am a proud co-sponsor of this regulation, this legislation. If a regulation has a high economic cost, then the people, through Congress, have to approve it before it goes into effect.

The REINS Act is one of several bills that we will be considering this week to stop business as usual in Washington. We will be saying “no” to the indiscriminate regulations of the last 8 years, “no” to the radical social agenda that has closed coal mines and cost my State of West Virginia thousands of jobs, “no” to a Federal Government that won’t even come to West Virginia to hear how their regulations affect us.

The West Virginia state government isn’t big enough. They want change. They want their voice to be heard. They want to work hard and put food on their table.

I am here to stand up for West Virginians: families, miners, and small businesses. I urge my colleagues to support the REINS Act.

OFFERING A 28TH AMENDMENT

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

Mr. DEUTCH. Mr. Speaker, we came together this morning to read the United States Constitution and its 27 amendments. I offer a 28th amendment, an amendment to overturn the Supreme Court’s disastrous decision in Citizens United:

Section 1. To advance democratic self-government and political equality, and to protect the integrity of government and the electoral process, Congress and the States may regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections.

Section 2. Congress and the States shall have power to implement and enforce this article by appropriate legislation, and may distinguish between natural persons and corporations or other artificial entities created by law, including by prohibiting such entities from spending money to influence our elections.

Section 3. Nothing in this article shall be construed to grant Congress or the States the power to abridge freedom of the press.

Mr. Speaker, Citizens United let unlimited money flood into our elections and compromise our democracy. I ask all of my colleagues in this 115th Congress to join our effort to overturn it.

REPEALING THE AFFORDABLE CARE ACT WILL BE DETRIMENTAL TO OUR HEALTHCARE SYSTEMS AND MEDICAL RESEARCH COMMUNITY

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

Mr. ESPAILLAT. Mr. Speaker, I rise today in support of the Affordable Care Act. It is a promise to the American people that we must keep. It guarantees access to affordable, high-quality health care as a right for all Americans. Backing out of this commitment is irresponsible, inexcusable, and reprehensible.

As a Member from a congressional district that houses some of the largest hospitals in the country, health is a crucial issue for my constituents. Under the ACA, millions of Americans now have access to affordable health care across this country, including in places such as New York.

Children in New York can remain on their parents’ plan through the age of 29. An insurance company cannot discriminate against patients with pre-existing conditions.

Repeal will be detrimental to our healthcare systems and medical research community. Without a plan to
BENEFITS OF THE AFFORDABLE CARE ACT

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

Ms. LEE. Mr. Speaker, I rise today to discuss the lifesaving impact of the Affordable Care Act.

This week, I have heard from dozens of constituents who have been calling my office and reaching out on social media to tell me their ACA stories. I heard from one constituent whose mother had two devastating lung diseases. While she had good insurance, unfair lifetime spending caps priced her out of receiving the lifesaving treatment she needed. When the Affordable Care Act passed, we ended the cruel practice of lifetime spending caps. With these new protections, she was able to resume her treatment and stay healthy to spend time with her daughter and granddaughter.

If Republicans repeal this law without a viable replacement, there will be real consequences to real people. Let me be clear: by repealing the ACA, Republicans would end healthcare coverage for millions of families, put the insurance companies back in charge, and make America sick again.

I urge my colleagues to consider what is at stake here—real costs, real lives, not just a political football.

Let’s do the right thing and protect families’ health care.

PROVIDING FOR CONSIDERATION OF H.R. 26, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H. RES. 11, OBJECTING TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 2334

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 22, currently under consideration.

The SPEAKER pro tempore. The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MCGOVERN), 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.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule today, which I introduced, H.R. 26, the Regulations from the Executive in Need of Scrutiny, or REINS, Act. It makes in order 12 amendments from Members on both sides of the aisle, and provides for 1 hour of debate equally divided and controlled by the majority leader and the minority leader.

Yesterday, the Rules Committee received testimony from the Judiciary and Foreign Affairs Committees.

Mr. Speaker, the beginning of this new Congress is a time of hope and a time to establish clear priorities and goals. This is a time to show the American people that we, as their elected representatives, will have the courage to stand on principles that made us free, and that our Constitution provides for two pieces of legislation that represent our commitment to the integrity and transparency of this institution.

H. Res. 11, introduced by Chairman ROYCE and cosponsored by Ranking Member ENGEL, objects to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace. It calls for the resolution’s repeal and makes clear that the current administration’s failure to veto the U.N. resolution violated longstanding U.S. policy to protect Israel from such counterproductive U.N. resolutions. Importantly, it also provides a foundation for the next administration to take action to counteract the damaging effects of the U.N. Security Council resolution.

Mr. Speaker, I support H. Res. 11, yet it shouldn’t be necessary. President Obama’s refusal to veto the U.N. Security Council’s resolution was a radical and dangerous departure from U.S. precedent.

Prior to this most recent Security Council resolution, President Obama has exercised the veto power of the United States on every resolution relating to the Israeli-Palestinian conflict. His failure to do so this time jeopardizes and undermines our relationship with our strongest ally in the Middle East, and it has the potential to undermine the peace process.

I am going to do so here again today. I refuse to sit idly by and watch misguided anti-Israel policies take root.

We have to take a stand. The administration’s failure to act to, even participate in the vote, was an act of cowardice. It can’t be erased, and we must take steps to address it. This resolution is a step in the right direction.

Mr. Speaker, I am hopeful that we, as the House of Representatives, and the United States will reaffirm our support
of Israel and return to policies that strengthen the relationships between our two nations.

Mr. Speaker, as the new Congress starts, we also must look at domestic policies and how to grow our economy. We are going to do the right here in the House by taking the lead on regulatory reform to help lift the burden of an intrusive government by jump-starting the economy.

As part of this effort, I introduced H.R. 26, the REINS Act. This bill was originally authored and introduced by former Congressman Geoff Davis in 2009. Last Congress, now-Senator TODD YOUNG introduced the bill in the House. This Congress, I am proud to carry the torch for this commonsense legislation.

I also thank Chairman GOODLATTE and his staff for all of their hard work on this bill.

Article I, section 1 of the United States Constitution grants legislative powers to Congress—we read about that right here on the floor this morning—but, for too long, Congress has ceded that power to the executive branch. That has resulted in an out-of-control regulatory regime. This is a problem that we have seen under the administrations of both parties, and Members on both sides of the aisle should be concerned.

In recent years, this problem has exploded. In 2015 alone, the executive branch issued over 3,000 rules and regulations, and 76 of these regulations were major regulations. Let me explain that. Unlected bureaucrats, without input from the American people or their Representatives in Congress, issued 76 major regulations that would impact our economy by more than $100 million each in 1 year alone. The consequences of these rules are massive. Even worse, we have seen this administration promulgate regulations with burdens that far outweigh their benefits. The REINS Act would require Federal agencies to submit major rules to Congress for approval. Under this bill, major rules would have to be accepted by both Chambers and signed by the President to become effective.

This bill restores accountability to the legislative process and ensures that lawmakers, not nameless bureaucrats, are the ones making the laws, just like our Constitution outlines. We have seen the harm that can come from an out-of-control regulatory regime. Right now, hardworking Americans across the country are paying the price. In fact, on average, each U.S. household is bearing an annual economic weight of $15,000 in regulatory burdens. The oppressive costs of regulation, coupled with the impact on jobs, demand action.

One regulation, put forth by the Environmental Protection Agency in 2015, would have stranded Georgia over 11,000 jobs; and we are all familiar with the waters of the United States rule, which, essentially, as-
would have had an opportunity to evaluate it, and maybe they would have had some good ideas that they would have wanted to offer. But, here we are, right out of the gate, limiting the process and prohibiting Members from offering their ideas on the floor.

Mr. Speaker, I have a process for reviewing rules promulgated by the executive branch. Congress should—and, indeed, can—examine regulations. Not all regulations are perfect. There are such as regulations, and we should get rid of the ones that don’t work. There is no debate on that. We have the ability to override regulations with new laws, and we have reauthorizations, appropriations, spending limitations, oversight hearings, investigations, GAO audits and studies, and the Congressional Review Act, just to name a few. We have a process that can be applied and should work, but, because my Republican friends don’t always get what they want, they want to undermine that process.

I don’t think my Republican colleagues are really interested in a thoughtful review of these regulations. In fact, I find it hard to believe that this Republican Congress even has the capacity and the desire to utilize the process that is outlined in this bill so as to consider the 100 or so regulations—some of which are highly technical and would require experts in specialized fields to analyze—that could come up in any given year; but, I guess that is the point. This bill would make it nearly impossible to implement much-needed regulations that ensure consumer health and product safety, environmental protections, workplace safety, and financial protections, just to name a few.

It would be a dream come true for industry and the wealthy, well-connected Republican donor class who, for example, are interested in blocking all attempts to address climate change, or to protect workers and their public health. One simply needs to look at the intensive lobbying that has gone into fighting these regulations and supporting antiregulation legislation like the REINS Act—groups like the U.S. Chamber of Commerce, the Koch brothers, the American Petroleum Institute, just to name a few.

Industry groups already abuse their seemingly unlimited resources to delay and undermine commonsense regulations, by taking advantage of the process that is designed to be used as a means of circumventing the law. This bill would make it nearly impossible to implement much-needed regulations that ensure consumer health and product safety, environmental protections, workplace safety, and financial protections, just to name a few.

Finally, Mr. Speaker, let me just say a few words about the closed rule on H. Res. 11, the resolution condemning U.S. abstention on Israel at the U.N. Security Council.

The peace and security of the State of Israel is critical for every Member of Congress. Let us not try to obscure or confuse that truth. I can’t think of any Member of this House who doesn’t support peace in the Middle East and a safe and secure Israel. We must learn how to achieve those goals. Most of us believe that a two-state solution that provides peace, security, and prosperity to all of the peoples of the region—Israeli, Palestinian, and their Arab neighbors—is the best option to securing a just, lasting, and durable peace.

I have always voted in support of economic and military aid for Israel, but this does not mean that I always agree with the policies of a particular government in Tel Aviv. Sometimes I have been critical of the Israeli Government, just as I am often critical of my own government and of other governments in the region.

For the past four decades or more, the United States, under Republican and Democratic Presidents alike, has strongly opposed the expansion of settlements and the demolition of Palestinian homes. This has been a bipartisan consensus. We oppose the settlements as a violation of basic human rights; we oppose them as creating obstacles to a lasting two-state solution; and we oppose their rapid expansion as potentially creating a reality on the ground that, therefore, closes any possibility of a two-state solution.

Since 1967, under Presidents Johnson, Nixon, Ford, Carter, Reagan, George H. W. Bush, Clinton, George W. Bush, and Obama, the United States has voted in favor or has abstained on more than 50 U.N. Security Council resolutions that are critical to peace in Israel, including resolutions on settlements or the demolition of Palestinian homes. More than 30 abstentions that have been cast by the U.S. over nearly five decades, only one was cast by the Obama administration just one.

H. Res. 11 does not precisely express that fact accurately. It implies that the U.S. always opposes or votes such regulations when that is hardly the case, nor does U.N. Security Council Resolution 2334, which excludes Israel outside of direct bilateral negotiations to end the conflict. Some of us who are strong supporters of Israel have difficulties with some of the wording in H. Res. 11 on a straightforward factual basis.

Yesterday, in the Rules Committee, I offered an amendment to allow this House to debate a substitute offered by our colleagues, Congressman DAVID PRICE, Congressman ELIJAH ENSIGN, who is a co-sponsor of H. Res. 11, and Congressman JERRY CONNOLLY. The Price-Engel-Connelly amendment expresses the House’s strong support for Israel, a two-state solution, and direct negotiations between the parties to the conflict. It is reasonable and balanced and is very much deserving of debate and this House’s attention.

Regrettably, the Republican majority on the House Rules Committee refused to allow the substitute to be brought before the House and debated. Instead, it decided to begin this new year and this new Congress with yet another closed rule—in fact, the second closed rule this week with no debate, with no thoughtful alternatives, and with no ability of the Members of this body to deliberate such serious issues and choose between alternative proposals—just politics, politics, politics, as usual.

I urge my colleagues to reject this rule and to please send a clear message to House leaders that we would like to be able to debate reasonable alternatives and amendments to bills, like the Price-Engel-Connelly amendment. If we don’t start demanding the kind of fairness and openness in our debates of important issues then I don’t want to even speculate as to what the rest of the year will look like.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I do appreciate my colleague’s concerns. I think it is interesting to note, though, that, if he were concerned about a closed rule, there were many of us who were very concerned about a closed voice from America at the U.N. Security Council in not defending Israel.

Also, on the other subject here, when we look at this going forward, there was a substitute that was actually offered in support of a resolution that does take a stand against what happened. It was not even mentioned in the substitute resolution.

Mr. Speaker, I yield 2 1⁄2 minutes to the gentleman from Alabama (Mr. BYRNE), a fellow member of the Rules Committee.

Mr. BYRNE. Mr. Speaker, I rise to share my strong support for this rule and the underlying legislation.

Mr. Speaker, there is no greater friend to the United States than Israel. Israel is a beacon of hope in a very dangerous part of the world. They are an important economic and military partner of the United States, and they play a critical role when it comes to fighting the radical Islamic terror threat. But the U.S.-Israel relationship, I was deeply disappointed to see the United States recently passed a flawed anti-Israel resolution that will only make it more difficult to achieve peace in the Middle East. It’s more than a momentous fact that the United States just stood by and did nothing as it happened. Instead of vetoing the resolution, the United States Ambassador abstained from voting at all.

In other words, the United States turned its back and looked the other way as the U.N. passed a flawed resolution attacking Israel. This represents a
dangerous break in a longstanding and bipartisan policy to protect our sole democratic ally in the region from one-sided resolutions at the U.N.

Let’s be clear, this resolution does absolutely nothing to make peace more likely in the region. Instead, it muddies the water and only further complicates what is already a very complex issue.

No solution to the ongoing problems with Israel and the Palestinian Authority is going to come from an international body like the United Nations telling them what to do. Any real solution must come through negotiations between the involved parties.

However, given the many blunders of the Obama administration on the world stage, I guess this most recent action shouldn’t be all that surprising. But this action is one of the most irresponsible acts ever by an outgoing President. It will be a dark stain on an already disastrous legacy.

By abstaining and allowing this resolution to pass, the Obama administration is giving a nod to a policy as it relates to Israel and put a pathway to peace even further out of reach. Now is the time to be standing up for Israel, not turning away from them.

It is my hope and my belief that under President-elect Trump the United States will once again stand arm in arm with Israel, and this resolution is an important step in that direction.

I urge my colleagues to join me in supporting this rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume. I hope that my colleagues from Alabama use some of that passion to convince the President-elect to stop cozying up to Vladimir Putin, who is no friend of democracy, no friend of Israel, but a friend of human rights.

All we are trying to do here, Mr. Speaker, is to have a little democracy on the House floor. People can vote whichever way they want to vote. But the House has never, since last night, standing true to form, actually denied us the ability to bring to the floor and debate an alternative, which we think is, quite frankly, more appropriate.

Mr. Speaker, I am going to urge that we defeat the previous question. If we do, I will offer an amendment to the rule that will make in order H. Res. 23, the David Price-Eliot Engel-Gerry Connolly resolution, to provide an alternative viewpoint.

Mr. Speaker, this resolution again was blocked by the Rules Committee, right along party line. Republicans said “no” to an open debate, even though it comports with all the rules of the House.

Mr. Speaker, I ask unanimous consent to insert the text of the 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 Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss the proposal, I yield 3½ minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise in strong opposition to this closed rule and the underlying resolution.

Mr. Speaker, there is a legitimate debate to be had concerning U.N. Security Council Resolution 2334 and the underlying resolution, but H. Res. 11 does not engage on those issues. Instead, it misrepresents the motives of the Obama administration as it made the tough decision to abstain, and it distorts the content of the U.N. Security Council resolution, apparently for political purposes. In fact, H. Res. 11 runs a real risk of undermining the credibility of the United States Congress as a proactive force working toward a two-state solution.

As we enter a period of great geopolitical flux, the test of that principle has never been more important. In the face of new threats to democracy and stability, we must join together to reaffirm the most fundamental tenets of our foreign policy, including our strong and unwavering support for Israel. But we must also demonstrate to the world that we are still committed to diplomacy that defends human rights and promotes peace.

In an effort to make that unifying affirmation, Mr. ENGEL, and Mr. CONNOLLY offered an amendment in the Rules Committee yesterday in the nature of a substitute for H. Res. 11. Our substitute was intended to put forward clear, consensus language that omitted the flaws of the underlying legislation and reaffirmed America’s longstanding commitment to Israel and to peace in the region.

Our alternative didn’t attempt to solve all the region’s problems. We didn’t want to assuage recent events at the United Nations. In fact, those of us working on this resolution have varying views on that question. Nor did our resolution include politically charged attacks on the foreign policy priorities of the other party.

Instead, our resolution is carefully designed to allow a broad, bipartisan consensus to speak in one voice in support of a two-state solution as the most credible pathway to peace.

Unfortunately, this substitute amendment was not made in order by the Rules Committee, which instead moved forward with the closed rule we have before us. The alternative resolution has now been introduced separately as H. Res. 23, and it is available for cosponsorship.

Today, however, we don’t have that before us because of this rule.

Members don’t have the opportunity to vote on this or any other resolution that accurately affirms both our vital relationship with Israel and the longstanding bipartisan consensus that supports a viable two-state solution. Instead, we are presented with an extreme resolution that badly distorts the history—and we have heard that again here this morning—and that recklessly maligns U.S. diplomacy, all to embarrass the Obama administration for political gain. It is not worthy of this body.

I strongly urge my colleagues to vote “no” on the previous question, “no” on the rule, and “no” on the underlying resolution.

Mr. COLLINS of Georgia, Mr. Speaker, yield 4 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the Rules Committee.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Georgia (Mr. COLLINS), a bright young member of the Rules Committee who today is offering the rule on two very important issues that face this great Nation.

Mr. Speaker, I rise in support of the rule. I rise in support of the work that the Rules Committee did for the right reason and I will yield the right results.

The American people spoke on November 8, and they asked for change, a change from business as usual. Mr. Speaker, that does mean you can look at geopolitical facts, and I believe a conclusion as opposed to geopolitical facts and ignore things that happen in the world, and that is exactly what we are doing here today.

The American people no longer want unelected bureaucrats promulgating rules. They no longer want Washington to be so important in their lives. They want and need to be able to have an opportunity to make their own decisions and to work well within the law. They have spoken; and they want what I believe the Republican House, the Republican Senate, and a Republican President will bring to the country. It is called accountability.

The REINS Act, sponsored by Mr. ROYCE, today, addresses many of the issues that I just discussed. The legislation requires that a joint resolution must be approved and must be passed by both Chambers of Congress and signed by the President before any major new rule or regulation is promulgated by the executive branch before it can take place. These are rules written by the Congress, rules then associated and determined by the executive, but with the intent of Congress to make sure that the American people are not further harmed.

Now, Mr. Speaker, we have just heard an opportunity to discuss what was—this discussion that we are having about Israel and the administration. The bottom line is that the chairman of the Foreign Affairs Committee, Representative Ed ROYCE, came before the committee yesterday and said he really did not take issue with what they were doing. He would not support it because it did not address the problem that occurred when the Obama administration, for political purposes, hung the people of Israel and the State of Israel out for the world to condemn and take
advantage of. It bypassed years and years of American foreign policy. It stunned not only Members of Congress, but it also stunned people who recognize that Israel is in a fight for their life.

Mr. Speaker, we did not, based upon the determination of the Rules Committee, make in order the bill that they had asked for. They can bring it to the floor today, and we are not going to make it available because it does not address the basic facts of this issue. That is, the President of the United States unilaterally allowed the State of Israel, who is a dear friend of the United States, to be hung out in the political and the economic world and the world of foreign affairs to be tarnished and taken advantage of.

Mr. Speaker, we are here to say that we were appalled by what our government did and we are going to stand up and call it for what it is. America should always be a trusted friend to Israel, and we are doing exactly that here today.

Mr. Speaker, I predict an overwhelming vote that will take place today to enunciate what we believe is correct and also what was wrong.

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

The distinguished chairman of the Rules Committee said that the American people don’t want business as usual. Yet, here we are on this opening week and what we see is business as usual, more Putin-like, closed rules coming to the floor. The 113th and the 114th Congresses were the two most closed Congresses in the history of the United States. Here we are beginning the new session with, again, this closed process.

The Speaker, on opening day, made a promise to uphold the rights of the minority.

Well, you know what?

That means that the minority ought to be able to be heard on the House floor. Yet, we are unable to bring amendments and substitutes to the floor. Yet, we get rejected time and time again.

This is not the way the most deliberative body in the world should be run. This is not the way Congress should be run. By closing down this process the way the majority does, it does a great disservice to the American people.

Mr. Speaker. I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I stand in opposition to this rule, which was pushed through the Rules Committee as a closed rule and did not make in order and one-sided resolution, which I supported by my colleagues, Mr. PRICE, Mr. CONNOLLY, and Mr. ENGEL.

Their amendment, like H. Res. 11, objects to the U.N. Security Council Resolution 2334, which I believe was an unfair and one-sided resolution that placed undue blame upon the State of Israel for the impasse on peace negotiations.

Like the Obama administration, I am frustrated by the lack of progress in recent years toward achieving a two-state solution to the Israeli-Palestinian crisis. However, I do not believe that the resolution passed by the Security Council was in any way to positively moving this process along.

Let’s not mistake that the Palestinian Government, which currently includes the terrorist faction Hamas, has done little to support peace publicly that recognize Israel’s right to exist as a Jewish state, condoning terrorist activity and pursuing unilateral actions at international institutions in violation of the Oslo Accords, the Palestinian process.

With the events of recent years, I am extremely fearful that the two-state solution is, if not dead, in critical condition. There are those within both the Israeli and Palestinian Governments who are actually working to ensure its demise. I think, as Members of Congress who strongly support Israel, we should be doing everything we can to convey to both the Israelis and the Palestinians that we will not stand by and watch them continuously place roadblocks to achieving peace.

Let me be clear, the ongoing settlement activity sanctioned by the Israeli Government is also counterproductive to the peace process. If the Israeli Government were to support peace, it would simply require those regulations and we are not capable of seriously reviewing these rules. This is not the way Congress should ever be doing.

With the events of recent years, I am extremely fearful that the two-state solution is, if not dead, in critical condition. There are those within both the Israeli and Palestinian Governments who are actually working to ensure its demise. I think, as Members of Congress who strongly support Israel, we should be doing everything we can to convey to both the Israelis and the Palestinians that we will not stand by and watch them continuously place roadblocks to achieving peace.

Let me be clear, the ongoing settlement activity sanctioned by the Israeli Government is also counterproductive to the peace process. If the Israeli Government were to support peace, it would simply require those regulations and we are not capable of seriously reviewing these rules. This is not the way Congress should ever be doing.

Mr. Speaker, during the first two terms that I have served in this Congress, the most common question posed to me by my constituents in central and eastern Kentucky is: What is the biggest surprise that you have confronted as a Member of Congress?

Regrettably, Mr. Speaker, the biggest surprise that I have discovered as a Member of Congress is that Congress is not and should not delegate its administrative power to administrative agencies.

The nondelegation doctrine forces a politically accountable Congress to make policy choices rather than leave this unaccounted to unelected bureaucrats. Yet what we have seen over the last several decades, and especially over the last 8 years, has been the rise of an unaccountable, out-of-control administrative state. Over time, legislatively mandated directives that are unilaterally in Congress by the Constitution have been increasingly and constitutionally claimed, assumed, and exercised by the executive branch.

Now unaccountable unelected bureaucrats decide how you work, what goods and services you can buy and sell, and what you can do with your own property, all without accountability at the ballot box. So this state of affairs is fundamentally in conflict with the foundational, constitutional principle that Congress alone possesses the Federal legislative power.

Look, this has enormous economic consequences. It is costly to our economy, and I don’t have to go into that. The nondelegation doctrine is a costly outcome to the American economy. But the bigger issue is that none of these rules from these agencies have been approved—let alone, even considered—by Congress, even though they have a profound impact on the economy. So the measure we are considering today would simply require those regulations with the greatest economic impact to be approved by both Houses of Congress prior to their implementation.

This has two positive outcomes. First, obviously, it has the effect of blocking costly rules. Secondly, and more importantly, it will no longer allow Members of Congress to delegate their constitutional responsibility to the executive branch.

I will conclude, I heard my friend, the gentleman from Massachusetts, make the argument that Congress is not even interested in these regulations and we are not capable of seriously reviewing these rules. This is about making sure that experts with specialized expertise in the executive branch review and promulgate these rules. But what are we doing here if...
Mr. Speaker, I rise in opposition to this rule and H. Res. 11, which is a flawed and misguided effort as currently written. Let me be clear: H. Res. 11 would undermine longstanding and bipartisan U.S. policy on a two-state solution to the Israeli-Palestinian conflict. This resolution is deeply flawed because it does not accurately portray the United States’ policy on the Middle East conflict. This resolution could be a serious setback to working with my colleagues on both sides of the aisle to promote a negotiated and peaceful two-state solution. This is the only pathway to peace and security. It is appalling—but really, it is not surprising—that Republicans are not going to be gagged. There are some of us here who are not going to be gagged. There are some of us who are going to put forth our views. That is our constitutional responsibility. We have the right to debate, whether you agree or disagree. It is really, really a very sad day for our democracy when bills like this come to the floor without the ability to debate. That is what this floor is for. This is not a partisan issue. This is about the integrity of the institution of Congress. Let’s stand up for the Congress and pass the REINS Act.

Mr. Speaker, yesterday, the Rules Committee shamefully rejected an alternative introduced by Congressman PAICE, Congressman CONNOLLY, and Congresswoman KYRIAN, which would require current U.S. policy that has reaffirmed our commitment to a negotiated and peaceful two-state solution. This is the only pathway to peace and security. It is appalling—but really, it is not surprising—that Republicans pushed through a closed rule and hurried this to the floor. The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentlewoman from Georgia 30 seconds.

Ms. LEE. Mr. Speaker, I want to thank the gentleman for yielding and for his steadfast commitment to ensuring global peace and security. Mr. Speaker, I rise in opposition to this rule and H. Res. 11, which is a flawed and misguided effort as currently written. Let me be clear: H. Res. 11 would undermine longstanding and bipartisan U.S. policy on Israeli settlements. What is worse, this resolution completely mischaracterizes the United Nations Security Council resolution and the United States’ abstention vote.

Mr. Speaker, yesterday, the Rules Committee shamefully rejected an alternative introduced by Congressman PAICE, Congressman CONNOLLY, and Congresswoman KYRIAN, which would require current U.S. policy that has reaffirmed our commitment to a negotiated and peaceful two-state solution. This is the only pathway to peace and security. It is appalling—but really, it is not surprising—that Republicans pushed through a closed rule and hurried this to the floor. The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman from Georgia.

Ms. LEE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. WILCOTT. Mr. Speaker, I yield the gentleman for yielding.

Mr. SPEAKER. The time of the gentleman has expired.
American people reject the U.N.’s one-sided, shortsighted U.N. Security Council resolution, and the American people stand united with Israel. I urge my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, Israel is a special place in a troubled and dried landscape, sacred ground for three of the world’s major regions. Israel’s security is important to me and the people I represent. The Jewish homeland is the only democracy in this broader region of continuing conflict. I abhor the terrorist acts. Israel’s security merits our support, which is why the Obama administration, with Congress’ approval, just awarded an unprecedented amount of military aid over the next 10 years.

But, unfortunately, Israel’s future is being threatened by its own actions as well as by its adversaries. For years, reckless settlement expansion has been opposed by the United States and the rest of the world. They are confiscating Palestinian land in a way that is not just contrary to longstanding American policy, but is often illegal under Israeli law.

It looks like the incoming Trump administration is reconsidering 50 years of bipartisan policy, urged on by the extremist views of his proposed Ambassador whose position on settlement expansion is on the fringe of even Israeli politics. H. Res. 11 sends the wrong signal to the incoming President, to Israeli politicians, and especially to the Israeli people. It drives a wedge between Israel and the majority of Americans, including the majority of Jewish Americans. It weakens that special relationship and the isolation of Israel in evidence as the resolution was approved unanimously by the other 14 countries. Israel will become more vulnerable and, candidly, it will likely embolden forces that are hostile to the Jewish state.

Instead of this resolution, we should reject the rule and support the resolution I cosponsored with Mr. PRICE that reaffirms our commitment to the longstanding American policy in support of a two-state solution and to help secure Israel’s future as a stable, democratic, peaceful state.

Mr. DOGGETT. Mr. Speaker, this House contains many friends of Israel, Republican and Democratic. Indeed, as long as I’ve been here, I have never found an enemy of Israel in this House. Certainly that friendship was very apparent in the week President Obama approved giving Israel $38 billion of American tax money in military assistance. But like the Knesset in Jerusalem, we sometimes do disagree about what the best way is to ensure peace and security, and lively debate is important to that.

Unfortunately, this rule is about stifling Kenesset-style debate. It restricts and denies any amendment and any alternative. This strict limitation on debate and this surprise presentation of today’s measure with no public hearing and little warning show how fearful our Republican colleagues are of a legitimate discussion of this troubling issue. This is a horrible way to make critical foreign policy. It is only a step above doing it by tweets, which seems to be the approach of the day.

Today’s resolution, which purports to support Israel security, actually undermines that security. It favors going it alone with the current Israeli government in defiance of our other allies and the 14 countries that unanimously voted for this Security Council measure.
Isolation—more and more isolation—is not the way to protect Israel. Those who demonstrate their friendship with Israel by following Mr. Netanyahu on one right turn after another are boxing in America and Israel. He is moving us further and further to the extremes so that we eventually end up chilling out chaos. As Tom Friedman noted in urging a negotiated two-state settlement: “A West Bank on fire would become a recruitment tool for ISIS and Iran.”

I yield 1 minute to the gentleman from Florida (Mr. GAETZ), who is an administrator of the Oslo process and I continue to reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. HOLLINGSWORTH), who is another freshman that we welcome to the floor.

Mr. HOLLINGSWORTH. Mr. Speaker, I rise today in support of the rule and the underlying REINS Act because I was sent to Congress to help hardworking Hoosiers create jobs, keep jobs, and raise wages. As a small-business owner myself, I understand how difficult it is to build a business in today’s economy, and I want the Hoosiers of Indiana’s Ninth Congressional District to have control over their futures without fear of unaccountable government bureaucrats creating regulations to restrict their pursuit of success.

I believe the REINS Act will ensure the constituents in Indiana’s Ninth District will not only have a voice, but also have the laws that govern this great Nation. Hardworking Hoosiers are shining examples of what Americans can do with the freedom to make their own economic decisions, and I don’t want unelected bureaucrats in Washington impeding the job-creating growth of Indiana’s and America’s businesses.

Mr. Speaker, I encourage my colleagues to vote “yes” on the rule and vote “yes” on the underlying bill.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. GAETZ), who is another new face that is looking forward to making a difference here.

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. Speaker, I support this rule and the underlying legislation. Today the Federal Government’s rules exceed $97,000 pages in America’s statutory. So we ask ourselves: Do we really need 20 pages of rules governing vending machines? Could we cover fuel standards in less than 578 pages? Would the Union crumble if we didn’t have 61 pages of regulations on residential dehumidifiers? Each of these rules has compliance costs that exceed $100 million.

In my home State of Florida, we passed a version of the REINS Act. The result has been repeal or replacement of over 80 existing regulations. We can only make America great again if we make Americans free again—free from the tyranny of unelected Wash-ington bureaucrats huddled in windowless cubicles dictating to Americans how they should live their lives, build their businesses, and protect their own property. Voters sent us here to drain the swamp, but with so many regulations, we would be lucky to get permission to hold a town hall.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, it is my honor to address you and my privilege to be recognized by the gentleman from Georgia.

I wanted to address this rule, and I share some of the sentiment that came from the gentleman from Massachusetts. I like to have open rules. I like to have open debates. I would like to have more than one debate on what we might do with this resolution that is before us. I would like to have a debate on the one-state solution versus the two-state solution because I believe that the two-state solution has run its course and we need to pack up our tools, ship those off to the side, and start anew with a new look at these issues. I believe we needed to have a resolution that refreshes this in such a way that it completely rejected Resolution 2334, that vote that took place in the United Nations and said to the Trump administration: Let’s start this fresh with a new look rather than a direction of being bound by implication to a two-state solution.

But that is not what we have ahead of us. What we have ahead of us is a resolution that has come to the floor under a closed rule that sends a lot of a good and right message to the rest of the world that America and the United States Congress reject what happened in the United Nations the other day and that decision to abstain from that vote. On the other hand, we really don’t have the focus here to take on these issues. The violence that we see against Israeli civilians comes from the encouragement of hatred. Frankly, they encourage it. The violence that we see against Israeli civilians comes from the underlying legislation. Today the U.N. resolution does not address the Palestinian Authority’s failure to end incitement of hatred. Frankly, they encourage it. The violence that we see against Israeli civilians comes from the encouragement of PA officials. It does not address the Palestinian Authority’s continued payments. An incentive payment in their budget—over $300 million a year—is paid to those who would carry out attacks against Israeli civilians. The more mayhem you create, the longer the stipend. That comes right out of the budget of the Palestinian Authority.

The U.N. resolution did not call upon Palestinian leadership to fulfill their obligations towards negotiations. The Middle East Summit is planned next month. So, first, the administration abstains on this, and next month in France there is real concern that another damaging Security Council resolution should follow.

That is why this dangerous policy must be rejected, hopefully unanimously, by this House.

Mr. MCGOVERN. Mr. Speaker, I have no further speakers, and I yield myself the remainder of my time.

Mr. Speaker, I urge my colleagues to vote against this rule. It is not fair. I urge my colleagues to vote “no” on the previous question so that Mr. PRICE, Mr. ENGLE, and Mr. CONNOLLY can bring up their alternative to H. Res. 11.

Mr. Speaker, let me say, finally, that I am deeply concerned that the institution of Congress has been undermined time and time again by this tendency to be overly restrictive and outright closed. We are supposed to be the greatest deliberative body in the world, but the problem is we don’t deliberate very much. Everything that is brought to this floor tends to be a press release substituting for legislation.

There is no bipartisanship. There is none. There is no working together. There is none. And that is unfortunate. I think one of the messages of this last election for the American people was they want to see things happen here. Not just whatever the Republicans want or whatever the Democrats want, they want us to see us working together.

I served here as a staffer during a time when there was collegiality, when Republicans and Democrats came together and passed appropriations bills and authorization bills and passed major reform bills. That doesn’t happen anymore.

On the issue of regulatory reform, I think you can actually get a consensus on regulatory reform. There is nobody in this House that thinks the regulatory process is perfect. The problem is any bill that comes down that floor that is so one-sided, that is poorly written, that is impractical, we can’t support it.
On the issue of Israel, we could have come to a consensus. I think, and spoken with one voice to show our unwavering support for the State of Israel. But instead, we have a bill that comes to the floor that is politically charged. I think that it was clearly based on the tone of some of the speeches here today—but also has factual errors in it.

The frustration level has grown to the point where some of us in the minority have taken to protesting. We had a vote in response to the fact that we couldn’t get legislation to the floor that said if you are on a terrorist list, you can’t fly, then you can’t buy a gun, and a bill that called for universal background checks.

We thought we had a promise to be able to bring some of this to the floor. My friends could have voted against it. But we were told, no, you don’t even have the right to debate these bills.

I am going to say to my colleagues that unless things change, you are going to see the discord, the anger, and the frustration build on this side of the aisle, and you are going to see it build throughout the country.

There is a reason why people hold this place in such high regard. It is because they see this place not as an institution where we can solve problems but as a place where it is all about obstruction or “my way or the highway.”

This is a lousy way to start the new year. I yield back the balance of my time.

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

It is amazing to me some of the stuff that I have just heard. Mr. Speaker, just in the last few minutes. And I appreciate my friend across the aisle, but the debate that we have been having here amounts to that is something I want to talk about, but also something that came up, just to take a few steps down the road.

It had been mentioned many times here on the floor today that a unanimous vote by the Security Council in some way implies that it was right or that it was proper. I am sorry, the groupthink of the United Nations Security Council on this issue was wrong.

The one that was left silent was the voice of America. America turned its back.

That is not what the leader of the free world should do. That is not what the leader of the free world should do to his closest ally in the Middle East. That is why we are talking about this.

There are other things we can discuss today. There are criticisms on two-state solutions on another case on the settlement, but the bottom line here is that it goes deeper than the other issues. The deeper part here is that we simply sat silent while the world mocked and criticized our strongest ally, Mr. Speaker.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule and the underlying bill.

I oppose this rule because it makes in order H.R. 26, the Regulations from the Executive in Need of Scrutiny (REINS) Act, which is a radical measure that could make it impossible to promulgate safety regulations to protect the public.

I oppose this rule because it would effectively shut down the entire U.S. regulatory system, amending in one fell swoop every bedrock existing regulatory statute.

The legislation is clearly designed to stop all regulation dead in its tracks—no matter the threat to health, safety or the economy. It would neuter the current system’s reliance on science, expertise, and public participation in developing regulations.

Under current law, agencies must keep a record of their interactions with industry and other entities interested in the regulatory process. The REINS Act would have to make relatively rapid decisions, and an elaborate public process that can and an elaborate public process that can

Under REINS, even rules to handle emergencies could be in effect for only 90 days absent Congressional approval.

H.R. 26 is so grossly slanted against regulation that it will allow lawsuits to proceed against any regulation Congress could actually manage to move forward (because repeal regulations must be done through regulation, so repeals would in fact trigger REINS.)

And the latest version of the bill delays its effective date for a year so that any Trump Administration efforts to repeal existing regulations would not get caught up in the REINS Act trap—another indication that the REINS Act would be expected to stop any regulatory action from moving forward (because repeal regulations must be done through regulation, so repeals would in fact trigger REINS.)

In addition to representing an overwhelming threat to the public, H.R. 26 is also bad for business.

The legislation would require businesses to have to lobby Congress for each and every significant regulatory change they wanted—no matter whether those were new regulations, changes in regulation or repeal; no matter whether the regulatory issues involved disputes between different industries; no matter how technical the issues involved.

H.R. 26 would, in fact, make the regulatory system less predictable for industry and would disadvantage any industry that did not have a large political presence.

It is difficult to exaggerate how fundamentally this alarming piece of legislation would change American government and how it would make it to protect the public.

This legislative effort is the ultimate giveaway to special interests.

Under H.R. 26, any special interest could simply use its political clout in one chamber of Congress to sideline such vital public protections as limiting the amount of lead in children’s products, preventing salmonella contamination in eggs, reducing emissions of toxic air pollutants or banning predatory banking practices.

The REINS Act constitutes the ultimate overreach as well, not only because of the impact it would have, but because Congress already has ample tools to control the regulatory system.

Congress is already vested with the authority to vote to block a specific regulation at any time.

And regulation is permitted only pursuant to statutes that Congress has passed and can amend or repeal.

Under current law, agencies must keep a record of their interactions with industry and other entities interested in the regulatory process and provide a clear record of their decision-making (which often must be able to hold up in court).

Because agencies often take years to review the scientific and technical evidence relevant to a decision, throwing every final decision to Congress would undermine this entire process.

In addition, courts can review regulations and an elaborate public process that can stretch out for years must be followed to issue a regulation.

Instead, under this legislation, Congress would have to make relatively rapid decisions, often behind closed doors, and it would not be held to any standard of technical review.

Businesses would no longer have an incentive to cooperate with agencies and provide
arguments and evidence because they could just take their chances with the political process, which they would no doubt try to influence with campaign contributions.

Ultimately, decisions on regulations would be determined solely by political horse-trading among members of Congress.

Agencies issue 50 to 100 major rules a year dealing with everything from Medicare reimbursement to railroad safety to environmental protection.

But, under H.R. 26, Congress would have 70 legislative days to second-guess each and every decision covered by the Act.

Because failure to take action would kill any safeguard, Congress would be forced to hold hearings in a short time on technical issues—or worse, forgo hearings and race the 70-day clock with even less information and debate.

This body has already allowed backlogs to clog the channels of its current docket, and this legislation would require that as many as 100 additional measures come to the floor.

This is not an effort to drain the swamp; this is a deceptive and manipulative tactic employed to clog the drains.

Mr. Speaker, make no mistake about it, this merry-go-round legislative scheme and the irresponsibility of the House majority in wasting time trying to shut down the entire regulatory system (because it cannot win through time-consuming legislative processes) entirely disregard the administrative public support efforts in place to protect food safety, air and water quality and to limit the manipulation of our economic system by special interests.

The REINS Act is tantamount to a coup—a right-wing takeover to block future agency actions regardless of public desires.

The exceptional Americans we serve deserve a Congress that does its job and keeps our time-honored institutions functioning.

For these reasons and more, I oppose this rule and the underlying bill.

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

**AN AMENDMENT TO H. RES. 22 OFFERED BY MR. McGOVERN OF MASSACHUSETTS**

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

**SRC. 3. Immediately upon the adoption of this resolution the House shall proceed to the consideration of one without direction of any point of order, in the House of the resolution (H. Res. 23) expressing the sense of the House of Representatives and reaffirming long-standing United States policy in support of a negotiated two-state solution to the Israeli-Palestinian conflict. The resolution shall be considered as read. The pre- tation on a resolution reported from the Committee on Rules, control shifts 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 business on such a rule (a special rule reported from the Committee on Rules) opens the resolution to amendment and further debate." (Chapter 21, section 21.3). Therefore, 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 may then offer an amendment.

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

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

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

Mr. McGOVERN. Mr. Speaker, on that occasion my amendment was offered. The previous question was ordered. 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 235, nays 188, not voting 10, as follows:

**Rooll No. 9**

**YEAS—235**

Abraham Goodlatte
Adhcroft Gosar
Allen Gowdy
Amash Graves (GA)
Amodi Graves (LA)
Arrington Griffith
Bacon Grothman
Banks (IN) Gutierrez
Beauchat Barr
Benton Harper
Beutler Harris
Bijes Hartzler
Blackburn Hazouri
Bloom Huizenga
Braun Mack
Buck Johnson (GA)
Budd Johnson (IN)
Burgess Joyce (OH)
Calvert Kalbach
Carter (GA) Kaltenbach
Carter (TX) Kean
Chabot King (IA)
Chaffetz King (NY)
Coffman Kinzinger
Cole Kinsey
Collins (GA) Koechli
Comer Lange
Comstock LaMalfa
Costello (PA) LaMee
Coutier (PA) Largue
Crawford Lowey
Crutcher Lowenthal
Davis Lucas
Davidson Luetkemeyer
Davis, Rodney Lynch
DelBene Long
Demings Loudermilk
Dent Longmire
Dentzel Lourenco
DeJarlais Mace
Diaz-Balart Madison
Duckworth Maffett
Duncan (SC) Maguire
Duncan (TN) Makarios
Dunn Manor
Rimmer McMorris
Rimmer, Michael McMorris
Rimmer, Michael McMorris
Randomon McMorris
Farenhold McMorris
Faso McIntyre
Ferguson McDermott
Ferguson McKean
Feketischmann McKeon
Flores Messer
Foxx Messer
Frank (AZ) Missouri
Frank, Thomas Missouri
Frelinghuysen Murphy (PA)
Gast Guthrie
Gallagher Guy
Gallus 
Gibbs Guthrie
Gohmert 

**NAYS—188**

Adams Bishop (GA)
Aguilera Blumenauer
Aguirre Blunt
Akin Blunt
Barr Boyle
Bass Byrd
Beatty Boyle
Beatty, Jamie Boyden
Bera Brady (PA)
Beyer Brady (FL)

---

**Mr. Speaker**

The exception Americans we serve deserve a Congress that does its job and keeps our time-honored institutions functioning. For these reasons and more, I oppose this rule and the underlying bill.

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

**AN AMENDMENT TO H. RES. 22 OFFERED BY MR. McGOVERN OF MASSACHUSETTS**

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

**SRC. 3. Immediately upon the adoption of this resolution the House shall proceed to the consideration of one without direction of any point of order, in the House of the resolution (H. Res. 23) expressing the sense of the House of Representatives and reaffirming long-standing United States policy in support of a negotiated two-state solution to the Israeli-Palestinian conflict. The resolution shall be considered as read. The pre-
I personally count myself blessed to have had Tim Berry as my chief of staff for the whole time I have been in leadership. Today is his last day on our floor. Tim has had 18 years of service in this institution. He has been in other leadership offices. He went into the private sector, but when I got elected mayor of Silver Spring, Maryland, he helped me work on friendships, and he has worked across the aisle. But if there were one thing I would define this man as, it is a family man.

Today, we are lucky to have his wife, Lisa, and daughter, Maeve, in the gallery with us. And to his other children. Ella and Chris, I want to thank you for your sacrifice on loaning your father. For every dinner he has missed, or every phone call he had to take, or maybe that one or two lacrosse games he couldn’t coach. I want to thank you.

But to Tim, I want to thank you for your dedication, I want to thank you for your friendship, and I want to wish you the very best on behalf of a very grateful nation and institution. Thank you.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland, my colleague, the minority whip. Today is his last day on our floor. Tim has had 18 years of service in this institution. He has made the relationship between the parties more positive in times when it was greatly strained. Tim, thank you. Thank you for your service to the Congress, thank you for your service to the country, and thank you for your service to each and every one of us. God bless you and Godspeed.

The SPEAKER pro tempore. The question was taken; and the 5-minute voting will continue.

There was no objection. The SPEAKER pro tempore. The question is on the resolution. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.
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.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017

GENERAL LIEVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 26. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 22 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 26.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 26) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

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

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, regulatory reform plays a critical role in ensuring that our Nation finally achieves a full economic recovery and retains its competitive edge in the global marketplace. Congress must advance pro-growth policies that create jobs and re-store economic prosperity for families and businesses across the nation and make sure that any administration and its regulatory apparatus is held accountable to the American people.

America's small-business owners are suffocated by a paralyzing web of endless growing, bureaucratic red tape; and the uncertainty about the cost of upcoming regulations discourages employers from hiring new employees and expanding their businesses. Excessive regulation means higher prices, lower wages, fewer jobs, less economic growth, and a less competitive America.

Today, Americans face a burden of over $3 trillion per year from Federal tax and regulatory burdens. In fact, our Federal regulatory burden is larger than the 2014 gross domestic product of all but the top eight countries in the world. That burden adds up to about $15,000 per American household—nearly 30 percent of average household income in 2015.

Everyone knows it has been this way for far too long; but the Obama administration, instead of fixing the problem, has known only one response: increase taxes, increase spending, and increase regulation. The results have painfully demonstrated a simple truth: America cannot tax, spend, and regulate its way to economic recovery, economic growth, and durable prosperity for the American people.

Consider just a few facts that reveal the economic weakness the Obama administration has produced. In the December 2016 jobs report, the number of unemployed increased by 120,000, and, in fact, our unemployment rate remains at 4.7 percent. It's simply outrageous that after more than 7 years of the Obama administration, the unemployment rate remains where it was when he ran for office.

Overshadowed by this increase in unemployment, the labor force participation rate has continued to fall. In 2016, the labor force participation rate fell to its lowest level since the Great Depression and has tumbled 14 percentage points since its peak in 2001.

Today, Americans face a burden of tax and regulatory obstacles that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 26.
had to ensue from the passage of the Affordable Care Act in order to enable those 30 million people to have coverage now. That is why they want to introduce this legislation to cut regulations. They want to try to hurt the Affordable Care Act. They also know that regulations had, in spring forth from the Dodd-Frank Wall Street reg- 

ulation, legislation that was passed in this body. They know that those regulations have protected the finances and the financial security of Americans who are doing far better now than they were 8 years ago when President Obama took office.

The American people know that they are much better off now. They know that bankruptcies have gone down. They know that foreclosures have gone down. They know that they have better jobs. They know that things are better now than they were back then.

You will remember and the American people will remember that on the very day of President Obama’s first inauguration, before President Clinton and a cabal of Republicans met from both the House and Senate, crying in their beers at a Capitol Hill bar. They embarked on a strategy to—what?—make sure that President Obama would be a first-term President. So they resolved to op- 

pose everything that he proposed, and they certainly did. Despite unprece-

dented opposition from the Republic-

cans just saying “no” to everything, the American people know that they are in a better position today than they were 8 years ago when coming into the Obama administration.

The Republicans want to introduce legislation to do away with the rules and the regulations concerning the Af-

fordable Care Act and the Dodd-Frank legislation, which has protected the fi-

nancial security of Americans over the last 8 years. That is why they come for-

ward with this so-called jobs bill. This bill would subject new rules and regulations concerning the Affordable Care Act and the Dodd-Frank legislation to nullification by Congress through an unconstitutional leg-

islation that was passed in the House ethics regime. They wanted to make sure that they don’t fol-

low through with that measure that would install the foxes over the hen-

house. What they want to do is install the corporate foxes over America’s henhouse with this REINS Act.

The REINS Act is central to the Speaker’s so-called Better Way agenda, which is really only a better way for rich, corporate elites to further insulate themselves from public accountability and away from the same tired and crony-capitalist proposals that have been kicked around by oppo-

nents of environmental and public health protections since the 1980s. In fact, in 1983, Chief Justice John Robert-

c who was then President Reag-

an, criticized a similar proposal as unwise because it would hobb-

ble agency rulemaking by requiring affir-

mative congressional assent to all major rules and would seem to impose excessive burdens on the regulatory agencies.

In addition to being an unmitigated disaster for public health and safety, proposals like the REINS Act will actu-

ally do major harm to the REINS Act reform attempts, as the late Justice Antonin Scalia wrote in 1981. Then a professor at the University of Chicago Law School, Justice Scalia cautioned: “Those in the Congress seem per-

versely unaware that the so-called ‘unelected officials’ downtown are now their unelected officials, presumably seeking to move things in their desired direction; and that every curtailment of desirable agency discretion ob-

structs (principally) departure from Democrat-produced, pro-regulatory status quo.”

Now, it is not often that I quote Justice Scalia, but, ironically, I do so today.

The REINS Act also imposes dead-

lines for the enactment of a joint reso-

lution approving a major rule that could gratuitously be referred to as Byz-

antine. So as not to use too lofty lan-

guage, I will just declare that this thing is like throwing a monkey wrench in a well-oiled machine.

Under new section 802, the House 

may only consider a major rule on the second or fourth Thursday of each month. In 2014, there were only 13 such days on the legislative cal-

endar. I think on the legislative cal-

endar for 2017, there are only about 13, maybe 14 or 15, such days where we could consider these major rules on the calendar. I would point out that there are approximately 80 such rules of importance that come through in a typical year.

plainly shown the connection between skyrocketing levels of regulation and declining levels of jobs and growth.

The REINS Act responds by requiring an up-or-down vote by the people’s representa-

tives in Congress before any new major regulations can be imposed on our econ-

omy. It does not prohibit new major regulation. It simply establishes the principle: “no major regulation without a voice.”

The REINS Act provides Congress and, ultimately, the people with a much-needed tool to check the one-way cost ratchet that Washington’s regu-

latory bureaucrats too often turn. Dur-

ing the 114th, 113th, and 112th Con-

gresses, the REINS Act was passed multiple times by the full House of Representa-

tives, each time with bipartisan support.

I thank Mr. Collins of Georgia for reintroducing this legislation, and I urge all of my colleagues to vote for the REINS Act.

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

Mr. Johnson of Georgia. Mr. Chair-

man, I yield myself such time as I may con-

sume.

I listened intently to my colleague’s opening remarks, and he seemed to try to justify the passage of the REINS Act, which I rise in opposition to, by the way, by saying that it has been the Obama administration’s job-killing regulations that have put our economy in the position, which is one that is not good.

Despite trying to convince the American people of that allegation, the American people are aware of the facts. They are aware of the fact that, 8 years ago, when President Obama came into office and under a Republican steward-

ship that used trickle-down economics as its model, this economy neared that

Recession because of George Bush’s and his administration’s actions. This country almost went into a recession, which is really only a better way for rich, corporate elites to further insulate themselves from public accountability and away from the same tired and crony-capitalist proposals that have been kicked around by oppo-

nents of environmental and public health protections since the 1980s. In fact, in 1983, Chief Justice John Robert-

c who was then President Reag-

an, criticized a similar proposal as unwise because it would hobb-

ble agency rulemaking by requiring affir-

mative congressional assent to all major rules and would seem to impose excessive burdens on the regulatory agencies.

In addition to being an unmitigated disaster for public health and safety, proposals like the REINS Act will actu-

ally do major harm to the REINS Act reform attempts, as the late Justice Antonin Scalia wrote in 1981. Then a professor at the University of Chicago Law School, Justice Scalia cautioned: “Those in the Congress seem per-

versely unaware that the so-called ‘unelected officials’ downtown are now their unelected officials, presumably seeking to move things in their desired direction; and that every curtailment of desirable agency discretion ob-

structs (principally) departure from Democrat-produced, pro-regulatory status quo.”

Now, it is not often that I quote Justice Scalia, but, ironically, I do so today.

The REINS Act also imposes dead-

lines for the enactment of a joint reso-

lution approving a major rule that could gratuitously be referred to as Byz-

antine. So as not to use too lofty lan-

guage, I will just declare that this thing is like throwing a monkey wrench in a well-oiled machine.

Under new section 802, the House 

may only consider a major rule on the second or fourth Thursday of each month. In 2014, there were only 13 such days on the legislative cal-

endar. I think on the legislative cal-

endar for 2017, there are only about 13, maybe 14 or 15, such days where we could consider these major rules on the calendar. I would point out that there are approximately 80 such rules of importance that come through in a typical year.
Furthermore, under new section 801, Congress may only consider such resolutions within 70 legislative days of receiving a major rule. This creates a lot of red tape that threatens to end rulemaking as we know it, and that is the exact, precise intent of this Congress. Even the Government Accountability Office estimates the number of major rules in contemplation of a bill’s onerous requirements, Congress would still lack the expertise and policy justifications for refusing to adopt a major rule.

As over 80% of the Nation’s leading professors on environmental and administrative law noted in a letter in opposition to a substantively identical version of this bill, without this expertise, any “disapproval is therefore countable to the American people. It is my privilege to oppose this bill. I urge on both sides of the aisle to do the same.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Subcommittee on Regulatory Reform, Commercial and Anti-Trust Law.

Mr. MARINO. Mr. Chairman, I rise today in strong support of the REINS Act. I would like to thank my colleagues from Georgia (Mr. COLLINS) for taking charge of this bill in the 115th Congress and Judiciary Chairman GOODLATTE for quickly bringing it to the floor.

This week and next, the primary focus of debate on the REINS Act is in the House. The stranglehold of regulation on the economy and its intrusion into the everyday lives of Americans. These onerous burdens are well-known to Members of Congress on both sides.

Over the past several years, I have spent countless hours traveling across the nearly 6,600 square miles of my district. I have met with my constituents in their homes, in their workplaces and social halls. They have pleaded with me for relief from the regulations that limit their ability to prosper, innovate, and grow.

Unlike the nameless, faceless, ever-growing bureaucracy here in Washington, we have listened to the people’s concerns. We have made regulatory reform a priority and the focal point for jump-starting our economy. By placing final approval of major regulations in the hands of Congress, the REINS Act is an important launch point in our efforts to dismantle the administrative state and give control back to those who understand and implement the law in the way that Congress intends.

The FCC’s net neutrality rule might have been overturned, a classic rulemaking bait and switch where the FCC ignored the mountains of public comments, constituent opposition, and the Constitution. An unaccountable sum of environmental regulations might have been avoided before destroying large swaths of our industry and imposing huge costs on taxpayers.

Today we take an important step to reassert the voice of the American people in our government. The REINS Act reestablishes the Congress as the final judge of whether or not any particular regulation actually does what the Congress meant it to do.

Returning this responsibility to the branch of government most attentive and accountable to the people adheres to the principles of our Nation’s founding. It is to the will of all elected to Congress should support. I urge my colleagues to support the REINS Act.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 5 minutes to the eloquence of the gentleman from the great State of Tennessee (Mr. COHEN), my friend out of the great city of Memphis.

Mr. COHEN. Mr. Chairman, I don’t know if I can live up to those words, but I certainly appreciate them. I was the member on this committee, and I was chair at one point. We have had this bill over the years. It is indeed a monkey wrench or a monkey in the wrench, as JOHN McCAIN might have said. It will mess with the entire system, that we have of Congress passing laws, delegating, giving the executive the ability to enact them in ways that make them functional and appropriate and come up with the details that the Congress does not have enough expertise to do.

The other side refers constantly to people that prepare these rules—which take many, many years and have much, much input—as bureaucrats, as if it is some type of pejorative. Bureaucrats are government employees who have expertise in certain areas and who study an area and become so much more expert than we are on the subject that they can come up with fine-tuned laws that are checked and balanced to make sure that they implement in the way that Congress intends. If Congress doesn’t like it, Congress can pass a bill by both House and Senate to repeal it. We have already got that possibility.

Under this unique approach, either one of the houses of Congress can stop a regulation, a rule from going into effect because both Houses will have to approve a rule and the President would have to sign it before it could go into effect. That gives one House the ability to veto, basically, an executive action.

It is the executive in our system that has the power to veto acts of the legislature and not vice versa. We can pass laws in a bicameral spirit, which is what our Constitution has, when the House and the Senate agree. But neither House, independently, is given any power to veto laws or legislation. This would break that and, I believe, be unconstitutional. That is why I oppose H.R. 26, the Regulations from the Executive in Need of Scrutiny Act of 2017.

Indeed, the Executive in Need of Scrutiny Act is most appropriate this year as we start, because in 2017, 2018, 2019, and 2020, we are, indeed, going to have an executive in need of scrutiny.

So I thank the Chairman for bringing this bill appropriately because we are, indeed, in the times of an Executive in need of scrutiny. We need scrutiny over income tax returns that have been hidden from the public that might disclose conflicts of interest or loans from characters that might be considered oligarchs and have some type of an influence over our foreign policy and our domestic.

We need an Executive in Need of Scrutiny Act that deals with these conflicts, with income taxes that haven’t been released, with businesses in the District where people could go to hotels and curry favor with the Executive.

Indeed, we do have an Executive in Need of Scrutiny Act, so I appreciate the well-named bill that the Republicans have brought us and the awareness that, through this bill, they have seen that we need some concern about the Executive coming because he certainly needs scrutiny.

This bill, though, is the worst of corporate special interests because it will give corporate special interests the opportunity to override rules that take effect unless both Houses pass them. It is difficult enough for this House and the Senate to get legislation passed in the days that we often give to legislation that the President has to agree to, in which case if you can’t, it is, in essence, a pocket veto, and it doesn’t even have to be scheduled for an
vote because the House would have to positively pass and the Senate positively pass. So if the Speaker doesn’t want to do it, the Speaker can pocket veto the regulation. It doesn’t even have to be scheduled.

This is not draining the swamp. It will heighten the influence of corporate lobbyists in Congress where they can come to the Speaker and ask that agency rules they don’t like that might protect the lives of children because regulations dealing with toys that seem to possibly be defective, or automobiles where they need safety devices, or other consumer protections that interfere with business interests—business is good and important, but sometimes businesses do things that are injurious to the public.

To give this opportunity to stop rules and regulations from going into effect that protect the public is wrong. It was suggested maybe it will help the economy, but what cost? What is one life worth—or several lives—if lives are lost because safety regulations are not approved by this House and the Senate, or one or the other, and then don’t go into effect? As I mentioned, this is seriously constitutionally defective.

The CHAIR. The time of the gentleman has expired.

Mr. COHEN of Georgia. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. COHEN. Mr. Chairman, the ranking member mentioned Justice Scalia. I will mention Chief Justice John Roberts who criticized nearly identical legislation he was using to justify American job creators and American families. Take, for example, the EPA’s waters of the U.S. rule. It is a power grab by the EPA attempting to regulate any body of water on a private land parcel bigger than a bathtub. It goes way beyond what the Clean Water Act says they can do.

Using its new interpretation of WOTUS, the EPA has full authority to bully land-owning American citizens like Wyoming rancher Andy Johnson. Roberts said he was a White House lawyer because it would “hobble agency rulemaking by requiring affirmative congressional assent to all major rules” such that it would “seem to impose excessive burdens on regulatory agencies.” That was John Roberts.

Some of the underlying facts given were about the economy. No matter what you say, President Obama has been good for the economy. We saved the housing market. We saved this country from the Great Recession. We brought about recovery. That is not something we should disparage but we should praise. The stock market has gone up to record highs. Unemployment is down. Jobs are up. The automobile industry has been saved.

I ask Members to reject this bill because it is unconstitutional. It will cost lives of American citizens because safety regulations won’t be passed.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. FARENTHOLD), a member of the Judiciary Committee.

Mr. FARENTHOLD. Mr. Chairman, our Founding Fathers intended for us to have a limited government. If they saw what we have today, they would be appalled. Our government has gotten huge. It is out of control, and an alphabet soup of government agencies and unelected bureaucrats are writing the laws. They call them regulations, but they have the effect of laws.

I am going to disagree with my friend and colleague from Tennessee, any power these agencies have to write regulations was delegated to Congress. We are putting some of that power back, back to Congress, back to people elected by the people; in fact, to where the Founding Fathers put it in Article I of the Constitution.

That is why I am here today, to support the REINS Act. It says that if an agency enacts a regulation that has an economic impact of more than $100 million before going to the House and the Senate for a positive vote before it takes effect.

Now, quite frankly, because the Constitution vests all of the legislative power in Congress, I think every single regulation that one of these agencies does should have to come back before Congress, but the REINS Act is a great start.

Throughout President Obama’s administration, a flood of regulations has come down on the backs of our small businesses. We have the tiny Exxon, the tiny Walmart, the tiny Boeing, the tiny General Motors, the tiny General Electric, the tiny American people. And yet this is a great start, and I urge my colleagues to join me in supporting it.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my friend from Texas cites Article I giving the legislative branch authority to make the laws, and no one can argue with that. However, I would point out that Article II, section 3 imposes upon the President, the executive, the obligation to take care that the laws are faithfully executed, and so rulemaking comes up under that authority, that constitutu- tionally, we have a move by the legislative branch to intrude upon and to indeed regulate. And certainly we have that power to do so. But is it wise? Is it prudent? Or does it simply positively impact our campaign contributors, the people who put money into our campaigns? Is that the sole reason why we are doing this?

We need to give care and thought into that, we are an example to the Congress in this House of Representatives even though one party has all of the power now. They have the majority in the House, they have the majority in the Senate, and they have an incoming President. It doesn’t mean they should shut off the calls with a philosophy that is not in keeping with where the American people are.

I would point out to them that there is no mandate that they have, even though they do have control of the legislative branch and the executive branch of government and they have held up, what some say actually stolen an appointment for the U.S. Supreme Court that President Obama was placed in a position to make last February where the Senate had to confirm Justice Scalia. So since February, the U.S. Supreme Court has had to suffer through politics being played by the legislative branch in not confirming a presidential appointee, and now they have the opportunity to make that appointment under these conditions.

Even though they have played loose and fancy with the protections of the Constitution and with the well-being of the American people and indeed our Constitution and with the well-being of the American people, and indeed our Constitution and with the well-being of our Republic by playing these political games, I would ask my friends on the other side of the aisle to stop and think about what they are doing and the ramifications of it. Even though you want to get at the EPA to make it easier for oil companies to pollute our environment without regulations to prevent it from happening, is that good for our Nation? Is it good for our children? Is it good for our elderly? How does it leave us with regard to asthma rates which have continued to skyrocket this country? Do you want to gut the Dodd-Frank Wall Street reform to put us back in the situation where people are losing their homes and banks are being bailed out because they have become too fat to fail? Do we want to put ourselves back in that position again? Well, if we do then we will pass regulations like this one, the so-called REINS Act.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from Michigan (Mr. BISHOP), a member of the Judiciary Committee.

Mr. BISHOP of Michigan. Mr. Chairman, I thank Chairman GOODLATTE for all of his leadership on this matter.

I rise today in strong support of H.R. 26, the REINS Act, which will restore the constitutional authority of Congress and rein in runaway government.

Mr. Chairman, as we have seen over the last 8 years, our economy has been strangled by Federal regulations which are burying small businesses and families. Federal regulations imposed on
America’s job creators and households created a staggering economic burden of almost $2 trillion in 2014. That is almost $15,000 per U.S. household, and 11.5 percent of America’s real GDP.

But today, the House has an opportunity to cut through the red tape and restore the balance of powers. Economic growth cannot happen from Washington, D.C., it can only come from Main Street. That is why I adamantly oppose unelected and unaccountable bureaucrats issuing their own regulations in lieu of congressional regulations. The REINS Act will restore Congress’ Article I powers and give a voice back to the American people. I urge my colleagues to join me in voting for H.R. 26.

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

Mr. GOODLATTE. Mr. Chairman, at this time, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. Trott), currently a member of the Judiciary Committee but soon to move to another committee.

Mr. TROTT. Mr. Chairman, I thank Chairman GOODLATTE for yielding me the time.

Mr. Chairman, I rise today in strong support of H.R. 26, the REINS Act. In a minute, I want to share an experience I had a few months ago which will explain why, aside from the Constitution, I think it is important that we rein in unelected bureaucrats.

When we talk about regulatory reform, it is sometimes hard to understand the impact regulations have on our economy. That is for the simple reason that someone who goes in for a job interview never sits there and is told by the employer: I would love to offer you the job, but I can’t because of the crushing regulatory burden coming out of Washington. And that is because the crushing burden of regulations causes the job not to be created in the first place. Hence, there is no interview for the job.

The experience I had a couple of months ago, I was back home, and I met with the Michigan Restaurant Association. There were 8 or 10 folks sitting around and telling me about the issues that are important to them. They said they were dying because of the EPA, because of the FDDA, because of the EEOC, because of the ACA, because of the overtime rule from DOL, and because of the CFPB. I quickly surmised that the restaurant industry is dying, and it is death by acronyms. That is what is happening in this country. That is why we are not creating jobs.

If you come in from the airport, you come across the 14th Street bridge and you enter the city, all you see is cranes. There was never a recession in Washington. Today, there are 277,000 people who write and enforce rules in this country in Washington, D.C., and around the country. That is more than the entire employee base of the VA.

A few minutes ago, my friend from Tennessee said that all of these great regulations have saved our country. Well, if that had happened, I would have expected a different result on November 8.

A few minutes ago, my friend from Georgia, who I was proud to serve on the Judiciary Committee with, talked about all of the problems with our plan.

I say to my colleague, the next time you pull up in front of your favorite Outback Steakhouse restaurant and it is closed, it is not because the cock quit, it is not because of the cost of beef, and if your favorite restaurant was poorly managed. It is because of death by acronyms. I ask everyone to support H.R. 26. It is time we rein in unelected bureaucrats, follow the Constitution, and create some jobs.

Mr. JOHNSON of Georgia. Mr. Chairman, I am sorry to see my friend, Mr. Trott, leaving the Judiciary Committee. We have appreciated his being there and we hate to see him go, but the gentleman is going on to bigger and better things.

I would say to the gentleman that it is surprising to me that the Bloomberg Government reports show that of all of the job cut announcements made by industry during the year of 2016—and that was a year, by the way, which was not unlike previous years. Basically, the Obama administration has created about 1.9 million new private sector jobs per year.

I am just startled by this statistic here for the year 2016 as far as the number of job cut announcements by reason. The reason given for government regulation being responsible for the job cut is 1.580. That is out of 1.9 million new jobs created during the entire 2016 year, 1,580 jobs lost due to government regulation. That’s almost as many as were lost due to the listeria outbreak, legal trouble, or grain downturn. Government regulation, 1,580 jobs lost out of 1.9 million created.

So this afternoon, we keep hearing from my friends on the other side of the aisle that there is a stranglehold or a stranglehold on job creation by Obama’s regulations, nothing could be more false than that.

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

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining on our side?

The CHAIR. The gentleman from Virginia has 15 minutes remaining. The gentleman from Georgia has 5 minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. Rothfus).

Mr. ROTHFUS. Mr. Chairman, I thank Chairman GOODLATTE for yielding.

Mr. Chairman, I rise in strong support of H.R. 26, the REINS Act. This bill is the only Committee that will put America great again. That is because it puts Americans back in charge of the laws being imposed upon them.

How does the legislation do that?

Under our Constitution, we have three branches. The executive branch is supposed to enforce the law. The judicial branch is supposed to resolve disputes arising under the law. The legislative branch directly elected by the people—

Over the last decades, we have seen more and more of the lawmaking in this country migrate to the unelected bureaucrats in the executive branch. Those bureaucrats churn out regulations after regulation that have the full force and effect of law. The problem with this setup is that the people of this country are supposed to consent to laws being imposed upon them. They do that through their elected representatives in Congress. In short, this legislation goes to the heart of what self-rule is all about.

Let me be clear: this legislation does not end regulation. It is the beginning of accountability. If there is a good regulation that a Member believes makes sense and does not unduly burden jobs and wages, that Member may vote to approve the regulation. If the people that Member represents disagree, they get to hold him or her accountable at the ballot box.

My colleagues across the aisle should not fear taking responsibility for the laws and regulations coming out of Washington, D.C. Over the last 7 years, Washington regulations have hurt many working families. We have seen coal miners and power plant workers lose good jobs. We have seen small, Main Street community banks and credit unions forced into mergers. We have seen farmers worried about paddies on their farms. We have seen people lose their health insurance and their doctors, and we have seen the Little Sisters of the Poor have their religious freedom threatened—all without the consent of the people.

It is time for the people, Mr. Chairman, to put the American people back in charge and not the unelected bureaucrats. Let’s take the power away from Washington. Let’s restore self-rule. Let’s pass this bill.

Mr. JOHNSON of Georgia. Mr. Chairman, I have just tallied up the number of jobs that would be created by passage of this legislation. I did that by multiplying by eight the figure of 1,580, which is the number of jobs lost due to government regulation in 2016. If I multiply that eight times, I come up with 12,640 jobs. That is how many jobs would be created by this legislation—a paucity.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. Young).

Mr. YOUNG of Iowa. Mr. Chairman, I rise today in support of the REINS Act, legislation that I and many of my colleagues are proud to have cosponsored to help bring expensive and expansive regulations under control.
Over the past several years, major regulations have cost small businesses, States, local government, and individuals billions of dollars and have cost them jobs. So this is a commonsense bill to enhance transparency and give Americans greater say in their government. Let me recognize Representative Scott of Georgia and Chairman Goodlatte for their leadership on this issue.

By requiring Congress to approve any major regulation with an annual economic impact of $100 million or more on the economy, the bill opens the process so our constituents—the people—can have their voice heard in the process.

I’m also pleased an amendment I offered last year, which was accepted by this body, is included in the bill’s base text, section 801. That provision requires more transparency by forcing agencies to publish the data and justification they are using to issue the rule. The REINS Act allows the American people to have access to the information in which these conclusions are made. Section 801 directs the regulatory bodies to post publicly the data, studies, and analyses that they use to come up with their decisions and conclusions so that we can all be on the same page. Transparency.

Too often I hear concerns from Iowans about how overreaching regulations are hurting their farms and businesses and impacting their daily lives. From how our kids are taught, how we manage our personal finances, or even drain the water in our communities, we have seen how regulations and those who craft them have an enormous impact.

I hear from constituents how these regulations are out of touch, don’t reflect the basic, fundamental understanding of the important sectors driving our economy or the daily lives of Iowans and all Americans. These regulations, which have the full force of law, are putting Americans out of work and increasing costs for consumers.

The REINS Act is an important, commonsense bill to help address this problem. We must do more. I appreciate Chairman Goodlatte’s commitment to work with me on my Fingerprints bill to ensure further transparency and accountability by naming those who author and write these regulations. I thank Chairman Goodlatte and Representative Collins of Georgia for prioritizing the REINS Act.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there are approximately 2.8 million civil servants out there. Americans who work for the Federal Government go to work every day. They work hard and play by the rules. They have a good, middle class job. Your jobs are at stake, Federal employees.

There are those who say that we have too many Federal employees. Well, the number of Federal employees that we have now is at the same level as they were in 2004, which was when President Bush was in office. Basically we are at a 47-year low, as far as the number of Federal employees, since 2013.

The Federal regulatory regime, which is just simply Federal workers—Federal regulators—is not out of control, but your jobs are going to be lost when these Republicans finish doing what they want to do to these regulations.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE). Mr. LANCE. Mr. Chairman, I thank Chairman Goodlatte for his fine work on this important issue.

Mr. Chairman, I rise today in strong support of the REINS Act because it fulfills a promise Congress made to American business owners to get onerous regulations off the backs of job creators.

It sets a very reasonable standard. If a new regulation has an economic impact of $100 million or more, it needs to come to Congress for an up-or-down vote. Congress will then have a say. We will vote on the merits, and then we will decide.

The Obama administration handed down a record-breaking 600 major new regulations imposing hundreds of billions of dollars in costs on the U.S. economy and millions of hours of compliance busywork on the employers and employees across the country.

All of that excessive red tape places a huge burden on small- and medium-sized businesses that create jobs in New Jersey, the State I represent, and across the Nation. I have toured quite a few businesses, and the consensus is clear: let American workers innovate, build, and create, and not spend time complying with regulations that are impractical and often a waste of time and money.

The REINS Act is constitutional. It does not violate the Chadha doctrine because it does not permit Congress to overturn valid regulations. Also, a joint resolution satisfies the bicameralism and presentment requirements of the Constitution.

The REINS Act will bring an important check against out-of-control Federal regulations and foster stronger economic growth. It is an important step in the agenda of the 115th Congress, and I urge all of our colleagues to support this important piece of legislation.

Mr. JOHNSON of Georgia. Mr. Chairman, how much time do we have remaining on each side?

The CHAIR. The gentleman from Georgia has 3½ minutes remaining.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Chairman, I stand here today with an urgent plea to my colleagues. We were elected by the good men and women of the United States who believe in our vision of America and who believe in our dedication to doing whatever it takes to ensure the American dream is alive and achievable. It is for these reasons the REINS Act must pass.

Federal regulations imposed on American the job creators and households, an estimated $1.9 trillion burden in 2015.

Who pays that?

The American citizen does. It costs on average, as Chairman Goodlatte brought up, $15,000 per U.S. household.

Could that money be better used to offset the cost of a college education or maybe the staggering cost of health care due to the Affordable Care Act?

Let me give you a real-life illustration from my district. A couple of years ago, a constituent, a dairy farmer, was targeted by an incredibly vague, broad, and costly EPA rule called NOPUS, Waterways of the United States. The EPA sued and won this case not due to environmental damage, but due to the vagueness of this rule and the determination in court. It cost my constituent over $200,000 in fines and court costs for a natural depression in his pasture that the EPA determined could qualify as navigable waters.

The rule states that any water or any land that becomes seasonally wet is affected. I live in Florida. We get 54 inches of rain a year. That is my whole State of Florida.

This is downright outrageous. This is just one example of the many times the EPA has overstepped its authority by enforcing vague regulations unfairly on individuals. The REINS Act will prevent these costly job-killing regulations from going into effect and safeguard against Federal bureaucrats imposing the heaviest burdens on the American economy, and this will increase the livelihood of the American people.

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

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. GARRETT). Mr. GARRETT. Mr. Chairman, I rise today in support of the REINS Act, H.R. 26, for any number of reasons.

I can’t help but point out that I have heard my esteemed colleagues in opposition to this bill refer on multiple occasions to the Federal bureaucracy as a well-oiled machine. Mr. Chairman, there are, indeed, well-oiled machines that undergird this institution, but I would submit the Federal bureaucracy is not one of those.

We have heard that the regulatory burden, as it relates to the loss of jobs, is equal to a listeria outbreak. What I would submit is that if we could avoid a listeria outbreak, would we not choose to do just that?
While looking at the loss of jobs as related to Federal regulation, we overstep the argument by avoiding the jobs not created as a result of Federal regulations. Should these things also not be amongst the items that we consider?

A wise man once said that the bureaucracy will continue to expand to meet the expanding needs of the bureaucracy. In 2017, in the United States, indeed, it seems we find ourselves in that very situation. 

Arguably, the REINS Act is contrary to the Constitution, I would submit, are actually 180 degrees from the truth. In fact, Article I of the Constitution gives the power to make law to this legislative branch of our government and gives the power to generate revenue, here, as well as spend.

The definition of “law,” according to the Oxford Dictionary, is: “The system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties.”

I will submit that the very regulatory overreach that we consider here today is, in fact, tantamount to law and extraconstitutional in and of itself. 

My esteemed colleague from Pennsylvania suggested, and I agree, that the REINS Act is but a good start. The power to spend is Article I. The power to make laws is Article I. 

REINS is a rudder on the ship of constitutionality that will right that ship and move it only in the correct direction. Regulations that have the power to take liberty or property rights or the wealth that has earned by their own labor are tantamount to law and, indeed, extraordinary constitutionally as it relates to an executive branch entity, and they should not be exercised.

Mr. Chairman, we hear that the people’s House is responsible for theand the people’s House is responsible for that. Well, the people’s House is to ensure that the people have a voice in the matters of spending and lawmaking that our Founders who laid out Article I of the Constitution envisioned, and currently, that is simply not the case. H.R. 26 is simply a step back towards that right direction of constitutionality.

With that in mind, I strongly support the legislation.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER), my friend.

Mr. PERLMUTTER. Mr. Chairman, the gentleman just spoke about liberty. My friend from Pennsylvania spoke about self-rule. Today we are talking about bureaucrats, but what we really should be talking about is the effect of this bill on our agencies in Homeland Security and our intelligence agents, given the unprecedented intrusion by the Russians in our elections and other affairs of this Nation. If we don’t stay focused on that liberty and the foundation for freedom so that another country doesn’t interfere with our affairs, we as Members of Congress are ignoring the oath that we just took 2 days ago.

So I would suggest to my friends that I appreciate that there is overregulation, but I would suggest you have to look closely at how this bill affects our ability to protect our liberties and our freedom. I am afraid it affects it badly, in the face of interference that we haven’t seen from another country since 1776.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I come from the private sector; so when I come to the House and I listen to the debate going back and forth, I almost feel like I am somebody not from a different planet, but from a different country.

When we talk about overregulation, when we talk about the effects of unelected bureaucrats leveling on the American people $2 trillion and an impact to the economy, then somebody ought to sit down and do that.

All we are talking about is scrutiny, scrutiny of any piece of legislation, any executive order that comes out that is going to have an impact of $100 million or more on the economy. Around here, $100 million sounds like nothing. From where I am from, it is unbelievable that we would even think that $100 million should be the point that we look at.

What could be more common sense than to look at the heavy burden we are putting on everyday Americans and saying that, somehow, unelected bureaucrats who have never walked in their shoes, who have never done their job, who have never worried about meeting a payroll, who have never had to worry about regulation and taxation that make it impossible for them to compete, those poor, stupid folks just don’t get it?

705,687 people in your districts are who you represent. Whether they voted for you or not is not the point. The point is we represent them. Why in the world would Congress cede its power to the executive branch and to unelected bureaucrats to determine what the American people are going to be burdened with? It is just common sense. Why can’t we not see what is right in front of us right now?

I urge you, if you please go home to your districts, walk in those shops, walk in those little towns, talk to those people and find out the two things that really inhibit them from being successful are overtaxation and overregulation. We can handle those things right here in the people’s House.

This is not a Democratic House. This is not a Republican House. This is America’s House. We should be looking at things that benefit the American people.

If we truly want to act in a bipartisan way, then let’s stop this back-and-forth debate about what Republicans want, what Democrats want, and let’s talk about what is good for the American people. That is who sent us. That is whose responsibility we have on our shoulders. If we can’t do that, we ought to go home.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

As far as unelected bureaucrats that we have here people up against, speaker after speaker today being concerned, those are nothing more than the civil servants that make our government work. They protect our water, protect our air. They protect us, as a matter of fact—the FBI, the law enforcement. These are good people who go to work every day, work hard, like my dad did, for instance. He was a civil servant. I guess you could call him an unelected bureaucrat. He did everything during his job that he needed to do and he retired with dignity.

There are so many others who work for the post office. They work for TSA, Homeland Security. They are doing nothing but working a job honestly, and they deserve more than we be referred to deservingly by the people.

Mr. Chair, I am in opposition to this legislation. We need real solutions for real problems. In stark contrast, however, the REINS Act attempts to address a nonexistent problem with a very dangerous solution.

We need legislation that creates middle class financial security and opportunity, not legislation that snatches away.

We need sensible regulations that protect American families from economic ruin and that bring predatory financial practices to an end.

We need workplace safety regulations that ensure hardworking Americans who go to work each day are protected from hazardous environments on the job.

We need strong regulations that protect the safety of the food that we eat and the air that we breathe and the water that we drink.

Unfortunately, H.R. 26 does nothing to advance those critical goals. This explains why more than 150 organizations strongly oppose this legislation, including Americans for Financial Reform; the American Lung Association; Consumers Union; The Humane Society of the United States; the League of Conservation Voters; Public Citizen; the American Federation of State, County and Municipal Employees; Earthjustice; the Coalition for Sensible Safeguards; the American Public Health Association; the Environmental Defense Action Fund; the Center for American Progress; and the Trust for America’s Health. I, therefore, urge my colleagues to oppose H.R. 26.

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

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

During this debate, my friends on the other side of the aisle have raised quite a few false alarms:
January 5, 2017

CONGRESSIONAL RECORD—HOUSE

H313

If this bill passes, all important regulation will stop, they say. But that is not true. All regulation that is worthy of Congress’ approval will continue;

If this bill passes, expert decision-making will stop because Congress will have the final say on new, major regulations, not Washington bureaucrats. That is not true.

Congress will have the benefit of the best evidence and arguments expert agencies can offer in support of their new regulations. Congress is capable of determining whether that evidence and those arguments are good or not and deciding what finally will become law. That is the job our Founding Fathers entrusted to us in the Constitution. We should not shirk from it.

I will tell you, though, what will stop if this bill becomes law: the endless avalanche of new, major regulations that impose massive, unjustified costs that crush jobs, crush wages, and crush the spirit of America’s families and small-businesses. Think about what that will mean to real Americans who have suffered the real burdens of overregulation.

Support the American people and listen to the many organized across the country which I include in the RECORD, who support H.R. 26, the REINS Act.

Support the American people. Support the REINS Act.

Sincerely,

KAREN KERRIGAN, President and CEO.


To All Members of the House of Representatives.

DEAR REPRESENTATIVE, The National Roofing Contractors Association (NRCA) strongly supports regulatory reform. NRCA supports the Regulations from the Executive in Need of Scrutiny (REINS) Act and urges you to support this legislation when it comes to the House floor for a vote.

Established in 1886, NRCA is one of the nation’s oldest trade associations and the voice of professional roofing contractors worldwide. NRCA has almost 3,900 contractors in all 50 states who are typically small, privately held companies with the average member employing 45 people and attaining sales of about $45 million per year.

The roofing industry has faced an avalanche of new regulations from numerous government agencies in recent years. The cumulative burden of often counterproductive regulations is highly disruptive to entrepreneurs who seek to start or grow businesses that provide high-quality jobs. Most important, these agencies are required to work with industry representatives to provide greater flexibility for employers in achieving regulatory goals and minimizing adverse impacts on economic growth and job creation.

NRCA strongly supports regulatory reform to provide small and mid-sized businesses with the freedom from burdensome regulations, and the REINS Act is a key component of regulatory relief. It would require Congress to approve, with an up-or-down vote, any major rule—defined as having an annual economic impact of at least $100 million or more—before such a rule could be enforced. This substantive regulatory reform measure would serve as an important check on the regulatory system, and have a positive effect in terms of how regulation affects small businesses, and therefore, consumers, America’s workforce and the economy.

The REINS Act will bring needed accountability to our nation’s regulatory system, and SBE Council thanks you for your leadership in spearheading this important legislative effort.

Sincerely,

KAREN KERRIGAN, President and CEO.


To All Members of the House of Representatives.

DEAR REPRESENTATIVE, The National Roofing Contractors Association (NRCA) strongly supports the REINS Act of 2017 (H.R. 26) introduced by Rep. Doug Collins (R-GA) as well as the Midnight Rules Relief Act of 2017 (H.R. 21) introduced by Rep. Darrell Issa (R-CA).

From 2009 to present, the federal government and more than $900 billion in regulatory costs on the American people which requires billions of hours of paperwork. Many of these regulations have been or will be imposed on the construction industry. ABC is committed to reforming the broken federal regulatory process and ensuring industry stakeholders’ lives and rights are protected. ABC supports increased transparency and opportunities for regulatory oversight by Congress and ultimately, the American people.

The Obama administration issued numerous rulemakings that detrimentally impact the construction industry. In some cases, these regulations are based on sound scientific analysis, lacking foundation in sound scientific analysis. For the construction industry, as well as many others, the uncertainty generated by these regulations translate to higher costs, which are then passed along to the consumer or lead to construction projects being priced out of the market.

This chain reaction ultimately results in fewer projects, and hinders businesses’ ability to hire and expand. ABC members understand the value of pro-growth, free-market principles, and they oppose unnecessary, burdensome and costly regulations resulting from the efforts of Washington bureaucrats who have little accountability for their actions. H.R. 26 will help bring greater accountability to the rulemaking process as it would require any executive branch rule or regulation with an annual economic impact of $100 million or more to come before Congress for an up-or-down vote before being enacted. Moreover, H.R. 21 will further enhance congressional oversight of the overregulating regulations often issued during the final months of a president’s term and help to revive the division of powers.

Thank you for your attention on this important matter and we urge the House to pass the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2017 and Midnight Rules Relief Act of 2017 when they come to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN, Vice President of Legislative & Political Affairs.

Mr. GOODLATTE. Mr. Chair, I yield back the balance of my time.

Mr. CONYERS. Mr. Chair, H.R. 26, the “Regulations from the Executive in Need of
Scrutiny Act of 2017,” otherwise known as the REINS Act, would amend the Congressional Review Act to require that both Houses of Congress pass and the President sign a joint resolution of approval within 70 legislative days before any major rule issued by an agency can take effect. Simply put, H.R. 26 would impose unworkable deadlines for the enactment of a major rule under procedures that could charitably be referred to as convoluted.

Under this bill, H.R. 26, the House may only consider a resolution for a major rule on the second and fourth Thursday of each month. Keep in mind that typically 80 major rules are promulgated annually. Yet, there may be as little as just 15 days available to consider such measures based on the majority’s legislative calendar for the current year.

Furthermore, Congress may only consider such resolutions within 70 legislative days of receiving a major rule. This process would constructively end rulemaking as we know it. Now Mr. Chair, the reason why my friends on the other side of the aisle say we need this kind of gumming-the-works legislation—is because they claim regulations stifle economic growth. For example, they point to the ongoing administration and say that regulations promulgated during its tenure have hurt our Nation’s economy.

What they fail to tell the American people is that it was the Republican George Bush’s administration’s economic policies that caused the Great Recession.

Without question, it was the lack of regulatory controls that facilitated rampant predatory lending, which nearly destroyed our Nation’s economy.

It led millions of home foreclosures and devastated neighborhoods across America. In fact, it nearly caused a global economic meltdown.

Nevertheless, as a consequence of strong regulatory policies implemented by President Obama through such measures as the Dodd-Frank Act, our Nation has recovered to a point where the unemployment has been cut nearly in half to less than 5 percent.

Yet, the REINS Act would reverse these gains by empowering Congress to control and override the rulemaking process, even in the absence of any substantive expertise.

More than 80 of the Nation’s leading professors on environmental and administrative law have warned in connection with substantively identical legislation considered in the last Congress, that without this expertise, any congressional disapproval is more likely to reflect the political power of special interests.

Lastly, by upending the process for agency rulemaking so that Congress can simply void major rules of law, the REINS Act likely violates the presentment and bicameralism requirements of Article I of the Constitution.

As a leading expert on administrative law states, “The reality is that the act is intended to enable the President or House of Congress to control the implementation of the laws through the rulemaking process. Such a scheme transgresses the very idea of separation of powers, under which the Constitution entrusts the writing of the laws to the legislative branch and the implementation of the laws to the executive branch.”

The REINS Act will further encourage corporate giants to hold our country hostage through a deregulatory, profits-first agenda and facilitate a political influence process rivaling the destructive industrial monopolies from the past century.

In sum, H.R. 26, like the “Midnight Rules Relief Act” we considered yesterday on the House floor, is yet another blatant gift to big business to avoid the critical regulatory protections that ensure the safety of the air we breathe, the cars we drive, the toys we give our children, and the food we eat.

Accordingly, I strongly urge my colleagues to oppose this ill-conceived bill.

THE CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 26

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 “Regulations from the Executive in Need of Scrutiny Act of 2017”.

SEC. 2. PURPOSE.

The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec. 801. Congressional review.

“802. Congressional approval procedure for major rules.


“804. Definitions.


“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“801. Congressional review

“(a)(1) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on the affected agencies, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification and addressing each criterion for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(b) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

“(ii) the agency’s actions pursuant to sections 803, 804, 805, 807, and 809 of this title; and

“(iii) any other relevant information or requirements under another Act and any relevant Executive orders.

“(c) Upon receipt of a report submitted under subparagraph (A), each House shall resolve on a joint resolution of approval to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to annul the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency’s compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

“(B) Federal agencies shall cooperate with the Comptroller General by providing information contained in the reports contained in subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(6) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 30-day calendar period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(7) Paragraph (1)(A) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“A necessary because of an imminent threat to health or safety or other emergency;
"(B) necessary for the enforcement of criminal laws;

"(C) necessary for national security; or

"(D) issued pursuant to any statute implementing an international trade agreement.

"(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

"(4) The Committee on Government Reform, in its report on oversight of the rulemaking process described under this section, shall review and report on whether the procedures under this subsection are having the desired effect.

"(801(a)(1)(A)(iii) that—

"(A) in the case of the Senate, 60 session days;

"(B) in the case of the House of Representatives, 60 legislative days, before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

"(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described in subsection (1) shall be treated—

"(B) rules were published in the Federal Register on—

"(1) in the case of the Senate, the 15th session day; or

"(2) in the case of the House of Representatives, the 15th legislative day, after the succeeding session of Congress first convenes; and

"(3) a joint resolution on such rule were submitted to Congress under subsection (a)(1) on such date.

"(B) Nothing in this paragraph shall be construed as affecting the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

"(3) A rule described under subsection (1) shall take effect as otherwise provided by law (including other subsections of this section).

*802. Congressional approval procedure for major rules.*

"(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a "(B) section 802 and 803 shall apply to such rule in the case of the Senate, the 15th session day, or the 15th legislative day, after the succeeding session of Congress first convenes; and

"(D) introduced pursuant to paragraph

"(2) A joint resolution described in subsection (a) shall not be subject to amendment at any stage of proceeding.

"(b) A joint resolution described in subsection (a) shall be referred to each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

"(c) If a joint resolution described in subsection (a) has been referred to more than one congressional committee, the joint resolution shall be treated as having been referred to the committee that hears the joint resolution first.

"(d) If a joint resolution described in subsection (a) has been referred to the committee that hears the joint resolution first, the joint resolution shall be treated as having been referred to the committee that hears the joint resolution second, if any.

"(e) In the Senate, if the committee to which a joint resolution is referred has not reported it by the joint resolution shall be considered to have been discharged from the committee to which it was referred, or after such committee or committees have been discharged by Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

"(f) the joint resolution shall be treated as having been referred to the committee that hears the joint resolution first.

"(g) in the case of the Senate, section 801(a)(1)(A)(iii) is received by Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure described in paragraph (1) of this section (in the case of a joint resolution described in subsection (a) and superseding other rules only if explicitly so stated;

"(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of the House) at any stage of proceeding, and to the same extent as in the case of any other rule of that House.

*803. Congressional disapproval procedure for nonmajor rules.*

"(a) For purposes of this section, the term 'joint resolution' means—

"(B) in the case of the House, a joint resolution introduced in the House of Representatives and having jurisdiction over the provision of law under which the rule is issued, or the committee to which the joint resolution was referred, or committees to which the joint resolution was referred for its consideration. The motion to recommit such joint resolution shall be treated as having been rejected unless the majority lead time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar.

"(b) A joint resolution described in subsection (a) shall be referred to the committee having jurisdiction over the provision of law under which the rule is issued.

"(c) In the Senate, if the committee to which a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar for introduction in the Senate.

"(d) In the Senate, when the committee to which a joint resolution is referred has not reported it by the joint resolution shall be treated as having been discharged from the committee to which it was referred, or after such committee or committees have been discharged by Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

"(e) In the House of Representatives if the joint resolution received by Congress—

"(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure described in paragraph (1) of this section (in the case of a joint resolution described in subsection (a) and superseding other rules only if explicitly so stated;

"(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of the House) at any stage of proceeding, and to the same extent as in the case of any other rule of that House.
to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

"(3) If a motion to proceed to the joint resolution is disagreed to, the Senate shall be adjourned until a motion is made to proceed to the joint resolution, and the vote thereon shall be taken immediately.

"(4) When a motion to proceed to the joint resolution is made and the question thereon is ordered to be taken, the Senate shall proceed to the consideration of the joint resolution in accordance with the rules of the Senate, if any, and with such other procedures as may be agreed to.

SEC. 5. GOVERNMENT ACCOUNTABILITY OFFICE

STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) Report.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SEC. 6. EFFECTIVE DATE.

Sections 3 and 4, and the amendments made by such sections, shall take effect beginning on the date that is 1 year after the date of enactment of this Act.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 115–1. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be subject to the same time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–1.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Subparagraph (A) of section 804(2) of title 5, United States Code, as proposed to be amended by section 103(a) of this Act, is amended to read by section 3 of the bill, as amended to read as follows:

(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

The CHAIR. Pursuant to House Resolution 22, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

I offer this manager’s amendment to assure that, just as the REINS Act strengthens Congress’ check on rules that impose major new costs on the economy, it does not unduly delay the effectiveness of major new deregulatory actions, those that alleviate regulatory burdens of $100 million or more.

When first introduced in the 112th Congress, the REINS Act incorporated the definition of major rule in the underlying Congressional Review Act—generally, a rule that has “an annual effect on the economy of $100,000,000 or more.”

This was done in the interest of consistency with prior terminology, and it
swept in both actions that imposed costs and actions that lifted costs. But, especially after the regulatory onslaught we have witnessed during the Obama administration, it is time to revise that definition.

We should assume that the REINS Act focuses Congress’s highest attention on the rules that hurt the economy the most: those that impose $100 million or more in costs per year. We should likewise make sure that the REINS Act does not impose additional hurdles in the way of the most important and desperately needed deregulatory actions: those that free the economy of $100 million or more in annual regulatory burdens. A deregulatory action with that level of economic effect is one that Congress should be encouraging, not slowing down.

This refinement of the REINS Act’s major rule definition is also needed to assure consistency with the major Administrative Procedure Act reform legislation. It is due to consider next week, the Regulatory Accountability Act of 2017. That measure already modernizes the major rule standard for APA purposes to $100 million or more in annual costs imposed on the economy. The REINS Act should mirror it.

I urge my colleagues to support this manager’s amendment.

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

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, the Goodlatte amendment clarifies that a major rule is any rule with an annual cost on the economy of $100 million or more adjusted for inflation. This modernizes the bill’s definition for a major rule to include any rule with an annual cost of $100 million or more as determined by the Office of Information and Regulatory Affairs, also known as OIRA.

I oppose this amendment because it focuses only on the cost of regulatory protections while completely overlooking the monetary benefits of these critical rules. It also strips OIRA’s ability to consider the benefits of a rule in connection with a rule’s cost. I don’t understand the logic of that.

In 2015, The Washington Post’s Fact Checker blog criticized cost-only regulatory estimates as misleading, unbalanced, and having serious methodological problems. Robert Weissman, president of Public Citizen, likewise observed in 2015 that ignoring the benefits of regulation is akin to grocery shoppers deciding to buy no groceries simply because groceries cost money. That doesn’t make any sense to me.

Even Thomas Donohue, president of the U.S. Chamber of Commerce, has stated that “many of these rules we need, they’re important for the economy, and we support them,” conceding that the benefits of regulatory protections must be considered hand in hand with their costs.

Indeed, under both Democratic and Republican administrations, the Office of Management and Budget regularly has reported to Congress that the benefits far exceed their costs. During the three hearings on the REINS Act in previous Congresses, we heard from three distinguished witnesses that the benefits of regulation routinely outweigh their costs, according to cost-benefit analysis done by the Office of Management and Budget under administrations of both parties.

For example, in the 112th Congress, Sally Katzen, a former administrator of the OMB’s Office of Information and Regulatory Affairs, testified that “the numbers are striking: according to OMB, the benefits from the regulations issued during the ten-year period”—from fiscal year 1999 through 2009—“ranged from $128 billion to $616 billion.”

I will repeat. Benefits from regulations ranged from $128 billion to $616 billion.

“Therefore, even if one uses OMB’s highest estimate of costs and its lowest estimate of benefits, the regulations issued over the past ten years have produced net benefits of $73 billion to our society.”

Those are the words of Sally Katzen. That 10-year timeframe encompasses the Clinton, Bush, and Obama administrations.

We also heard in the 112th Congress from David Goldston, a former Republican House committee chief of staff, who testified that “administrations under both parties have reviewed the aggregate impact of regulations and found their benefits to have exceeded their costs (and not all benefits are quantifiable).”

Their testimony is bolstered by the Office of Management and Budget’s 2016 Draft Report to Congress, which notes that estimated annual benefits of major Federal regulations reviewed by OMB over the past decade estimated annual benefits of regulatory protections are between $260 billion and $872 billion, while regulatory costs are between $74 billion and $110 billion.

Mr. Chair, I oppose this amendment, once again, because it focuses only on the cost of regulatory protections while completely overlooking the monetary benefits of these critical rules, and for that reason I oppose my colleague’s amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time only to urge my colleagues to support this important amendment and not lose the opportunity to benefit from deregulatory reforms that will grow our economy and save America’s economy hundreds of millions of dollars. I urge my colleagues to support the amendment.

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

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

AMENDMENT NO. 2 OFFERED BY MR. MESSER

Mr. MESSER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 808(a)(1)(A) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by inserting after ‘‘the Federal agency promulgating such rule’’ the following: ‘‘shall satisfy the requirements of section 808 and’’.

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and amending the table of sections accordingly):

§ 808. Regulatory cut-go requirement

‘‘(1) In making any new rule, the agency making the rule shall identify a rule or rules that may be amended or repealed to completely offset any annual costs of the new rule to the United States, before the new rule may take effect, the agency shall make each such repeal or amendment. In making such an amendment or repeal, the agency shall comply with the requirements of subchapter II of chapter 5, but the agency may consolidate proceedings under subchapter with proceedings on the new rule.’’

The CHAIR. Pursuant to House Resolution 2, the gentleman from Indiana (Mr. MESSER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. MESSER. Mr. Chair, I thank the gentleman from Virginia for his help on this amendment as well. It is an amendment designed to take an already very good bill and make it just a little better.

A good friend of mine, former Indiana Governor Mitch Daniels, used to say ‘‘you’d be amazed how much government you’ll never miss’’ when talking about reducing the size of government bureaucracy.

So much of government’s excess is created by unelected officials who wield enormous influence over our everyday lives. Last year, Federal agencies issued 18 rules and regulations for every one law that passed Congress. That is a grand total of 3,853 regulations. For 2016 alone, Federal regulations cost the American economy nearly $1.9 trillion—T, trillion dollars—in lost growth and productivity.

Think about that for a second. A $1.9 trillion tax, a government burden on the American people. That means lost jobs, stagnant wages, and decreasing benefits for workers.

My amendment looks to help change all that. Very simply, my amendment requires every agency issuing a new rule to first identify, then repeal or amend at least one existing rule to offsets any annual costs the new rule would have on the U.S. economy. This isn’t some new radical idea. President-
Mr. GOODLATTE), my good friend and colleague from Virginia, I urge my colleagues to support this common sense amendment and the underlying bill. I reserve the balance of my time.

Mr. MESSER. Mr. Chair, I rise in opposition to this amendment. The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to this amendment. The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chair, I oppose the gentleman’s amendment, which would require that agencies offset the cost of new rules, no matter how critical or mundane these protections may be, prior to promulgating new rules. This proposal, also referred to as “regulatory cut-go,” appears to have the balance of my time.

The question was taken; and the ayes appeared to have it.

Mr. GRJIALVA. Mr. Chair, I have an amendment at the desk.

Mr. Chair. The Clerk will designate an Amendment No. 3 offered by Mr. GRJIALVA.

Mr. GRJIALVA. Mr. Chair, I yield back the balance of my time.

Mr. Chair, I support the amendment. Mr. MESSER. Mr. Chair, I think it is past time to stop the run-away train of the Federal regulatory bureaucracy. I urge support for the amendment.

The cumulative burden of Federal regulation will surely be reduced by the REINS Act, but that burden has two elements: the burden being added by new regulations and the burden already there. This amendment adds a useful provision to the REINS Act to address the elimination of unnecessary burdens already in the Code of Federal Regulations. It does so, moreover, in a manner that parallels President-elect Trump’s promise to pursue a policy of minimal and meaningful deregulation when it comes to new regulatory actions by his administration.

Mr. Chair, I support the amendment. Mr. MESSER. Mr. Chair, I think it is past time to stop the run-away train of the Federal regulatory bureaucracy. I urge support for the amendment.

I yield back the balance of my time.

The CHAIR. Pursuant to rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. GRJIALVA) are postponed.

AMENDMENT NO. 3 OFFERED BY MR. GRJIALVA

The CHAIR. It is now in order to consider Amendment No. 3 printed in House Report 115-1.

My amendment is a little different. It is not nearly enough to save this terrible bill, but it takes a big step in the right direction. It acknowledges that Republicans have invented stories about surprising regulations that appear out of nowhere. These stories sound interesting until you realize they were invented to help their corporate friends get where they want. We know where this will lead us. Big banks got away with robbing us and creating a major recession because they weren’t regulated strongly enough. Republicans think the answer is making it harder to regulate them.

If this bill passes, it won’t be the nameless, faceless, unelected corporate CEOs who feel the pain. It will be the Americans from big cities and small towns who need Federal standards to keep their environment clean, to keep their workplace safe, and to make sure the products they buy won’t hurt their families.

My Democratic colleagues are offering amendments today that exempt certain kinds of rules from the unrealistic burdens this bill creates. I support those amendments.

My amendment is a little different. It is not nearly enough to save this terrible bill, but it takes a big step in the right direction. It acknowledges that doing nothing carries a major cost.

In section 804(2)(B), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 804(2)(C), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

In section 804(2)(D), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 804(2)(E), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

In section 804(2)(F), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

The cumulative burden of Federal regulation will surely be reduced by the REINS Act, but that burden has two elements: the burden being added by new regulations and the burden already there.

This amendment adds a useful provision to the REINS Act to address the elimination of unnecessary burdens already in the Code of Federal Regulations. It does so, moreover, in a manner that parallels President-elect Trump’s promise to pursue a policy of minimal and meaningful deregulation when it comes to new regulatory actions by his administration.

Mr. Chair, I support the amendment. Mr. MESSER. Mr. Chair, I think it is past time to stop the run-away train of the Federal regulatory bureaucracy. I urge support for the amendment.

I yield back the balance of my time.

The CHAIR. Pursuant to House Resolution 22, the gentleman from Arizona (Mr. GRJIALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. GRJIALVA). Mr. GRJIALVA. Mr. Chairman, for years my Republican friends have been trying to convince everyone that Federal agencies are scary and unpopular. In reality, Americans support Federal rules that protect them from injuries, illnesses, and death. They always have and they always will. The people we represent don’t want those rules to go away. They want stronger rules to protect their jobs, their pay, their health, and their fair treatment in the workplace.

Let’s remember that it takes years to finalize most rules. Before an agency makes a rule, it considers science, costs, benefits, public stakeholder input, and public comments. Republicans have invented surprise regulations because they weren’t regulated strongly enough. Republicans think the answer is making it harder to regulate them.

If this bill passes, it won’t be the nameless, faceless, unelected corporate CEOs who feel the pain. It will be the Americans from big cities and small towns who need Federal standards to keep their environment clean, to keep their workplace safe, and to make sure the products they buy won’t hurt their families.

My Democratic colleagues are offering amendments today that exempt certain kinds of rules from the unrealistic burdens this bill creates. I support those amendments.

My amendment is a little different. It is not nearly enough to save this terrible bill, but it takes a big step in the right direction. It acknowledges that doing nothing carries a major cost.

In section 804(2)(B), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 804(2)(C), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

In section 804(2)(D), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

In section 804(2)(E), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike the period at the end and insert a semicolon.

In section 804(2)(F), title 5, United States Code, as proposed to be amended by section 3 of the bill, strike “and” at the end.

The cumulative burden of Federal regulation will surely be reduced by the REINS Act, but that burden has two elements: the burden being added by new regulations and the burden already there.

This amendment adds a useful provision to the REINS Act to address the elimination of unnecessary burdens already in the Code of Federal Regulations. It does so, moreover, in a manner that parallels President-elect Trump’s promise to pursue a policy of minimal and meaningful deregulation when it comes to new regulatory actions by his administration.

Mr. Chair, I support the amendment. Mr. MESSER. Mr. Chair, I think it is past time to stop the run-away train of the Federal regulatory bureaucracy. I urge support for the amendment.

I yield back the balance of my time.
Finally, my amendment requires congressional approval of any regulation that would increase carbon pollution by 25,000 metric tons or more, or could increase cancer, birth defects, kidney disease, or cardiovascular or respiratory illness.

If House Republicans are so eager to rewrite the regulatory process, they should be willing to cast recorded votes allowing the release of tens of thousands of metric tons of pollution into our air. They should publicly vote to incentivize these types of illnesses.

Passing this amendment is the very least we can do to make sure the bill doesn’t put Americans at risk of injury and death.

I urge a “yes” vote on the amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. BYRNE). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment renders congressional findings on climate change and requires that agencies report to Congress on greenhouse gas impacts associated with a rule. It also requires agencies to report on a rule’s effect on low-income and rural communities.

Further, the amendment expands the definition of major rule to include rules that allow increases of carbon emissions by more than 25,000 metric tons per year or that might increase the risk of certain diseases in rural or low-income communities.

I oppose this amendment.

The REINS Act is not designed to address one or two subjects of regulation with heightened scrutiny but not others. It is to restore accountability to the people’s elected representatives in Congress for the largest regulatory decisions, whatever subject is involved.

Further, and consistent with that, the addition of congressional findings in one policy area—climate change—but no other, has no place in the REINS Act.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, it should be noted that the REINS Act is one of a series of legislative proposals that one does not take into account public health, does not take into account clean air, clean water, and the effects of constituents and the American people, the environment, or the cost attended with increased illnesses. With that sweeping deregulation process that is being proposed by the majority, we have an exposure on issues of public health, clean air, clean water, and the regulations that are in place to protect the public health and the well-being of the American community.

My amendment just requires that, if these sweeping changes are to occur, Members of this body take the votes that would release additional metric tons into the atmosphere that would promote and increase the levels of disease in this country that is harmful to the American people. It is one of disclosure and accountability if the Members, indeed, are the ones that want to make the fine, the financial, the health, and death.

MR. MARINO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-1.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after “means any rule” the following: “(other than a special rule)”.

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: “, and includes any special rule”.

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

“(6) The term ‘special rule’ means any rule that results in increased incidence of cancer, premature mortality, asthma attacks, or respiratory disease in children.’’

The Acting CHAIR. Pursuant to House Resolution 22, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment makes an important exemption to the REINS Act. To the detriment of our health, our economy, and our children, we have a system of checks and balances that have been watered down.

I urge you to support the amendment and uphold the long-standing commitment to protecting our air and water and any special rule from the REINS Act.

In addition to that, a study by the Environmental Defense Fund found that our Latino neighbors are three times more likely to die from asthma, our African American neighbors are 1.5 times more likely to die from asthma, and our Latino neighbors are 2.3 times more likely to die from asthma.

Let’s not throw a roadblock like the REINS Act into the mix here. We do have to be careful because there still are many communities in America that continue to be overburdened, economically distressed communities.

Studies have shown that working class communities often bear the brunt of environmental pollution because they are the communities that are often located near industrial sites. According to the NAACP, 78 percent of African Americans live within 30 miles of an industrial power plant, and 71 percent of African Americans live in counties that violate Federal air pollution standards.

In addition to that, a study by the Environmental Defense Fund found that our Latino neighbors are three times more likely to die from asthma, our African American neighbors are 1.5 times more likely to die from asthma.

Let’s not go backwards. Because here, what the REINS Act does is it really complicates the American system of checks and balances. Let’s not go backwards. Because it is not only our families and neighbors that would suffer. It is also our economy that would suffer as well.

This type of regulatory scheme of mirrors and false promises would create great uncertainty for many of our communities.

For example, the Clean Air Act, which has been in place for over 40 years, and has improved our health and protected all Americans from harmful toxic air pollution, such as ozone, nitrogen dioxide, sulfur dioxide, and particulate pollution, often requires updates based upon the best science, especially when it comes to children.

Toxic pollutants, such as ozone, which is a major component of smog, are linked to asthma, lung, and heart disease and result in thousands of deaths every year and up to 1 million missed days of school. Our kids are particularly susceptible to this type of pollution because their lungs are still developing. On average, they take deeper breaths and are more likely to spend long periods outdoors, placing them at higher risk.

The American Lung Association states that inhaling smog pollution is like getting a sunburn on your lungs, and often results in immediate breathing trouble.

I remember very well back in the early seventies, when I was a little girl, what the air was like in my hometown in Tampa. We had a lot of industrial users at the port of Tampa, a lot of industrial plants. I have seen the progress over time that the Clean Air Act has brought to this country. We are not like other countries in the world. We are stronger, and we are better, and we are healthier because of the Clean Air Act.

So let’s not go backwards. Because here, what the REINS Act does is it really complicates the American system of checks and balances. Let’s not go backwards. Because it is not only our families and neighbors that would suffer. It is also our economy that would suffer as well.

The American Lung Association states that inhaling smog pollution is like getting a sunburn on your lungs, and often results in immediate breathing trouble.

I remember very well back in the early seventies, when I was a little girl, what the air was like in my hometown in Tampa. We had a lot of industrial users at the port of Tampa, a lot of industrial plants. I have seen the progress over time that the Clean Air Act has brought to this country. We are not like other countries in the world. We are stronger, and we are better, and we are healthier because of the Clean Air Act.

So let’s not go backwards. Because here, what the REINS Act does is it really complicates the American system of checks and balances. Let’s not go backwards. Because it is not only our families and neighbors that would suffer. It is also our economy that would suffer as well.

Finally, my amendment requires congressional approval of any regulation that would increase carbon pollution by 25,000 metric tons or more, or could increase cancer, birth defects, kidney disease, or cardiovascular or respiratory illness.

If House Republicans are so eager to rewrite the regulatory process, they should be willing to cast recorded votes allowing the release of tens of thousands of metric tons of pollution into our air. They should publicly vote to incentivize these types of illnesses.

Passing this amendment is the very least we can do to make sure the bill doesn’t put Americans at risk of injury and death.

I urge a “yes” vote on the amendment.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. BYRNE). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment renders congressional findings on climate change and requires that agencies report to Congress on greenhouse gas impacts associated with a rule. It also requires agencies to report on a rule’s effect on low-income and rural communities.

Further, the amendment expands the definition of major rule to include rules that allow increases of carbon emissions by more than 25,000 metric tons per year or that might increase the risk of certain diseases in rural or low-income communities.

I oppose this amendment.

The REINS Act is not designed to address one or two subjects of regulation with heightened scrutiny but not others. It is to restore accountability to the people’s elected representatives in Congress for the largest regulatory decisions, whatever subject is involved.

Further, and consistent with that, the addition of congressional findings in one policy area—climate change—but no other, has no place in the REINS Act.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, it should be noted that the REINS Act is one of a series of legislative proposals that one does not take into account public health, does not take into account clean air, clean water, and the effects of constituents and the American people, the environment, or the cost attended with increased illnesses. With that sweeping deregulation process that is being proposed by the majority, we have an exposure on issues of public health, clean air, clean water, and the regulations that are in place to protect the public health and the well-being of the American community.

My amendment just requires that, if these sweeping changes are to occur, Members of this body take the votes...
Mr. MARINO. Mr. Chairman, this amendment exempts from the bill any rule pertaining to health or public safety. I urge my colleagues then to also support the Castor amendment but oppose the REINS Act in the end.

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

Mr. CICILLINE. Mr. Chairman, my amendment to H.R. 26 would exempt rules concerning public health or safety from the burdensome requirements of this legislation.

Simply put, when a rule is necessary to protect the health and safety of the public, it is critical that the rule be put into effect without unnecessary delay.

If this legislation is enacted without this amendment, it will create an untenable regulatory environment that will make it nearly impossible for agencies to safeguard the public welfare.

This legislation could bring to a grinding halt critical rulemaking such as rules relating to the transportation of hazardous materials by the Department of Transportation, clean air regulations by the EPA, and worker-protection standards by OSHA.

For example, the National Highway Traffic Safety Administration implemented an economically significant rule that, by May 2018, all new vehicles must have rearview cameras. This regulation will help drivers have better visibility behind their car, greatly reducing the likelihood of backover crashes which largely involves small children.

But under the REINS Act, this rule would require a joint congressional resolution with an unnecessary cumbersome process for implementation. For every year this rule would be delayed, the Traffic Safety Administration estimates that there would be, on average, 15,000 injuries and 267 fatalities resulting from backover crashes.

Proponents of this legislation may argue that H.R. 26 contains an emergency exemption which allows a major rule to temporarily take effect following an executive order stating that there is an imminent threat to public health and safety. Yet, even when the threat is not imminent, the danger to the public health and welfare may be great and the fundamental responsibility to protect the public remains.

I urge my colleagues then to also support the Castor amendment but oppose the REINS Act in the end.

Mr. MARINO. Mr. Chair, I yield back the balance of my time.

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

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment exempts from the bill any rule reducing the incidence of cancer, premature mortality, asthma attacks, and respiratory diseases in children. But do not be fooled. This amendment is not about reducing these maladies. It is about transferring the power to decide how best to do so from elected representatives to unaccountable bureaucrats.

For example, government could substantially reduce teenage mortality by barring teenage drivers off the road. Of course, there would be a substantial cost to that policy, and there are surely less burdensome ways to achieve the same reductions in mortality. The right decision requires a delicate balancing of interest. Agencies can provide valuable expertise, but when there is a lot at stake, the ultimate decision on how best to strike that balance is properly made by elected officials accountable to the people.

That is the intuition behind the REINS Act and the fundamental point that is lost on those who oppose it.

Reducing the incidence of mortality and serious disease is a goal that all Members share. This bill does not frustrate that goal. It merely ensures that elected representatives decide how best to achieve that policy so that our Republic remains a government by the people as the Constitution designed.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, of course, this legislative body has all the power to go back to policymaking after an administrative agency makes a determination, but we are not micromanagers. We are legislators. And I urge my colleagues to vote “yes” on the Castor amendment to protect children’s health.
Health and public safety regulations done properly serve important goals, and the bill does nothing to frustrate the effective achievement of those goals; but Federal health and public safety regulations constitute an immense part of our Federal regulation and have been the source of many of the most abusive, unnecessarily expensive, and job- and wage-destroying regulations. To remove these areas of regulation from the bill would severely weaken the bill’s important reforms to lower regulatory costs and increase the accountability of our regulatory system and the Congress to the people, so I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, the gentleman just made an assertion that, in fact, nothing in this legislation does anything to frustrate the goals of protecting health and safety; but, of course, it does. It prevents the implementation of a rule that would, in fact, protect public health and safety. If my amendment were to pass, that statement would be true—it would do nothing to frustrate it—but without this amendment, it prevents the implementation of a rule that would, in fact, protect public health and safety. It is a reasonable exemption that will ensure that we protect the well-being and the health of our constituents. I urge all of my colleagues to support the amendment.

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

Mr. MARINO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting CHAIR announced that the noes appear to have notified the Clerk.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-1.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after "measures" the following: "(other than a special rule)"

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 2 of the bill, insert before the period at the end the following: ": and includes any special rule"

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

"(6) The term ‘special rule’ means any rule that would provide for a reduction in the amount of lead in public drinking water."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Michigan (Mr. CONYERS) and the ranking Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from H.R. 26, the REINS Act, rules issued to reduce the amount of lead in public drinking water.

The ingestion of lead, of course, causes serious and harmful effects on human health, even at low exposure levels. That is why the Environmental Protection Agency has set the maximum contaminant level for this toxic metal in drinking water at zero. According to the EPA, young children, infants, and fetuses are particularly vulnerable to lead because the physical and behavioral effects of lead occur at lower exposure levels in children than in adults. The Agency reports that, in children, low levels of exposure have been linked to damage to the central and peripheral nervous systems, learning disabilities, shorter stature, impaired hearing, and the impaired formation and function of blood cells.

Take, for example, the Flint water crisis, which I have little experience with, which was a preventable public health disaster. While much blame was assigned to the Flint water crisis lies with unelected officials who prioritize saving money over saving lives, the presence of lead in drinking water is, unfortunately, not unique to Flint. In fact, the drinking water of, potentially, millions of Americans may be contaminated by lead.

My amendment highlights one of the most problematic aspects of H.R. 26, that completely block urgent rulemakings that protect health and safety. This is because Members simply lack the requisite scientific or technical knowledge to implement the complex act of most regulations, which are often the product of extensive research and analysis by agencies as well as input from effective entities and the public.

As a result, Members would have to make their own determinations based on their own—usually inexpert—views and limited information. Worse yet, some may be persuaded to disapprove of a rule in response to a wide-ranging influence exerted by outside special interests that favor profits over safety.

My amendment simply preserves current law with respect to regulations that are designed to prevent the contamination of drinking water by lead.

As the Obama administration has observed, in the context of a veto threat to a substantively identical version of this bill in the last Congress, the REINS Act would delay and, in most cases, thwart the implementation of statutory mandates and the execution of duly enacted laws. Uncertainty, undermine much-needed protections of the American public, and cause unnecessary confusion. Unfortunately, as I noted in my opening statement, the REINS Act would delay and, worse yet, possibly stop major rules from going into effect that are needed to protect the public’s health, safety, and well-being, including those that require us to keep lead from drinking water.

Safety regulations are typically the product of a transparent and accountable process that includes extensive investigation, analysis, and input from
the public and private sectors. It is no answer to say that H.R. 26 contains a limited emergency exception. That provision is insufficient. It merely allows a major rule to temporarily take effect for 90 days without its having congressional approval.

I ask my colleagues to support this amendment.

Mr. CONYERS. I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, just to reiterate what our position is, it is about time that we in D.C.—in Congress—take our responsibility back from unelected bureaucrats and make these decisions. We have seen, over the past 8 years, what overburdensome regulation has done to this country as far as crushing jobs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The gentleman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115–1.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise as the designee of the gentlewoman from Texas (Ms. JACKSON LEE) to present her amendment in her absence.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert after “means any rule” the following: “‘(other than a special rule)’.

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, insert before the period at the end the following: “; and includes any special rule”.

Add, at the end of section 804, title 5, United States Code, as proposed to be amended to read by section 3 of the bill, the following:

‘‘(6) The term ‘special rule’ means any rule that pertains to the safety of any products specifically designed or ordained to be used or consumed by a child under the age of 2 years (including cribs, car seats, and infant formula).’’.

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, the Jackson Lee amendment exempts from this bill’s onerous requirements the congressional approval requirement of any proposed rule that is made to ensure the safety of products that are used or consumed by children under the age of 2.

This amendment should pass for obvious reasons. If protecting public health and safety means anything, it surely must include the protection of our children. Because of the special vulnerability of young children, any regulation affecting their health and safety must not be delayed. Unfortunately, if this bill passes as written without this amendment, that is exactly what will happen. The young children will be vulnerable to products that are unsafe and that could hurt them. For this reason, SHEILA JACKSON LEE has offered this amendment, which I support.

An example is a regulation that is meant to protect a child from death or injury from contaminated formula. Such a rule would be impeded—or the promulgation of such a rule and the enactment of that rule would be impeded—by this administration.

This amendment would declare that, in that case, the rule would not apply. It would be exempted from this legislation. Toxic chemicals, dangerous toys, or deadly falls from unsafe products could be avoided. Therefore, this amendment would protect children under these circumstances. Those kinds of rules need to be implemented promptly to save lives.

For that reason, the Jackson Lee amendment deserves your support. I hope that you can support it out of your heart.

I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. Mr. Chair, the amendment seeks to carve out from the REINS Act’s reforms regulations intended to protect young children and infants from harm.

Child safety is a goal all Members share, but to shield bureaucrats who write child safety regulations from accountability to Congress is no way to guarantee a child’s safety. The only thing that would guarantee is less careful decisionmaking and more insulation of faceless bureaucrats from the public.

The Constitution entrusts to Congress the authority to protect children—and all citizens—from harmful products flowing in interstate commerce. The public should be able to trust Congress and we should trust ourselves—to make sure that Washington bureaucrats make the right decisions to protect child safety when we delegate legislative authority to regulatory agencies.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, the faceless, nameless, deadly bureaucrats out here who mean public harm, those are our relatives. Those are our mothers, our fathers, who work for the Federal Government. They are the civil servants that serve us. They are not nameless and faceless people of bad will and bad intent. They are good people who go to work every day and try to protect us and protect our children.

All we are asking for with this amendment is for there to be a carve-out to protect the most vulnerable among us, our children.

This legislation is based on the faulty premise that the cost of regulations outweigh the benefits. What is the cost of a benefit when it comes to the health, safety, and well-being of a child?

The people who promulgate these rules mean to protect these children, and this amendment goes to that ability of the regulators to do that. Sometimes regulation is good.

Even though a couple of jobs might go away because of the regulation, isn’t it worth the health, safety, and well-being of our children that a couple of jobs could not reach fruition? Everything is not a cost-benefit analysis. Sometimes there is some humanity in the mix that we have to consider.

I urge my colleagues to think about it one more time and be in favor of the very reasonable Jackson Lee amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, the REINS Act doesn’t prevent the bureaucracy, the agencies, from making recommendations and suggestions to Congress. It simply says Congress will have the last word and not a handful of bureaucrats, and many of them don’t even have experience in these areas.

I urge my colleagues to not support this amendment but to support the REINS Act.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115–1.

Mr. JOHNSON of Georgia. Mr. Chair, I offer an amendment to H.R. 26.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after “means any rule” the following: “‘(other than a special rule)’.”
January 5, 2017

CONGRESSIONAL RECORD—HOUSE

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: 

" and includes any special rule." 

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following: 

"(6) The term 'special rule' means any rule that pertains to improving employment, retention, and earnings of workforce participants, especially those participants with significant barriers to employment."

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in support of my amendment to H.R. 26, which would exempt from the bill rules that improve the employment retention and wages of workforce participants, especially those with significant barriers to employment. Since one of the justifications, or the main justification, for this underlying legislation is to promote job growth from corporate expense, by the way, of health and safety of Americans, at least, we could exempt from the bill rules that improve the employment, retention, and wages of workforce participants, especially those with significant barriers to employment.

When President Obama took office in 2009, he inherited the worst economic crisis since the Great Depression. This economic quagmire was created by misguided Republican policies that put profits ahead of people, resulting in reckless decisions on Wall Street that cost millions of Americans their homes and jobs. In other words, the Great Recession was caused by the collapse of the financial markets due to an unstable and unregulated industry—specifically, the predatory lending market, which had taken hold. There was so much paper on Wall Street that was worthless because it was based on these homes that people couldn't pay the notes for, and all of that was caused by deregulation, lack of regulation.

Now we have a period with Dodd-Frank coming into play and the financial markets improving, the protection and economic security of American families increasing, being strengthened.

Now, at the beginning of this Congress, we get legislation to gut the Dodd-Frank regulation and other regulations that would protect people from excesses of the corporate community. I am just asking, in this amendment, that we don't let it apply in the case of situations where the bill improves employment retention or wages or workforce participants, especially those with barriers to employment.

So, according to leading economic indicators, the job sector businesses have created more than 15.6 million new jobs. The unemployment rate has dropped to well below 5 percent to the lowest point in nearly a decade, and incomes are rising faster, while the poverty rate has dropped to the lowest point since 1968. This has all occurred during an administration that is proenvironment, proclean energy, and proworkplace safety.

In fact, during this time, our Nation has doubled our production of clean energy and reduced our carbon emissions faster than any other advanced nation. And the price of gas is down to roughly $2 a barrel, despite all of these cumbersome regulations by the Obama administration that the other side complains about.

Notwithstanding this progress that has been made, there is still much work to be done for the millions of Americans who remain out of work, underemployed, or have not seen significant wage growth postrecession.

Congress should be working tirelessly across party lines to find solutions to persistent unemployment and stagnant wages. Each in their budget agenda that will increase productivity and domestic output while turning the page on our historic underinvestment in our Nation's roads, bridges, and educational institutions.

Unfortunately, Mr. Chair, this bill, the REINS Act, is not a jobs bill. It is a legislative hacksway to the critical public health and safety protections that ensure our Nation's air is clean, our water is pure, and our workplace vehicles, homes, and consumer products are safe.

I yield back the balance of my time.

Mr. MARINO. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chair, the amendment carves out of the REINS Act's congressional approval procedures regulations that attempt to improve employment, retention, and earnings, particularly for those with significant barriers to employment.

The danger in the amendment is the strong incentive it gives agencies to manipulate their analysis of a major regulation's jobs and wages impacts. Far too often, agencies will be tempted to shade the analysis to skirt the bill's congressional approval requirement.

In addition, regulations alleged to create a more jobs or do so by destroying real, existing jobs and creating new, hoped-for jobs associated with regulatory compliance. For example, the Environmental Protection Agency (EPA) Clean Air Act rules have shut down existing power plants all across the country, throwing myriads of workers out of work. EPA and OMB attempt to justify that with claims that more new green jobs have been created as a result.

But, this is just another way in which the government picks the jobs winners and the jobs losers, and there is no guarantee that all of the new green jobs will ever actually exist.

The REINS Act is not intended to force any particular outcome. It does not choose between clean air and dirty air. It does not choose between new jobs and old jobs.

Instead, the REINS Act chooses between two ways of making laws. It chooses the way the Framers intended in which accountability for laws with major economic impact rests with Congress. It rejects the way Washington has operated for too long in which there's no accountability because decisions are made by unelected agency officials.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after "means any rule" the following:

"(other than a special rule)."

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: 

" and includes any special rule." 

"(6) The term 'special rule' means any rule pertaining to nuclear reactor safety standards." 

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chair, my amendment would exempt from the bill any regulations that pertain to nuclear reactor safety. In other words, my amendment would allow the Nuclear Regulatory Commission or the NRC to continue to issue rules under the current system, thereby making it easier to protect Americans from potential nuclear disaster.

The underlying legislation, the REINS Act, would grind the gears of rulemaking to a halt by requiring all major rules to be affirmatively approved in advance by Congress. A regulation would be blocked from being implemented if even one Chamber declines to pass an approval resolution. The goal of this legislation, quite simply, is to stop the regulatory process in its tracks, regardless of the impact on public health and safety.

One example that highlights the risks and dangers of this legislation is
the subject of this amendment: Nuclear power.

The world watched in horror when an earthquake and resulting tsunami devastated the area around Fukushima, Japan, a few years ago. That disaster then caused its own disaster—the meltdown of the Fukushima nuclear power plant. The meltdown led to the release of radioactive isotopes, the creation of a 20-kilometer exclusion zone around the power plant, and the displacement, consequently, of 156,000 people. Just last month, shoreborne radiation from Fukushima was even detected on the West Coast of the United States.

The same year as the Fukushima meltdown, Virginia was struck by a relatively rare but strong earthquake, felt up and down the eastern seaboard. While the region was spared a similar disaster, the earthquake required a nuclear power plant near the epicenter to go offline as a precaution and served as a wake-up call that our nuclear reactor operators needed additional safety protocols.

For me, this concern hits close to home. A nuclear power plant, Indian Point, which has suffered numerous malfunctions in recent years, lies just less than four miles away from my New York City district, about 30 miles away from the city. Twenty million people live within a 50-mile radius around the plant, the same radius used by the NRC as the basis for the evacuation zone recommended after the Fukushima disaster.

□ 1645

Indian Point also sits near two earthquake faults, and, according to the NRC, is the most likely nuclear power plant in the country to experience core damage because of an earthquake.

Because of the catastrophes that can result from disasters, be they natural or manmade at nuclear power plants, preventive shutdowns are absolutely vital. Since Fukushima, the NRC has issued new rules designed to upgrade power plants to withstand severe events like earthquakes, and to have enough backup power so as to avoid a meltdown for a significant length of time.

The NRC must retain the ability to issue new regulations to safeguard public health and well-being of all Americans. However, this bill is intentionally designed so that new and important regulations, including those to prevent a nuclear power plant meltdown which could affect millions of American, will likely never be put in place, thwarted by either chamber of Congress.

Congress delegates authority to executive agencies because we do not have the expertise or time to craft all technical regulations ourselves. We should defer to the engineers and scientists at the NRC who determine, after careful study, that a particular regulation is critical to our safety and to the safe operation of a nuclear power plant. This bill, however, would all too easily allow Members of Congress to substitute their own judgment or, most likely, the wishes of a narrow group of special interests.

This week we began a new Congress. Later this month we will have a new administration, all controlled by Republicans. Between this bill and the nuclear meltdown, Republicans have chosen to make their first order of business the dismantling and destruction of the regulatory process, regardless of the impact on public health and safety. This gives us a good idea of the priorities we should expect to see in the next 2 years.

The least we can do is to try to ensure that the antiregulatory agenda of the Republicans does not have devastating consequences such as a nuclear meltdown. I urge my colleagues to support the Nadler amendment to exempt nuclear safety regulations from the onerous requirements of the underlying bill.

Mr. Chairman, I reserve the balance of my time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. MARINO. Mr. Chairman, the amendment carves out of the REINS Act’s congressional approval procedures all regulations that pertain to nuclear reactor safety standards. REINS Act supporters believe in nuclear safety. We want to guarantee that regulatory decisions that pertain to nuclear reactor safety are the best decisions that can be made.

That is precisely why I oppose the amendment. By its terms, the amendment shields from the REINS Act’s congressional approval procedures not only major regulations that would raise nuclear reactor safety standards, but also regulations that would lower them.

All major regulations pertaining to nuclear reactor safety standards, whether they raise or lower standards, should fall within the REINS Act. That way agencies with authority over nuclear reactor safety would know that Congress must approve their major regulations before they go into effect.

That provides a powerful incentive for the agencies to write the best possible regulations, ones that Congress can easily approve. It is a solution that everyone should support because it makes Congress more accountable and ensures agencies will write better rules. All Americans will be safer for it.

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

Mr. NADLER. Mr. Chairman, nuclear meltdowns are a tremendous danger to the life and safety of millions of Americans. The Congressional Review Act provides if the NRC makes such a regulation, Congress can say no. That is inappropriate. But to say Congress has to approve any regulation in advance, when there may be thousands of regulations or hundreds of regulations from different agencies, they may not get to it. We may not have time to study it, and lives are at stake. It does not make sense. That is why this amendment at least cuts out nuclear meltdown regulations, nuclear safety regulations, to say nothing of the regulations that they don’t agree. But the agency should be able to promulgate it in the absence of congressional veto.

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

Mr. MARINO. Mr. Chairman, once again, this administration has proven how countless of regulations have crushed jobs for the middle class people in this country. The REINS Act does designate and allows and wants agencies to make decisions as far as what they think the law should be and send it to Congress.

We do have the time. We have the resources and the knowledge. That is why we have full committees. That is why we have subcommittees and we have experts come in and testify. Yet, we still need to get back—that the 535 Members of Congress, the House and the Senate, make the final decision and not a handful of unelected bureaucrats.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken: and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to the earlier amendment to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-1.

Mr. MCNERNEY. Mr. Chairman, I rise to offer amendment No. 10 as the designee of the gentleman from New Jersey (Mr. PALLONE).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In paragraph (2) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert after “means any rule” the following: “(other than a special rule)”.

In paragraph (3) of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, insert before the period at the end the following: “., and includes any special rule.”

Add, at the end of section 804, title 5, United States Code, as proposed to be amended by section 3 of the bill, the following:

“(6) the term ‘special rule’ means any rule intended to ensure the safety of natural gas or hazardous materials pipelines or prevent, mitigate, or reduce the impact of spills from such pipeline.”

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman
from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, recent leaks have raised serious concerns about the condition of the Nation’s pipelines that threaten the safety and health of American citizens. This amendment will ensure that any rule intended to guarantee the safety of hazardous material pipelines is not considered a major rule under this bill and would, therefore, be easier to create.

Pipeline safety is a bipartisan issue. Congress has shown that issuing regulations related to pipelines is a priority, as evident with the enactment of the PIPES Act last year.

However, the bill before us today, H.R. 26, contradicts this historic precedent and would have the effect of delaying or preventing any rule on pipeline safety. Pipeline accidents cause major property damage, serious injuries or deaths, and harms the environment.

There are approximately 2.9 million miles of pipeline in the United States. They travel through rural and urban areas, Republican and Democratic districts, coastlines, inland areas. Everyone is impacted. Quality control measures, new infrastructure, and oversight are paramount.

Unfortunately, we have seen the devastating impact of pipeline incidents throughout the country, including several accidents and spills in California in recent years, such as the spill in Santa Barbara that released more than 100,000 gallons of crude oil.

We have also seen how liquid spills can devastate the people and economies in places like Michigan, and the irreparable natural resources like the Yellowstone River in Montana, or the precious coastline of Santa Barbara. Additionally, these explosions and spills cause shortages and price increases that impact Americans far from the site of the accident.

A Colonial Pipeline accident this past September in Alabama released roughly 8,000 barrels of gasoline and saw prices increase by up to 31 cents a gallon in metropolitan areas in the Southeastern States.

I agree with my colleagues on the other side of the aisle that we want effective and efficient government. But, in reality, pipeline safety regulations are already subject to duplicative and time-consuming analyses, including a rigorous risk assessment and cost-benefit analysis required by the pipeline safety statute. These already duplicative review requirements are among the top reasons why the Pipeline and Hazardous Materials Safety Administration increasingly lags behind the congressional mandate to issue rules that protect Americans from dangerous pipeline incidents.

In fact, this was the subject of a great deal of discussion when the Energy and Commerce Committee marked up the pipeline safety reauthorization bill last year. I worked with Chairman UPTON and Ranking Member PALLONE to address this issue, as both sides of the aisle agreed that the duplicative reviews currently required are already slowing down these critical safety laws to a degree that is frustrating and dangerous.

While we make progress in the PIPES Act, I believe we can and should do more. The last thing we need is one more layer of bureaucracy to further slow down implementation of these critical protections for public health, safety, and the environment. We should work together to prevent spills and work to minimize impacts when spills or other incidents do occur. This includes automatic shut-off valves, leak detection, and technologies to reduce clogging and rupture.

A vote for this amendment is a vote for the safety of the public and the environment. It is a vote to protect the land and water that are threatened by oil spills. It is a vote for industry that wants certainty and clarity and doesn’t want to—and—wait years for rules to be finalized. For these reasons, I urge my colleagues to support this amendment.

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

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, the amendment seeks to carve out from the REINS Act’s reform regulations that concern natural gas or hazardous materials pipeline safety or the prevention of pipeline spills and their adverse impacts.

We all support pipeline safety and the prevention of harm from pipeline spills, but there is no assurance that the amendment guarantees the achievement of those goals. On the contrary, the amendment would shield from congressional accountability procedures, regulations, that actually threaten to decrease safety. They also would shield from the bill’s congressional approval requirements new, ideologically driven regulations intended to impede America’s access to new sources of cheap, clean, and plentiful natural gas.

The legislative body is the legislative body. We are trying to have oversight over the bureaucracy. The House and the Senate is not a bureaucracy. It is a legislative body, according to the Constitution that represents the people of the United States. Therefore, the House and the Senate and the President should have the last say in whether something becomes law or not. I urge my colleagues to oppose the amendment.

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

Mr. MCNERNEY. Mr. Chairman, my opponent is right. It is the duty of Congress to provide rules and to provide guidelines and for the agencies to go into the details in creating these rules.

I know that the other side is opposed to the rules. They have been touting about regulations, but poor regulations, too. It is the bureaucracy for the monopo-

lies. It creates pollution. But that is not what we are talking about.

What we are talking about is public safety. I think what we need is to look at what is going to benefit the environment and what is going to protect people, lives, property, and the environment. That is what this amendment does. It is simple. It exempts pipeline safety from H.R. 26.

I urge my colleagues to support the amendment.

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

Mr. MARINO. Mr. Chairman, what better group, such as the Committee on Energy and Commerce or other committees here, the full committees, the subcommittees, would be looking out and should be looking out for the public safety and the welfare than the 535 Members of Congress?

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MCNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-7.

Mr. SCOTT of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 804(4) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended in subpara-

graph (C), by striking the period at the end

and inserting ‘‘; or’’.

Section 804(4) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended in subpara-

graph (B), by striking ‘‘or’’ at the end.

Section 804(4) of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended in subpara-

graph (C), by striking the period at the end

and inserting ‘‘; or’’.

Section 804(4) of title 5, United States Code, as proposed to be amended by section 5 of the bill, is amended by adding at the end the following:

‘‘(D) any rule that pertains to workplace health and safety made by the Occupational Safety and Health Administration or the Mine Safety and Health Administration that is necessary to prevent or reduce the incidence of traumatic injury, cancer or irreversibly lung disease.’’

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

January 5, 2017 CONGRESSIONAL RECORD — HOUSE H143
The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, my amendment would exempt from coverage under the REINS Act any rule which pertains to workplace health and safety solely by the Occupational Safety and Health Administration, OSHA, or the Mine Safety and Health Administration, MSHA, that is necessary to prevent or reduce the incidence of traumatic injury, cancer or irreversible lung disease.

I am offering the amendment because we should not be creating obstacles to the protection of life and limb. We should be concerned about repealing such workplace rules. Actually, this concern is not theoretical. There was a report debilitating, incurable, and frequently fatal illnesses. One known as chronic beryllium disease also increased lung cancer.

In the 1940s, workers at the Atomic Energy Commission plants were contracting acute beryllium poisoning. To deal with the problem, two scientists agreed to set the exposure limit at 2 micrograms per cubic meter of air while sitting in the back of a taxicab on their way to a meeting. This discredited standard is often called the taxicab standard because there was no data to support it, and there is now significant scientific evidence that show that it has failed to protect workers.

One cost of keeping the so-called taxicab standard is estimated at the loss of nearly 100 lives a year. So we need to make sure that this rule is updated. It is in final stages after 18 years of development. The finalized rule is expected to come out soon. Other rules involve mine safety and other safety and health concerns.

The REINS Act would make it harder to protect workers’ health and safety. The bill would create more bureaucracy by requiring that any major rule receive bicameral resolution of support within 70 legislative days prior to the rule taking effect.

This bill even provides for a reach back to consider rules issued last spring. Under this bill, a single House of Congress could block a rule. That raises significant constitutional concerns. By allowing a one-House veto, the bill violates the presentment clause of the Constitution of the United States.

My amendment ensures essential workplace safety protections are not jeopardized by this flawed legislation.

Mr. Chairman, I urge a ‘‘yes’’ vote on my amendment, and I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, this amendment carves out of the REINS Act’s congressional approval procedures any workplace safety rules issued by OSHA or the Mine Safety and Health Administration to reduce traumatic injury, cancer, or lung disease. But please, don’t be fooled. This amendment is not about reducing these maladies. It is about transferring the power to decide how best to do so from elected Representatives, being House Members and Senators, to unaccountable bureaucrats.

Arriving at the right decision requires a delicate balancing of interests. Agencies can provide valuable expertise, but when there is a lot at stake, the ultimate decision on how best to strike that balance must be made by elected officials accountable to the people. That is the intuition behind the REINS Act and the fundamental point that is lost on its opponents.

Preventing workplace injury is a goal all Members share. This bill does not frustrate that goal. It merely ensures that elected Representatives make the final call about major decisions so that our Republic remains a government by the people as the Constitution’s Framers desired.

Mr. Chairman, I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield ½ minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of this amendment, which really is a life-or-death question before the Chamber.

On February 10, a bunch of workers who were at a natural gas plant construction site early in the morning lost their lives in a horrific explosion because there was a natural gas blow where they intentionally put natural gas through the pipe that was being installed as a way of cleaning it. This is a practice which the pipe suppliers, Siemens, GE, and others have issued serious warning is an unsafe practice. Unfortunately, it wasn’t followed that day, so six men lost their lives. One of them was Ronnie Crabb, who was a dear friend of mine.

It never should have happened because, again, in the private sector, the workplace standard was there, but there was no workplace standard in OSHA, which is now, again, trapped in the Chemical Safety Board and the regulatory process.

This bill is just going to do nothing but add additional obstacles so that preventive measures that OSHA is really about—it is about compliance, not retribution. There was a $16 million fine imposed after the fact. The company, the contractor, went out of business and paid just a fraction of it. That is not the way to protect workers’ lives. Let’s allow a healthy regulatory process with private sector input so that people like Ronnie Crabb won’t lose their lives in the future.

Mr. Chairman, again, I strongly support the Scott amendment.

Mr. MARINO. Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 115–1.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Chapter 6 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and conforming the table of sections accordingly):

“§ 808. Review of rules currently in effect

(a) Annual Review.—Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 9 years following, each agency shall designate not less than 10 percent of eligible rules made by that agency for review, and shall submit a report including each such eligible rule in the same manner as a report under section 801(a)(1), Section 801, section 802, and section 803 shall apply to such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

(b) Sunset for Eligible Rules Not Extended.—Beginning after the date that is 10 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

(c) Consolidation; Severability.—In applying sections 801, 802, and 803 to eligible rules under this section, the following shall apply:

(i) The words ‘‘take effect’’ shall be read as ‘‘continue in effect’’.
"(2) Except as provided in paragraph (3), a single joint resolution of approval shall apply to all eligible rules in a report designated for a year, and the matter after the resolution of the joint resolution is as follows: ‘That Congress approves the rules submitted by the for the year.’ (The blank spaces being appropriately filled in).

(3) In order to consist with any amendment that provides for specific conditions on which the approval of a particular eligible rule included in the joint resolution is contingent, a joint resolution of approval for eligible bills shall contain all of the following:

(4) A member of either House may move that a separate joint resolution be required for a specified rule.

(5) Paragraphs in this section, the term ‘eligible rule’ means a rule that is in effect, as of the date of enactment of this section.

The Acting CHAIR. Pursuant to House Resolution 22, the gentleman from Iowa (Mr. King) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, first, I want to say that I have been a long and strong supporter of the REINS Act. I want to compliment Congressman Geoff Davis of Kentucky for introducing and crafting that legislation. While he was doing that, I was drafting a bill, the Sunset Act, with Senator Grassley, and I looked at this from the broad scope of this, that we have a lot of regulations that exist and have existed for decades. Some of them are burdensome and some are not.

The effect of the REINS Act, which I certainly will support on a final passage, hopefully with the King amendment adopted in it, but the REINS Act de facto simply grandfathers in existing regulations. So it is only prospective. It addresses the major regulations going forward, but not those that we are stuck with, such as the Waters of the United States, the Clean Power Plan, the overtime rule, the fiduciary rule, the Dodd-Frank rules, and, heaven forbid, the ObamaCare rules if we should fail to repeal ObamaCare.

So what the King amendment does is it directs the agencies to do the appropriate analysis, and the executive branch of government to send a minimum of 10 percent of their regulations to the Congress each year for the duration of a decade encompassing a full 100 percent of all the regulations in place at the time of passage and enactment of the underlying legislation.

That gives Congress, then, authority and a vote over all of this. It gives us an ability to amend that legislation. We only get 5 minutes all on each, we can amend them accordingly, or we can do what our Founding Fathers envisioned we should do. That is the essence of this.

By the way, President-elect Trump has made some strong pledges on dramatically reducing regulation in the United States. He doesn’t have the tools without the King amendment.

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

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the King amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, I oppose this amendment, which establishes an idiosyncratic process establishing an automatic sunset of public health and safety.

It requires that agencies conduct an annual review of current rules to designate 10 percent of its existing rules to be eliminated within 10 years of the bill’s enactment, unless Congress enacts a joint resolution of approval for eligible bills.

Now, I understand to the listening public that sounds kind of complicated, but the bottom line is they want to do away—my friends on the other side of the aisle—with net neutrality, which is something that a Federal agency requires. So if you want the Internet, which we all built and paid for through the Federal Government through our taxes it when we turned it over to the private sector, but we still have a public interest in the net being neutral so that all traffic flows equally over the Web without some being slower than others according to how much you can afford to pay. That is not fair.

So this King amendment is a part of a regulatory scheme proposed by this legislation, the REINS Act, which is going to hurt Americans. It is going to hurt the health, safety, and well-being of the people when you are not able to have clean water, clean food, edible food, safe products, clean air, and clean water. These are the things that the REINS Act gets at. It doesn’t want America’s people to be healthy. It doesn’t want the Internet to be neutral. Why? Because corporate America and Wall Street put people in office to do their bidding. That is what the REINS Act is all about. This King amendment will make it worse.

Under current law, Federal agencies already conduct an extensive retrospective review process of existing rules and have already saved taxpayers billions of dollars in cost savings. The Obama administration has made a huge commitment to ensuring retrospective review of existing regulatory protections. Under Executive Orders 13563 and 13610, the administration has required that of agencies, particularly the Office Information and Regulatory Affairs under the Obama administration, the Obama administration’s retrospective proposal initiative has estimated $37 billion in cost savings, reduced paperwork, and other benefits for Americans over the past 5 years.

Furthermore, as the Obama administration has stated in the context of a veto agency incentives or an anti-regulatory proposal in a previous Congress, “It is important that retrospective review efforts not unnecessarily constrain an agency’s ability to provide a timely response to critical public health or safety issues, or constrain its ability to implement new statutory provisions.” That is what the King amendment would do.

In fact, because agencies are already committed to a thorough review process to identify and eliminate regulatory burdens, it may be impossible for agencies to make additional cuts without severely affecting public health and safety.

Lastly, while the majority has repeatedly noted that H.R. 26 is forward-looking legislation, this amendment would make the bill apply retroactively to protections and safeguards that are already in place. At the date of enactment, a bald attempt to gut protections adopted by the Obama administration, including net neutrality.

Mr. Chairman, I oppose the amendment, and I urge my colleagues to do the same.

I reserve the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 427—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017

The Administration is committed to ensuring that regulations are smart and effective, and tailored to further statutory goals in the most cost-effective manner. Accordingly, the Administration strongly opposes House passage of H.R. 427, the Regulations from the Executive in Need of Scrutiny Act, which requires that a joint resolution of approval be enacted by the Congress before any major rule of an Executive Branch agency could have force or effect. This radical departure from the longstanding separation of powers between the Executive and Legislative branches would delay and, in many cases, thwart implementation of statutory mandates and execution of duly-enacted laws, create business uncertainty, undermine much-needed protections of the American public, and cause unnecessary confusion.

There is no justification for such an unprecedented requirement. When a Federal agency promulgates a major rule, it must already adhere to the particular requirements of the statute that it is implementing and to the constraints imposed by other Federal statutes and the Constitution. Indeed, in many cases, the Congress has explicitly told the agency the issue the particular rule. The agency must also comply with the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 551 et seq.). If the agency issues a major rule, it must perform analyses of benefits and costs, analyses that are typically required by one or more statutes (such as the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, and the Paperwork Reduction Act) as well as by Executive Orders 12866 and 13563.

In addition, this Administration has already taken numerous steps to reduce regulatory costs and to ensure that all major rules are designed to benefit society. Executive Order 13563 requires careful cost-benefit analysis, public participation, harmonization of rule-making across agencies, flexible regulatory approaches, and a regulatory retrospective review. In addition, Executive Order 13610 further institutionalizes retrospective review by agencies and support regularly on the ways in which they are identifying and reducing the burden of existing regulations. Finally, agency rules are subject to the jurisdiction of Federal courts.

More than, for the past 19 years, the Congress itself has had the opportunity, under the Congressional Review Act of 1996, to revisit an individual basis the rules—both major and non-major—that Federal agencies have issued.
By replacing this well-established framework with a blanket requirement of Congressional approval, H.R. 427 would throw all major regulations into a months-long limbo, fostering uncertainty and impeding business investment that is vital to economic growth. Maintaining an appropriate allocation of responsibility between the two branches is essential, as the National Regulatory System effectively protects public health, welfare, safety, and our environment, while also promoting economic growth, innovation, and job creation.

If the President were presented with H.R. 427, his senior advisors would recommend that he veto it.

Mr. KING of Iowa. Mr. Chairman, I would inquire as to how much time may be remaining for each side.

The Acting CHAIR. The gentleman from Iowa has 3½ minutes remaining. The gentleman from Georgia has half a minute remaining.

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, first of all, I fully support Congressman King’s amendment. It improves the viability of the REINS Act and makes sure that the responsibility of legislation is in the hands of we legislators.

Let me ask this simple question. My good friend on the other side says that we should let the agencies and departments regulate and make rules. Let me ask this: How has it been going in the last 20 years in this country? We are $20 trillion in debt, and 20 million people are out of work or underemployed.

Are we going to continue to let bureaucrats make these decisions that crush jobs?

No, I don’t think so. It is our responsibility in the House and it is our responsibility in the Senate. We can hear from those individuals, as I have repeatedly said here, in those agencies. We make the final decision because just look at the track record over the last 20, 30 years of unelected bureaucrats making these rules, laws, and regulations.

Mr. JOHNSON of Georgia. Mr. Chairman, can’t blame a $20 trillion deficit or debt on nameless, faceless bureaucrats. We can blame a lot of that debt on the George Bush administration and the legislators who voted for tax cuts for the wealthy that were not paid for and funded two wars that were not paid for. That is what we can blame that $20 trillion debt on.

We saw, as Barack Obama came in as President, we had a $10 trillion debt, which he was very critical of throughout his campaign in 2007 and 2008. Now, as he leaves office here, thankfully, in a couple of weeks, it is a $20 trillion debt, and we can start to ratchet this thing back down.

Looking at the Obama administration and their reports on the costs of regulation, they have come up with this number reported to the Heritage Foundation that the cost of regulations to the United States, according to the Obama administration, is $1.08 billion. Mr. Chairman. So that is what we are looking at here for costs.

But I want to get at the real meat of this. Article I of the Constitution says Congress shall make all law. Yet, we have the courts making laws across the street, and we have regulations coming at us at a rate of—and I expressed to the gentleman from Georgia—ten-to-one. For every law we passed in the 114th Congress, there were at least 10 regulations that were poured over our head, and we are sitting in a place where we don’t have the tools to undo them.

Now we have a President that is ready, and he wants to undo these regulations. If we make him march through the Administrative Procedure Act, it is heavy, it is burdensome, and it is time-consuming. The King amendment gives the tools for the next President of the United States to work with Congress to trim this regulatory burden down. And the most important part is, it makes all of us in the House and the Senate accountable then for all of the regulations.

The APA was allowed to dish off this legislative responsibility to the executive branch. Congress took a pass. They ducked their responsibility of being accountable for all legislation and found a way to be producing less than 10 percent of the legislation that exists even in a given year.

The King amendment says that over the period of a decade, 10 percent a year at a minimum, Congress will have to review all the regulations. The people from across America—we the people—will weigh in on that regulation. And then an even better part is not only will we be accountable here in Congress—and we should be—but when the nameless, faceless bureaucrats are across the desk from our constituents and they refuse to listen to our constituents, there is going to be a little bug in the back of their ear that is going to be saying to them: You know what? This constituent that may be losing their business over this regulation, the next stop they make is going to be with their Congressman. These regulations, if they are going to be subject then to being repealed by the United States Congress, as they should be.

Support the King amendment. It puts the authority back into the hands of Article I, we the people.

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

Whereas the United States recently signed a new Mutual Understanding of Support with the Government of Israel regarding security assistance, consistent with longstanding support for Israel among successive Administrations and representatives of important United States commitment toward Israel’s qualitative military edge;

Whereas on November 29, 2016, the House of Representatives passed and the Senate concurred in Concurrent Resolution 165, expressing the sense of Congress and reaffirming long-standing United States policy in support of a direct, negotiated settlement of the Israeli-Palestinian conflict and opposition to United Nations Security Council resolutions imposing a solution to the conflict;

Whereas on December 23, 2016, the United States Permanent Representative to the United Nations disregarded House Concurrent Resolution 165 and departed from longstanding United States policy by abstaining and permitting United Nations Security Council Resolution 2334 to be adopted under Chapter VI of the United Nations Charter;

Whereas United States attention on United Nations Security Council Resolution 2334 contradicts the Oslo Accords and its associated process that is predicated on resolving the Israeli-Palestinian conflict through direct negotiations between the parties;

Whereas United Nations Security Council Resolution 2334 claims that “the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law which constitutes a major obstacle to the achievement of the two-state solution and a just, lasting and comprehensive peace”;

Whereas by referring to the “4 June 1967 lines” of negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism’s holiest site, are “occupied territory” thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal;

Whereas passage of United Nations Security Council Resolution 2334 effectively lends legitimacy to efforts by the Palestinian Authority to wrest control from international organizations and through unjustified boycotts or divestment campaigns against Israel by calling “upon all States, bearing in mind paragraph 1 of this resolution, to take all necessary actions in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”, and will require the United States and Israel to take effective action to counteract the potential harmful impact of United Nations Security Council Resolution 2334;

Whereas Congress did not directly call upon Palestinian leadership to fulfill their obligations toward negotiations or mention that part of the eventual Palestinian state is currently controlled by Hamas, a designated terrorist organization; and

Whereas United Nations Security Council Resolution 2334 both sought to impose unilaterally on Palestinians to address United States opposition to final status issues, and is biased against Israel: Now, therefore, be it

Resolved, That—

(1) It is the sense of the House of Representatives that—

(A) the passage of United Nations Security Council Resolution 2334 undermines the long-standing position of the United States to oppose United Nations Security Council resolutions that seek to impose solutions to final status issues, or are one-sided and anti-Israel, reversing decades of bipartisan agreement;

(B) the passage of United Nations Security Council Resolution 2334 undermines the prospect of Israelis and Palestinians resuming productive, direct negotiations;

(C) the passage of United Nations Security Council Resolution 2334 contributes to the process of bilateral peace negotiations, by diverting attention and, as a result, sanctions against Israel and represents a concerted effort to extract concessions from Israel outside of direct negotiations between Israelis and Palestinians, which must be actively rejected;

(D) any future measures taken in international or outside organizations, including the 1967 lines, the 1949 Armistice Lines, or at the Paris conference on the Israeli-Palestinian conflict scheduled for January 15, 2017, to impose an agreement, or parameters for an agreement including the recognition of a Palestinian state, will set back the cause of peace, harm the security of Israel, run counter to the enduring bipartisan consensus on strengthening the United States-Israel relationship, and weaken support for such organizations;

(E) a durable and sustainable peace agreement will come only through direct bilateral negotiations between the parties resulting in a Jewish, democratic state living side-by-side next to an independent Palestinian state in peace and security;

(F) the United States should work to facilitate serious, direct negotiations between the parties without preconditions toward a sustainable peace agreement; and

(G) the United States Government should oppose and veto future United Nations Security Council resolutions that seek to impose solutions to final status issues, or are one-sided and anti-Israel; and

(2) the House of Representatives opposes United Nations Security Council Resolution 2334 and will work to strengthen the United States-Israel relationship, and calls for United Nations Security Council Resolution 2334 to be repealed or fundamentally altered so that—

(A) it is no longer one-sided and anti-Israel; and

(B) it allows all final status issues toward a two-state solution to be resolved through direct bilateral negotiations between the parties.

The SPEAKER pro tempore. The gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the Record.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the esteemed Speaker of the House.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to read you a quote:

Peace is hard work. Peace will not come through resolutions and resolutions at the United Nations—if it were that easy, it would have been accomplished by now. Ultimately, it is the Israelis and the Palestinians who must live side by side.”

That was President Obama in 2011, and he was right.

I am stunned at what happened last month. This government—our government—abandoned our ally, Israel, when she needed us the most. Do not be fooled. This U.N. Security Council resolution was not about settlements, and it certainly was not about peace. It was about one thing and one thing only: Israel’s right to exist as a Jewish, democratic state.

These types of one-sided efforts are designed to isolate and delegitimize Israel. They do not advance peace. They make it more elusive.

The cornerstone of our special relationship with Israel has always been right here in Congress. This institution, the heart of our democracy, has stood by the Jewish state through thick and thin. We were there for her when rockets rained down on Tel Aviv. We were there for her by passing historic legislation to combat the boycott, divestment, and sanctions movement. And we have been there for her by ensuring Israel has the tools to defend herself against those who seek her destruction.

In every one of those instances, Republicans and Democrats worked together to get these things done. That is because our historic alliance with Israel transcends party labels and partisan bickering. We see that bipartisanship right here on the House floor today in condemning this anti-Israel resolution.

I want to thank our Chairman Ed ROYCE, Ranking Member ELIOT ENGEL, and all of our Members on both sides of the aisle for speaking out on this issue and for helping assemble this legislation. It sends a powerful message, and it turns a page.

It is time to repair the damage done by this misguided hit job at the U.N. It is time to rebuild our partnership with Israel and reaffirm our commitment to her security. It is time to show all of our allies that, regardless of the shameful events of last week, the United States remains a force for good.

I ask the whole House to support this resolution on behalf of the American people.

Mr. ENGEL. Mr. Speaker, I yield 15 minutes to the gentleman from North Carolina (David Price), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this measure, and I thank the Speaker for his words.

I rise to thank Chairman Ed ROYCE, who authored this resolution. I am proud to be the lead Democratic cosponsor and glad to say that more than 30 Democrats representing a
Ed ROYCE and I have worked together for the past 4 years, and we believe that foreign policy should be bipartisan and that partisanship should stop at the water's edge. Frankly, this is what we are doing today. We are condemning what happened because we think it is unfair and unjust.

I want to also mention that I join with my friend from North Carolina what happened because we think it is the water's edge. Frankly, this is what and that partisanship should stop at that foreign policy should be bipartisan and that bipartisan legislation.

Mr. Speaker, throughout its entire history, the State of Israel has never gotten a fair shake from the United Nations. Year after year after year, member states manipulate the U.N. to bully Israel, to pile on with one-sided resolutions, placing all of the blame for the ongoing conflict on Israel.

We saw a resolution like this come before the Security Council a few weeks ago, and the House representative will go on record saying that that U.N. resolution is wrong, plain and simple. And frankly, we should not have voted for that.

The Security Council resolution is highly one-sided; Israel asks nothing directly of the Palestinians. That is biased, that is unfair, and that is not balanced. Again, we should have opposed it. We should have vetoed it.

The language about Jerusalem is not new but it remains deeply offensive to Jews, whose holiest site lies on the Temple Mount in East Jerusalem. The Kotel, the Holy Western Wall, is simply nonoccupied territory. And it is offensive to hear that.

Mr. Speaker, the international community faces the longest suppressing issues: mass killings in South Sudan, a crisis in Yemen, a humanitarian disaster in Syria, Russia's illegal occupation of the Ukraine, and North Korea's nuclear weapons program. Yet, rather than deal with those critical problems, the member states of the U.N. have chosen instead to use the international body to embarrass Israel. It is outrageous. This House Resolution that I am cosponsoring with Mr. ROYCE right now, but if I don't make it, or if I am attack and, therefore, the longer the more they know: Well, I attack and, therefore, the longer the more mayhem they create, the more incitement, this stipend for life. The 2003, it has been Palestinian law to re- ward Palestinian terrorists—terror- ists—to go out, and they are given this incitement, this stipend for life. The more mayhem they create, the more horrific the number of civilians they attack and, therefore, the longer the sentence, the more they know: Well, I can serve my time, and then when I get out, I can get this stipend for the rest of my life—and it is larger and larger, depending upon the amount of may- hem—and if I don’t make it, or if I am a suicide bomber, my family gets the stipend for life.

That, by law, is the way the Pales- tinian Authority has engineered this, costing the lives—and you can read
about it every month of those civilians attacked on the streets. It is not just Israelis, of course. Taylor Force, a U.S. Marine, was killed simply because he was in Israel, but it was by someone responding to the incitement.

So the second year spent by the Palestinian Authority to do that. No mention of that, of course, by the United Nations. And that is why today’s action is so important, to demonstrate our united opposition to U.N. Security Council Resolution 2334, call for it to be reversed, and that if the United States will not do so, the Obama administration might have in the next few days with respect to the Paris conference next week as well, and to provide the foundation for the next administration to move forcefully to counteract its dangerous impact.

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

Mr. PRICE of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the ranking member, Mr. ENGEL, for yielding a portion of his time to opponents of this resolution. I also appreciate his willingness to work with me and other Members on our alternative resolution that is more accurate and less divisive, a resolution, unfortunately, the majority has denied a hearing for on the floor today.

Mr. Speaker, I rise in opposition to H. Res. 11. The resolution before us today fails to credibly reaffirm our Nation’s support for a two-state solution. It provides an inaccurate accounting of the United States’ longstanding policy toward the Israeli-Palestinian conflict. It includes reckless and divisive charges regarding the recent United Nations Security Council resolution, designed, it would appear, solely to embarrass the outgoing administration. It falsely claims, for example, that the Security Council resolution “contradicts the Oslo Accords.” It goes so far as to link the resolution to the boycott and divestiture movement.

Mr. Speaker, there is room for honest debate about the U.N. resolution and about the U.S. decision to abstain, but there is not room, there shouldn’t be room, for this kind of disgraceful distortion. H. Res. 11 doesn’t really engage the issues; it obscures and distorts them.

I would suggest that both those who support and oppose recent U.S. actions should oppose this irresponsible and divisive resolution. It does distort the record. In fact, during the Obama administration, fewer U.N. Security Council resolutions related to the Israeli-Palestinian conflict have passed than under any other modern Presidency. In fact, the December resolution is the only one that has passed under President Obama’s leadership; and if you want a fair and comprehensive accounting of thinking that went into that difficult decision, I commend to every Member Samantha Power’s statement at the United Nations, one of the finest statements of its sort that I have ever read.

H. Res. 11 also doesn’t take into account the fact that Republican and Democratic administrations alike have allowed Security Council resolutions addressing the Israeli-Palestinian conflict to pass, many of which were opposed by Israel. The fact is H. Res. 11 runs a real risk of undermining the credibility of the United States Congress as a proactive force working toward a two-state solution.

In this period of great geopolitical turmoil and uncertainty, we must reaffirm those fundamental aspects of our foreign policy, including our strong and unwavering support for Israel, while also demonstrating to the world that we are committed to a diplomacy that defends human rights and promotes Israeli and Palestinian states that live side by side in peace and security, a formulation that has characterized our country’s diplomacy for decades.

At best, Mr. Speaker, H. Res. 11 would muddy the waters of our diplomacy and foreign policy. At worst, it could jeopardize our efforts to achieve a just and lasting peace between Israelis and Palestinians. I can’t, in good faith, support the adoption of this resolution, and I urge a “no” vote.

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

Mr. ROYCE of California. Mr. Speaker, in response briefly, we did have a substitute from Mr. PRICE, and we struck it out, but it did not once mention the United Nations Security Council Resolution 2334.

Mr. ENGEL and I have worked hard together, in good faith and in a bipartisan manner, to develop a measure that rejects and repudiates this dangerous U.N. resolution that was passed; and also, ours warns the White House against taking additional measures in the last few weeks of the current administration. I think it is important to reverse that damage and to provide a very real concern, given the backdrop of the Paris conference on the 15th of this month and the very real concern that the President could take further steps at the U.N.

Again, Mr. PRICE’s amendment did not include this urgent warning. I want to say that I am happy to work with Mr. PRICE in a bipartisan manner once the Committee on Foreign Affairs organizes, but the essence, we must act to reject United Nations Security Council Resolution 2334, not remain silent on it, and we have got to limit the damage that the administration has caused to prospects for a lasting peace.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Ms. ROS-LEHTINEN), chairman emeritus of the Committee on Foreign Affairs.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank our esteemed chairman for the time.

This resolution, Mr. Speaker, will not undo the damage that has been done at the Security Council, but it sends an important message to the world that the United States Congress resoundingly and in a strong bipartisan manner disapproves of the vote taken on Resolution 2334, and it sends a warning to the international community that we are so serious about the importance of the Parliament that it will have the courage to discuss the peace process that there will be repercussions if there is a move to introduce a parameter resolution before the 20th in an effort to further isolate Israel. Our closest friend and ally, the democratic Jewish State of Israel, has been under constant attack by the United Nations. Abu Mazen and the Palestinians have pushed a campaign to delegitimize the Jewish state, to undermine the peace process, to achieve unilateral statehood recognition. We have seen it this year at UNESCO, where that sham of an institution voted on several occasions to deny and distance Jewish and Christian historical and cultural ties to Jerusalem.

We have seen it at the Human Rights Council, where Israel is constantly demonized and falsely accused of human rights violations when what it is real abusers of human rights go unpunished because that body has utterly failed to uphold its mandate. This is a body that allows the worst abusers of human rights—like Cuba, Venezuela, and China—to actually sit in judgment of human rights worldwide. What a pathetic joke.

Yet the only thing they can agree on is to attack Israel, the only democracy in the Middle East and the only place in the region where human rights are protected.

We have seen this scheme to delegitimize Israel at the General Assembly, where, in its closing legislative session, the General Assembly passed 29—20—anti-Israel resolutions and only 4, combined, for the entire world.

These institutions have no credibility, and now we have the unfortunate circumstance of the White House deciding to abstain from this anti-Israel, one-sided resolution at the Security Council. Our ally was abandoned, and credibility and momentum were given to the Palestinian schemes to delegitimize the Jewish state, to undermine the peace process.

While the damage has been done, Mr. Speaker, by this act of cowardice at the Security Council, we will have an opportunity to reverse that damage. In the coming weeks and months, this Congress and the incoming administration must show unyielding support for our closest friend and ally, Israel and undo the damage done.

This resolution by the chairman and the ranking member is an all-important first step that signals our intent.

I really do commend this member, this measure, and I look forward to working with Chairman ROYCE and Ranking Member ENGEL in further strengthening our U.S.-Israel bond.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN), my good friend and senior member of the Committee on Foreign Affairs.
Mr. SHERMAN. Mr. Speaker, let’s look at the historic timeline. The Reagan administration and other administrations have failed in the past to veto anti-Israel resolutions, and that failure has not been helpful to the cause of peace, which has always been the highest priority. Israel has frozen or removed settlements in an effort to negotiate peace, all to no avail.

On November 29 of last year, this House famously urged our U.N. Ambassador to veto any U.N. resolution that sought to impose peace settlement terms. But a month later, our U.N. Ambassador ignored the input of this House and allowed the U.N. to adopt a one-sided resolution that sought to impose peace terms on the parties. Worse yet, that U.N. resolution equates the Western Wall, Judaism’s holiest site, with outposts deep in the West Bank that are illegal under Israeli law.

Today we consider a House resolution that has over 30 Democratic cosponsors. It is not a pro-settlements resolution. It strongly and repeatedly reaffirms our support for a two-state solution, through direct negotiations, and it objects to a U.N. resolution that sets back the cause of peace. Vote “yes.”

Mr. ROYCE of California. Mr. Speaker, I told 2 minutes to the gentleman from New Jersey (Mr. SMITH), the long-time chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations:

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding and for offering this important resolution, along with the ranking member, and I am proud to be a co-sponsor.

President Obama’s decision to abstain and not veto Security Council Resolution 2334 seriously undermines the peace process, abandons Israel at a critical hour in its life as a nation, and does serious injury to the historical record.

The egregiously flawed U.N. text says that all Israeli settlements after the 1949 armistice line including East Jerusalem and the West Bank have no legal standing and constitutes a flagrant violation under international law.

The pending House resolution repudiates 2334 and makes clear that a durable and sustainable peace agreement between Israel and the Palestinians will only come through direct bilateral negotiations not one-sided anti-Israel UN resolutions.

With over three thousand years of Jewish history bound up in East Jerusalem and the West Bank, it is preposterous to assert that Israel has no legitimacy in defending its construction activities, even though the vast majority of this activity takes place legally, pursuant to Israeli law.

The pending House resolution repudiates 2334 and makes clear that a durable and sustainable peace agreement between Israel and the Palestinians will only come through direct bilateral negotiations not one-sided anti-Israel UN resolutions.

By calling on countries to distinguish between the State of Israel and Israeli settlement activity, Mr. Speaker, the UN Resolution could open Israeli leaders and even average Israeli settlers to criminal prosecution. Israel’s enemies are likely to exploit 2334 by seeking prosecutions in venues like the International Criminal Court for construction activities, even though the vast majority of this activity takes place legally, pursuant to Israeli law.

By calling on countries to distinguish between the State of Israel and Israeli settlement activity, 2334 enables the narrative of the anti-Semitic boycott, divestment, and sanctions movement, or BDS movement, that is aimed at delegitimization Israel.

And in mere days, the error of 2334 could be further compounded.

A few hours ago the European Jewish Press reported that "Leaders of the Conference of Presidents of Major American Jewish Organizations called for France to cancel or, at least, postpone what they called an ‘ill-conceived, poorly timed and damaging’ event—the Paris Mideast conference—scheduled for January 15th.”

"The international community should not plunge forward with the ill-conceived and poorly timed Paris conference," CPMAJO Chairman Stephen M. Greenberg and Vice Chairman Stephen M. Greenberg wrote in a statement. "According to the Conference of Presidents, there are a number of compelling reasons to postpone the Paris event, including the impending transition to the Trump administration, just five days later. "It makes no sense that the Trump administration, preoccupied with participating in a discussion of an essential component of U.S. foreign policy with which it will be engaged," they explained.

"Israel has long sought direct talks, it is time for the Palestinian leaders to stop evading their responsibility and seeking to use international fora to avoid the only true path to a lasting peace," they added. Hoenlein cautioned it was possible the Obama administration could—following the recent passage of the anti-Israeli settlement Security Council resolution—take a "further damaging step against Israel" during "the President-elect Donald Trump takes office."

Nathan Diament, Executive Director of the Union of Orthodox Jewish Congregations of America, wrote me a letter today and said, "On December 23, 2016, the UN Security Council passed Resolution 2334, a one-sided anti-Israel resolution condemning Israel’s building of settlements in the West Bank and East Jerusalem. It has long been U.S. policy that any progress toward an agreement in the region must be based on direct negotiations between Israeli and Palestinian leaders, not a vote of third-party nations at the UN."

"Unfortunately the UN has a long and established bias against Israel. In 2016 alone, the UN General Assembly adopted 20 anti-Israel resolutions and just four against other countries: North Korea, Syria, Iran and Russia. The World Health Organization condemned Israel as the world’s only violator of ‘mental, physical and environmental health,’ while the U.N. Women condemned Israel as the world’s only violator of women’s rights. The International Labor Organization condemned Israel as the world’s only violator of labor rights. These same UN committees were silent on the issue of human rights violations in China, Libya, or the Congo."

"Clearly, the UN has an agenda to undermine and delegitimize the state of Israel and in that regard UN support for Resolution 2334 was not surprising. What was surprising—and deeply concerning—was the silence of the United States on this issue. Rather than exercising its veto power, the United States chose to abstain from voting, and thereby weakened the trust and support Israel has long placed in its most important ally. Over the course of his presidency, Mr. Obama has repeatedly assured American Jews and others concerned about Israel’s security and welfare that his presidency was ‘unshakeable.’ By allowing the UN Security Council’s resolution to pass in the final weeks of his Administration, President Obama undermined his legacy and threatened the longstanding alliance between the United States and Israel."

"Whether the abstaining vote was a parting shot from the Obama administration or the influence of anti-Israeli forces at the UN, the incoming Trump Administration and the
115th Congress must make the United States' support of Israel and our common goals of peace, democracy, and fighting terrorism—a pillar of its foreign policy. Today's resolution condemning UN Resolution 2334 will send an important message to the world that the United States stands with Israel and will continue to support our common goals.

Mr. Speaker, before concluding, I would like to note that many of us in Congress have been warning about these kinds of reckless gambits for months. Three-hundred and eighty of us in the House signed a letter in April to President-elect Trump calling on him to veto any one-sided resolution like 2443 if it were raised in the Security Council.

I urge my colleagues to support H. Con. Res. 11 to denounce this dangerous Security Council action. I look forward to working with President-elect Trump to align U.S. policy with Council action. I look forward to working with the overwhelming consensus in Congress: that President-elect Trump to align U.S. policy with Congress' long-standing support for a bilateral settlement of the Israeli-Palestinian conflict.

Best Regards,

Nathan Diament, Executive Director.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I stand here as a proud Jew and someone who, throughout my entire life, has always been an advocate for the State of Israel, and I am standing here to oppose H. Res. 11.

As a Member of Congress, I have been committed to maintaining America's unwavering support for Israel, which has lasted from the very first moments of Israel's existence. The U.S.-Israel bond is unbreakable, despite the fact that the United States' administrations have not always agreed with the particular policies of an Israeli Government. Contrary to the assertions of H. Res. 11, the U.S. has often expressed those differences in the context of the United Nations. Presidents, from Lyndon Johnson to George W. Bush, have each vetoed and sometimes voted for a U.N. resolution contrary to the Oval Office's position at the time. Only the Obama administration, until 2 weeks ago, never, ever cast a vote against what Israel wanted.

But opposition to the building of settlements on land belonging to Palestinians before the 1967 war—with the exception of the land, of course, that is going to be swapped, agreed to by both parties—has been the official U.S. policy for many decades, contrary, again, to the assertions of H. Res. 11.

But opposition to the building of settlements on land belonging to Palestinians before the 1967 war—with the exception of the land, of course, that is going to be swapped, agreed to by both parties—has been the official U.S. policy for many decades, contrary, again, to the assertions of H. Res. 11.

It has been U.S. policy to veto any U.N. resolution dictating parameters on the Israeli-Palestinian peace process. The reason is simple. True peace can only be achieved at the negotiating table between the Israelis and the Palestinians. It has been U.S. policy to veto any U.N. resolution dictating parameters on the Israeli-Palestinian peace process.

The Palestine Authority has failed to stop violence against Jews. It continues to—get this, Mr. Speaker—make payments to jailed Palestinian terrorists who have harmed or killed Jews. Over the years, Israel has traded land for promised peace. They have no peace. And soon, if the United Nations gets its way, they will have no land.

Despite the administration’s policy of abandoning our trusted ally Israel, the United States Congress must stand with our ally Israel.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. ROSEN), one of our new Members, who has made support for Israel part of her entire life and is giving her first speech on the House floor in support of this resolution and support of Israel.

Ms. ROSEN. Mr. Speaker, I am proud to stand with my colleagues on both sides of the aisle today in support of this resolution and to lend my name as a cosponsor. The United States alliance with Israel is absolutely critical, and this is not the time to sow uncertainty about the future of the relationship.

This resolution does a number of important things, but the most important is that it reaffirms Congress’ long-standing support for a bilateral settlement of the Israeli-Palestinian conflict and stands in contrast to the Palestinians and Security Council Resolution 2334. Paragraph 5 of that resolution is reminiscent of a recent U.N. Human Rights
Council resolution that established a database of companies in the settlements, facilitating a boycott. The UNSC resolution does nothing to advance the cause of peace and is, in fact, an obstacle to it. Strongly ensuring the security of Israel is the only pathway to a lasting settlement.

I urge my colleagues on both sides of the aisle to vote in favor of this resolution.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank Chairman Ed ROYCE for yielding. I appreciate your leadership for peace.

I am in strong support of the House resolution, which is taking a firm stand and clear stand objecting to the United Nations Security Council resolution as an obstacle to Israeli-Palestinian peace.

The United States has stood with Israel against one-sided, biased resolutions at the United Nations and in other international forums. Additionally, the United States has been a firm and steadfast friend of the United Nations. The distorted ideology of moral neutrality is suicidal for civilization, encouraging what the chairman correctly identified as “pay for slay,” as evidenced by the murder of American tourist Taylor Force just last year.

On December 23, my constituents were shocked as the Obama administration betrayed the people of Israel, undermining the peace process by failing to veto the U.N. Security Council resolution. President Obama and Secretary Kerry’s actions revealed dangerous irresponsibility, putting Israeli and American families at risk of more terrorist attacks. Fortunately, Governor Nikk Haley, President-elect Trump’s appointee, will soon be making her mark. She is being described by the U.N. Ambassador of the United States, promoting peace through strength.

Today, I am grateful to stand strong with Israel by being an original cosponsor of H. Res. 11. I appreciate the leadership of Majority Leader Kevin McCARTHY, Chairman Ed ROYCE, and Ranking Member Eliot ENGEL for sponsoring this resolution. I urge my colleagues to support it.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Speaker, my commitment to the State of Israel is steadfast, but my first loyalty is to peace—peace that is protected by genuine self-determination.

I know in my heart that the only path to peace is to have two separate, sovereign states that peacefully coexist. The two-state solution is at the heart of American foreign policy, and every administration since 1993 put the two-state solution at the heart of what America wants for her friend Israel.

As I said on the House floor on December 6, if we are ever going to achieve the permanent peace that allows Israel to exist without fear and Palestine to exist without occupation, we must continue to fight for the two-state solution. But under the current strongman government in Israel, all pretenses and illusions are being stripped away. From settlements, to water, to restricting the Muslim call to prayer in Jerusalem, it seems that anything goes.

Today, as America embarks on its own experiment with strongman politics, this Congress is falling in line. This Congress that allowed our Chamber to be used for an Israeli campaign rally and TV commercials is bending to pressure from abroad and pressure here at home.

Mr. Speaker, I do not doubt the commitment to peace of the American people, so I urge my colleagues to vote with their hearts and minds and defeat this House resolution.

Mr. Speaker, I include in the RECORD my remarks on the floor of December 6 in support of a two-state solution.

TWO STATE SOLUTION IS STILL THE PATH TO PEACE IN THE MIDDLE EAST

(Luis V. Gutiérrez Floor Remarks, Dec. 6, 2016)

Mr. Speaker, I am very concerned about what is going on in Israel and I think it has implications both for U.S. foreign policy and for domestic policy and for our great ally, Israel.

As the right-wing government of Benjamin Netanyahu consolidates power and becomes in many ways the one-party rulers of Israel, a number of things are changing that should be of concern to all Americans.

Specifically, the increasing dominance of the Likud Party as the one-party in Israel jeopardizes the two state solution that I and many others in the United States and Israel feel is the only way to achieve long-term peace in the Middle East.

There is a retrenchment of hard line policies—aimed at solidifying alliances with smaller religious and hardline parties that make it all but impossible for the Likud Party to work with other parties to make the peace process progress towards a two state solution.

Right now, the Knesset is considering legislation to legalize all Israeli settlements in Palestinian territory on the West Bank, even those constructed on private Palestinian land.

Boom, 400,000 people in settlements across the West Bank, it’s all legal because they say it is legal. And it is.

And Israel is destroying Palestinian homes at a pace faster than we have seen before. It is provocative, sweeping, and designed to make it harder to ever reach an agreement with the Palestinians.

The plan to restrict the Muslim call to prayer in Jerusalem has been revived, again, to placate hardline religious constituents, by Prime Minister Netanyahu.

There is no clearer statement to people of the Islamic faith that they do not matter, they do not belong, and they will not be tolerated than to restrict the Muslim call to prayer in Jerusalem, a city that has heard the Muslim call to prayer for thousands of years.

I think what is going on in Israel with Prime Minister Netanyahu presents a cautionary tale about the consequences of following a political strongman. The strongman has to keep proving that he is a strongman over and over.

Like other strongmen who ride fear into leadership—when you base your political career on projecting fear and resentment into political affairs—when you use the backdrop of terrorism and the understandable fear of the Israeli people as a political tool for years and decades—this is the kind of policy that results.

There is an appetite for constant escalation of what you are doing to stand up to the enemy you have constructed—an enemy based on, but not the same as the enemies that fight against the state of Israel and tolerance and peace in real life.

Strongmen construct a foil—in this case based on the Palestinians, but sometimes exaggerated beyond recognition—and they need to feed the thirst for more and more action to attack the caricature that has been constructed.

But strongman politics in Israel have the impact of making a long-lasting solution that brings peace to the Middle East harder to achieve.

The fundamental rights of Palestinians to have their own state, a state alongside the Israeli state where they have the basic rights and dignity to govern themselves and raise their families in peace—that is what many Israelis, many Palestinians, and many around the world have been fighting for.

For decades, the United States—under different leaders in different parties from Carter to Reagan to Bush and Obama—have recognized that peace will only come with mutual respect and tolerance.

That is what we have based our foreign policy on and should continue to base our foreign policy on.

Having talked with average people and with leaders on both sides of the Palestinian-Israeli conflict—I am convinced that it is the only path to peace.

America has been a catalyst—a constructive influence from outside—a nation based on religious freedom and democracy that has served as a model for both Palestinians and Israelis—and we have worked towards helping parties continue to move in the direction of two separate but mutually respectful countries, two nations that are not at war with each other or subservient to one another.

I fear, Mr. Speaker, that Israel herself is moving away from the vision as a goal and that we as her closest ally must remind her—and ourselves—of what is at stake if we lose sight of this important goal.

Mr. ROYCE of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida and Yugoslavia.

Mr. YOHO. Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL.

Mr. Speaker, I rise today in support of the nation of Israel, one of our greatest allies in the Middle East.

I urge my colleagues to support H. Res. 11, Objecting to United Nations Security Council Resolution 2334.
Mr. ROYCE of California. Mr. Speaker, I oppose U.N. Security Council Resolution 2334—an anti-Israel, anti-Jewish attempt on behalf of pro-Palestinian nations to delegitimize Israel and ethnically cleanse East Jerusalem and Judea and Samaria of the Jewish people.

The Israelis have long been willing to compromise large swaths of land in this region in pursuit of a two-state solution. It has been the Palestinians who have, time and again, declined real offers on the table. Now they ask for more. Just think about this reality. If the Israelis agreed right now to make all of the concessions this U.N. Security Council resolution calls for, there would still not be peace. A viable two-state solution isn’t just about Israel’s recognizing the Palestinians’ right to exist; it is also about the Palestinians’ recognizing Israel’s right to exist.

As for me, I stand for freedom, and America should stand strong—shoulder to shoulder with the Israelis. President Obama lit a menorah this year at the White House. He reflected on Hanukkah as a celebration of the
Mr. DAVID SCOTT of Georgia. I thank the gentleman.

Mr. Speaker, I rise in great support of the Ross-Engel bill against this most deceitful and shameful U.N. resolution. That which we have here for. This act was shameful and it was deceitful.

When the U.N. voted for this 2334 resolution, it was like cutting Israel’s legs out from under it and then condemning Israel for being a cripple. Shameful and deceitful. Is this what they wanted to put all of the blame on Israel when it is the Palestinians who refuse to even meet to discuss or to even talk about a two-state nation. It is the Palestinians who say Israel doesn’t even have a right to exist.

Now in the hell are you going to meet with somebody to talk about a combined future when they will not give you decent recognition?

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

Mr. DAVID SCOTT of Georgia. I thank the gentleman because this part is very important.

Mr. Speaker, this Nation is blessed. We have been blessed with divine intervention all through our history to be that shining light on the hill, to let all of our great work show for the world. We have an opportunity here tonight for this Congress to stand up and show that light for Israel.

Stand up for Israel and show our great works to this world. That is what I say, let it be written and let it be done.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. Trott). Mr. Trott. I thank the chairman.

Mr. Speaker, I rise today in support of H. Res. 11, which offers a strong objection to U.N. Security Council Resolution 2334.

President Obama started his foreign policy 8 years ago with an apology tour in the Middle East, and now, not surprisingly, he ends it with a slap in the face to our ally and friend, Israel.

For over 40 years, the United States Government—Republicans and Democrats—stood shoulder to shoulder with our ally, vetoing countless resolutions at the United Nations. However, this past December, President Obama broke that tradition and chose to allow this resolution to come before the Security Council for a vote. As Prime Minister Netanyahu said: “This was a disgraceful anti-Israel maneuver.” Not only does this resolution blatantly target Israel, it seriously impedes the peace process.

Unfortunately, while I wholeheartedly reject what happened at the United Nations, I cannot say that I am surprised. The Obama administration has been more concerned with appeasing nefarious actors like Iran and Cuba, all the while ignoring friends like Israel. I look forward to a new era of foreign policy in which our enemies fear us and our allies respect us.

Mr. PRICE of North Carolina. Mr. Speaker, may I inquire as to the time remaining for this side?

The SPEAKER pro tempore. The gentlelman from North Carolina has 5 minutes remaining. The gentleman from California has 8 1/2 minutes remaining.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentlelman from Kentucky (Mr. Yarmuth). Mr. YARMUTH. I thank my colleague.

Mr. Speaker, as a strong supporter of a two-state solution, as a Jewish Member of Congress and as someone who has been to the Middle East and seen the settlements firsthand, I rise in strong opposition to this resolution.

Settlements are an impediment to peace between Israelis and Palestinians. This resolution only provides ammunition to those who oppose a two-state solution—the approach that is our only hope for lasting peace. We all agree that the incitement of violence and terrorism must end, which U.N. Security Council Resolution 2334 discusses. But the 2334 resolution, as the gentleman so eloquently stated in his speech on December 28:

Some seem to believe that the U.S.’ friendship means the U.S. must accept any policy regardless of our own interests, our own positions, our own words, our own principles— even after urging again and again that the policy must change. Friends need to tell each other the hard truths, and friendships require mutual respect.

Well, my friends, Israel must end settlement expansion, close their outposts, and get to the negotiating table. Prime Minister Netanyahu has not treated the Obama administration with respect, and this resolution does not offer the American people the honest, true debate Israel and he have about this critically important issue.

Mr. Speaker, I urge my colleagues to oppose this measure.

Mr. Speaker, I want to thank the Obama administration, especially Secretary of State Kerry, for his dedication in trying to find a path forward for a two-state solution. It is my hope that the principles laid out in Secretary Kerry’s December 28, 2016 speech will help guide serious negotiations in the days ahead. To ensure that his remarks are a part of this debate, I will now read his entire statement.

Secretary Kerry said: Thank you very much. Thank you. Thank you very, very much. Thank you. (Coughs.) Excuse me. Thank you for your patience, all of you who have celebrated Christmas. I hope you had a wonderful Christmas. Happy Chanukah. And to everybody here, I know it’s the middle of a holiday week. I understand. (Laughter.) But I wish you all a very, very productive and Happy New Year.

“Today, I want to share candid thoughts about an issue which for decades has animated the foreign policy dialogue here and around the world—the Israeli-Palestinian conflict.

Throughout his Administration, President Obama has been deeply committed to Israel and its security, and that commitment has guided his pursuit of peace in the Middle East. This is an issue which, all of you know, I have worked on intensively during my time as Secretary of State for one simple reason: because the Israeli-Palestinian conflict is the central dynamic to take hold which promises greater conflict and instability to a region in which we have vital interests, we would be thereby creating the conditions for our enemies to conquer us and our allies respect us.

Now, I’d like to explain why that future is now in jeopardy, and provide some context for why we could not, in good conscience, stand for a resolution at the United Nations that makes clear that both sides must act now to preserve the possibility of peace.

I am also here to share my conviction that there is still a way forward if the responsible parties are willing to act. And I want to share practical suggestions for how to preserve and advance the prospects for the just and lasting peace that both sides deserve.

So it is vital that we have an honest, clear-eyed conversation about the uncomfortable truths and difficult choices, because the alternative that is fast becoming the reality on the ground is in nobody’s interest—not the Israelis, not the Palestinians, not the region and not the United States.

Now, I want to stress that there is an important point here: My job, above all, is to defend the United States of America—to stand up for and defend our values and our interests in the world. And if we were to stand idly by and know that in doing so we are allowing a dangerous dynamic to take hold which promises greater conflict and instability to a region in which we have vital interests, we would be derelict in our own responsibilities.

Regrettably, some seem to believe that the U.S. friendship means the U.S. must accept any policy, regardless of our own interests, our own positions, our own words, our own principles— even after urging again and again that the policy must change. Friends need to tell each other the hard truths, and friendships require mutual respect.

Israel’s permanent representative to the United Nations, who does not support a two-state solution, said after the vote last week, ‘I quote, ‘I was deeply disappointed that Israel’s greatest ally would act in accordance with the values that we share,’ and veto this resolution. I am compelled to respond today that the
United States did, in fact, vote in accordance with our values, just as previous U.S. administrations have done at the Security Council before us.

They fail to recognize that this friend, the United States of America, that has done more to support our security—my friend that has blocked countless efforts to delegitimize Israel, cannot be true to our own values—or even the stated democratic values of Israel—and we cannot properly defend and protect Israel if we allow a viable two-state solution to be destroyed before our own eyes.

And the line: the vote in the United Nations was about preserving the two-state solution. That’s what we were standing up for: Israel’s future as a Jewish and democratic state, living side by side in peace and security with its neighbors. That’s what we are trying to preserve for our sake and for theirs.

In fact, this Administration has been Israel’s greatest friend and supporter, with an absolutely unwavering commitment to advancing Israel’s security and protecting its legitimacy.

On this point, I want to be very clear: No American administration has done more for Israel’s security than Barack Obama’s. The Israeli prime minister himself has noted our quote, “unprecedented” military and intelligence cooperation. Our military exercises are more advanced than ever. Our assistance for Iron Dome to protect countless Israeli lives.

We have consistently supported Israel’s right to defend itself, by itself, including during actions in Gaza that sparked great controversy. Time and again we have demonstrated that we have been there for Israel.

We have strongly opposed boycotts, divestment campaigns, and sanctions targeting Israel in international fora, whenever and wherever its legitimacy was attacked, and we have fought for its inclusion across the UN system. In the midst of our own financial crisis and budget deficits, we repeatedly increased funding to support Israel. In fact, more than one-half of our entire global foreign military financing goes to Israel. And this fall, we concluded an historic $38 billion memorandum of understanding that exceeds any military assistance package the United States has provided to any country, at any time, and that will invest in cutting-edge missile defense and sustain Israel’s qualitative military edge for years to come. That’s the measure of our support.

This commitment to Israel’s security is actually very personal for me. On my first trip to Israel as a young senator in 1986, I was captivated by a special country, one that I immediately admired and soon grew to love. Over the years, like so many others who are drawn to this extraordinary place, I have climbed Masada and the Dead Sea, driven from one Biblical city to another. I have also seen the dark side of Hizbollah’s rocket storage facilities just across the border in Lebanon, walked through exhibits of the hell of the Holocaust at Yad Vashem, stood on the Golan Heights, and piloted Israel’s F-22s and F-35s over the tiny airspace of Israel, which would make anyone understand the importance of security to Israelis. Out of those experiences came a steadfast commitment to Israel’s security that has never wavered for a single minute in my 28 years in the Senate or my four years as Secretary.

I have visited West Bank commu- nities, where I met Palestinians struggling for basic freedom and dignity amidst the occupa- tion, passed by military checkpoints that can make even the most routine daily trips to work or school an ordeal, and heard from business leaders who could not get the permits that they needed to get their products to the market and families who have struggled to secure permission just to travel for needed medical care.

And I have witnessed firsthand the ravages of a conflict that has gone on for far too long. I’ve seen Israeli children in Sderot whose playgrounds had been hit by Katusha rockets. I’ve visited shelters next to schools in Kiryat Shmona that kids had 15 seconds to get to after a warning siren went off. I’ve also seen the devastation of war in the Gaza Strip, where Palestinian girls in Izbet Abed Rabo played in the rubble of a bombed-out building.

No children—Israel or Palestinian—should have to live like that. So, despite the obvious difficulties that I understood when I became Secretary of State, I knew that I had to do everything in my power to help end this conflict. And I was grateful to be working for President Obama, who was prepared to take risks for peace and was deeply committed to that effort.

Like previous U.S. administrations, we have committed our influence and our resources to trying to resolve this conflict—yes, it would serve American interests to stabilize a volatile region and fulfill America’s commitment to the survival, security and well-being of an Israeli at peace with its Arab neighbors.

Despite our best efforts over the years, the two-state solution is now in serious jeopardy. The truth is that trends on the ground—violence, terrorism, incitement, settlement expansion, and the seemingly endless occupation—are combining to destroy hopes for peace on both sides and increasingly cementing an irreversible one-state reality that most people do not actually want.

Today, there are a number—there are similar numbers of Jews and Palestinians living between the Jordan River and the Mediterranean Sea. They have a choice. They can choose to live together in one state, or they can separate into two states. But here is a fundamental reality: if the choice is one state, Israel can either be Jewish or democratic—it cannot be both. Either will be at peace. Moreover, the Palestinians will never fully realize their vast potential in a homeland of their own with a one-state solution.

Now, most on both sides understand this basic choice, and that is why it is important that polls of Israelis and Palestinians show that there is still strong support for the two-state solution—in theory. They just don’t believe that it can happen.

After decades of conflict, many no longer see the other side as people, only as threats and enemies. Both sides continue to push a narrative that plays to people’s fears and reinforces the worst stereotypes rather than working to change perceptions and build up belief in the possibility of peace.

The truth is that extraordinary polarization in this conflict extends beyond Israelis and Palestinians. Allies of both sides are content to reinforce this with an us-or-you/us or us against us mentality where too often any one who questions Palestinian actions is an apologist for the occupation and anyone who disagrees with Israeli policy is cast as anti-Israel or even anti-Semitic.

That’s one of the most striking realities about the current situation: This critical decision about the future—one state or two states—is effectively being made on the ground every single day, despite the expressed opinion of the majority of the people.

The status quo is leading towards one state and perpetual occupation, but most of the time, there’s no one who has even hoped that anything can be done to change it. And with this passive resignation, the problem only gets worse, the risks get greater and the choices are narrowed.

The sense of hopelessness among Israelis is exacerbated by the continuing violence, terrorist attacks against civilians and incitement, which are destroying belief in the possibility of peace.

Let me say it again: There is absolutely no justification for terrorism, and there never will be.

And the most recent wave of Palestinian violence has included hundreds of terrorist attacks in the past year, including stabbings, shootings, vehicular attacks and bombings, incitement and naming public squares, streets and schools after terrorists.

President Obama and I have made it clear to the Palestinian leadership countless times, publicly and privately, that all incitement to violence must stop. We have consistently condemned violence and terrorism, and even condemned the Palestinian leadership for not condemning it.

Far too often, the Palestinians have pursued efforts to delegitimize Israel in international fora. We have strongly opposed these initiatives, including the recent wholly unbalanced and inflammatory UNESCO resolution regarding Jerusalem. And we have made clear our strong opposition to Palestinian efforts against Israel at the ICC, which only sets back the prospects for peace.

And we all understand that the Palestinian Authority has a lot more to do to strengthen its institutions and improve governance.

Most troubling of all, Hamas continues to pursue an extremist agenda: they refuse to accept Israel’s very right to exist. They have a one-state vision of their own: all of the land is Palestine. Hamas and other radical factions are responsible for the most explicit forms of incitement to violence, and many of the images that they use are truly appalling. And they are willing to kill innocents in Israel and put the people of Gaza at risk in order to advance that agenda.

Compounding this, the humanitarian situation in Gaza, exacerbated by the closings of the crossings, is dire. Gaza is home to one of the world’s densest concentrations of people enduring extreme hardships with few opportunities. 1.3 million people out of Gaza’s population of 1.8 million are in need of daily assistance—food and shelter. Most have electricity less than half the time and only 5 percent of the water is safe to drink. And yet despite the urgency of these needs, Hamas and other militant groups continue to re-arm and divert reconstruction materials to build tunnels, threatening more attacks on Israeli civilians that no government can tolerate.
Now, at the same time, we have to be clear about what is happening in the West Bank. The Israeli prime minister publicly supports a two-state solution, but his current coalition is the most right-wing in Israeli history, with an agenda driven by the most extreme elements. The ideology of this government, which the prime minister himself just described as “more committed to settlements than any in Israel’s history,” is leading in the opposite direction. They’re leading towards one state. In fact, Israel has increasingly consolidated control over the West Bank for its own purposes, effectively reversing the transitions to greater Palestinian civil authority that were called for by the Oslo Accords.

I don’t think most people in Israel, and certainly in the world, have any idea how broad and systematic the process has become. But the facts speak for themselves. The number of settlers in the roughly 130 Israeli settlements east of the 1967 lines has steadily grown. The settler population in the West Bank alone, not including East Jerusalem, has increased by nearly 270,000 since Oslo, including 100,000 just since 2009, when President Obama’s term began.

There’s no point in pretending that these are just in large settlement blocks. Nearly 90,000 settlements east of the separation barrier that was created by Israel itself in the middle of what, by any reasonable definition, would be the future Palestinian state. And the population of these distant settlements has grown by 20,000 just since 2009. In fact, just recently the government approved a significant new settlement well east of the barrier, closer to Jordan than to Israel. What does that say to Palestinians in particular—but also to the United States and the world—about Israel’s intentions?

Let me emphasize, this is not to say that the settlements are the whole or even the primary cause of this conflict. Of course they are not. Nor can you say that if the settlements were suddenly removed, you’d have peace. Without a broader and genuine peace, you would not. And we understand that in a final status agreement, certain settlements would become part of Israel to account for the changes that have taken place over the last 49 years—we understand that—including the new democratic developments that exist on the ground. They would have to be factored in. But if more and more settlers are moving into the middle of Palestinian areas, it’s going to be just that much harder to separate, that much harder to imagine transferring sovereignty, and that is exactly the outcome that some are purposefully accelerating.

Let’s be clear: Settlement expansion has nothing to do with Israel’s security. Many settlements actually increase the security burden on the Israeli Defense Forces. And leaders of the government are motivated by ideological imperatives that entirely ignore legitimate Palestinian aspirations.

Among the most troubling illustrations of this point has been the proliferation of settler outposts beyond Israel’s own laws. They’re often located on private Palestinian land and strategically placed in locations that make two states impossible. There are over 100 of these outposts. And since 2011, nearly one-third of them have been or are being legalized, despite pledges by past Israeli governments to dismantle many of them.

Now leaders of the settler movement have advanced unprecedented new legislation that would legalize most of those outposts. For the first time, it would apply Israeli domestic law to the West Bank rather than military law, which is a major step towards the process of annexation. When the law passed the first reading in the Israeli parliament, in the Knesset, one of the chief proponents said proudly—and I quote—“Today, the Israeli Knesset moved from heading towards establishing a Palestinian state towards Israeli sovereignty in Judea and Samaria.” Even the Israeli attorney general has said that the draft law is unconstitutional and a violation of international law.

So why are we so concerned? Why does anyone here really believe that the settlers will agree to submit to Palestinian law in Palestine?

Likewise, some supporters of the settlement movement argue that the settlers could just stay in their settlements and remain as Israeli citizens in their separate enclaves in the middle of Palestine, protected by the IDF. Well, there are over 80 settlements east of the separation barrier, many located in places that would make a contiguous, continuous Palestinian state impossible. So seriously think that if they just stay where they are, you could still have a viable Palestinian state?

Now, some have asked, “Why can’t we build in the blocs which everyone knows will eventually be part of Israel?” Well, the reason for building there in the West Bank now results in such pushback is that the decision of what constitutes a bloc is being made unilaterally by the Israeli Government, without consultation, without the consent of the Palestinians, and without granting the Palestinians a reciprocal right to build in what will be, by most accounts, part of Palestine. Bottom line—without agreement or mutuality, the unilateral choices become a major point of contention, and that is part of why we are here where we are.

You may hear that these remote settlements aren’t a problem because they only take up a very small percentage of the land. Well, again and again we’ve made it clear, it’s not just a question of the overall amount of land available in the West Bank. It’s whether the land can be connected or it’s broken up into small parcels, like a Swiss cheese, that could never constitute a real state. The more outposts that are built, the more the settlements expand, the less possible it is to create a contiguous state. So in the end, a settlement is not just the land that it’s built on; it’s its location in relation to the movement of people, what it does to the ability of a road to connect people, one community to another, what it does to the sense of statehood that is chipped away with each new construction. No one thinking seriously about peace can ignore the reality of what the settlements pose to that peace.

But the problem, obviously, goes well beyond settlements. Trends indicate a continuing effort to take the West Bank land for Israel and prevent any Palestinian development there. Today, the 60 percent of the West Bank known as Area C—which was supposed to be transferred to Palestinian control long ago under the Oslo Accords—much of it is effectively off limits to Palestinian development. Most of today’s has been taken for exclusive use by Israel simply by unilaterally designating it as “state land” or including it within the jurisdiction of regional settlement councils. Israeli farms flourish in the Jordan River Valley, and Israeli resorts line the shores of the Dead Sea—a lot of people and resources devoted to the development of the Dead Sea, where Palestinian development is not allowed. In fact, almost no private Palestinian building is approved in Area C at all. Only one permit was issued by Israel in all of 2014 and 2015, while approvals for hundreds of new Israeli units were advanced during that same period.

Moreover, Palestinian structures in Area C that do not have a permit from the Israeli military are potentially subject to demolition. And they are currently being demolished at an historically high rate. Over 1,300 Palestinians, including over 600 children, have been displaced by demolitions in 2016 alone—more than any previous year.

So the settler agenda is defining the future of Israel. And their stated purpose is clear. They believe in one state: greater Israel. In fact, prominent representatives of the pro-settler party, declared just after the U.S. election—and I quote—“the era of the two-state solution is over.” end quote. And many other coalition ministers publicly reject a Palestinian state. And they are increasingly getting their way, with plans for hundreds of new units in East Jerusalem recently announced and talk of a major new settlement building effort in the West Bank to follow.

So why are we so concerned? Why does this matter? Well, ask yourself these questions: What happens if that agenda succeeds? Where does that lead?

There are currently about 2.75 million Palestinians living under military occupation in the West Bank, most of them in Areas A and B—40 percent of the West Bank—where they have limited autonomy. They are restricted in their daily movements by a web of checkpoints and unable to travel into or out of the West Bank without a permit from the Israelis.

So if there is only one state, you would have millions of Palestinians permanently living in segregated enclaves in the middle of the West Bank, with no real political rights, separate legal, education, and transportation systems, vast income disparities, under a permanent military occupation that deprives them of the most basic freedoms. Separate and unequal is what you would have. And nobody can explain how that works. Would an Israeli accept living that way? Would an American accept living that way? Will the world accept it?

If the occupation becomes permanent, over the time the Palestinian Authority could simply dissolve, turn over all the administrative and security responsibilities to the Israelis. What would happen then? Who would administer the schools and hospitals and on what basis?

Does Israel want to pay for the billions of dollars of lost international assistance that the Palestinian Authority now receives? Would the Israeli Defense Force police the streets of every single Palestinian city and town?

How would Israel respond to a growing civil rights movement from Palestinians demanding a right to vote, or widespread protests and unrest across the West Bank? How does Israel reconcile a permanent occupation with
I-5, 2017
CONGRESSIONAL RECORD — HOUSE
H157

January 5, 2017
its democratic ideals? How does the U.S. continue to defend that and still live up to our own democratic ideals?

Nobody has ever provided good answers to those questions because there aren’t any. And there would be an increasing risk of more intense Palestinian radicalism, settlers, and complete despair among Palestinians that would create very fertile ground for extremists.

With all the external threats that Israel faces today, which we are very cognizant of and working with them to deal with, does it really want an intensifying conflict in the West Bank? How does that help Israel’s security? How does that help the region?

The answer is it doesn’t, which is precisely why so many senior Israeli military and intelligence leaders, past and present, believe the two-state solution is the only real answer for Israel’s long-term security.

Now, one thing we do know: if Israel goes down the one state path, it will never have true peace with the rest of the Arab world, and I can say without a doubt. The Arab countries have made clear that they will not make peace with Israel without resolving the Israeli-Palestinian conflict. That’s not where their loyalties lie. That’s not where their politics are.

But there is something new here. Common interests in counteracting Iran’s destabilizing activities, and fighting extremists, as well as diversifying their economies have created real possibilities for something different if Israel takes advantage of the opportunities for peace. I have spent a great deal of time with key Arab leaders exploring this, and there is no doubt that prepared to have a fundamentally different relationship with Israel. That was stated in the Arab Peace Initiative, years ago. And in all my recent conversations, Arab leaders have confirmed their readiness, in the context of Israeli-Palestinian peace, not just to normalize relations but to work openly on securing that peace with significant regional security cooperation. It’s waiting. It’s right there.

Many have shown a willingness to support serious Israeli-Palestinian negotiations and to take steps to arrive at a two-state solution—and both sides in this conflict must take responsibility to do that. We have repeatedly and emphatically stressed to the Palestinians that all incitement must stop. We have consistently condemned all violence and terrorism, and we have strongly opposed unilateral efforts to delegitimize Israel in international fora.

We’ve made countless public and private exhortations to the Israelis to stop the marched of settlements. In literally hundreds of conversations with Prime Minister Netanyahu, I have made clear that continued settlement activity would only increase pressure for an international resolution. We have all known for some time that the Palestinians were intent on moving forward in the UN with a settlements resolution, and I advised the prime minister repeatedly that further settlement activity only invited UN action.

Yet the settlement activity just increased, including advancing the unprecedented legislation to legalize settler outpost that the prime minister himself reported and committed to expose Israel to action at the Security Council and even international prosecution after deciding to support it.

In the end, we could not in good conscience protect the movements of the settler movement as it tries to destroy the two-state solution. We could not in good conscience turn a blind eye to Palestinian actions that fan hatred and violence. It is not in U.S. interest to help anyone on either side create a unitary state. And we may not be able to stop them, but we cannot be expected to defend them. And it is certainly not the role of any country to vote against its own policies.

That is why we decided not to block the UN resolution that makes clear both sides have to stop this settlement activity while there is still time. And we did not take this decision lightly. The Obama Administration has always defended Israel against any effort at the UN and any international fora or biased and one-sided resolutions that seek to undermine its legal status. How that has not been changed. It didn’t change with this vote. But remember it’s important to note that every United States administration, Republican and Democratic, has opposed settlements as contrary to the prospects for peace, and action at the UN Security Council is far from unprecedented. In fact, previous administrations of both political parties have allowed resolutions that were critical of Israel to pass, including on settlements. On dozens of occasions under the George W. Bush and George H.W. Bush. And remember that every U.S. administration since 1967, along with the entire international community, has recognized East Jerusalem as the territory occupied by Israel in 1967, and that includes resolutions passed by the Security Council under President Reagan and President George H.W. Bush. And remember that every U.S. administration since 1967, along with the entire international community, has recognized East Jerusalem as the territories that Israel occupied in the Six-Day War.

Now, I want to stress this point: We fully respect Israel’s profound historic and religious ties to the city and to its holy sites. We’ve always defended Israel against any effort at the Security Council. We've never questioned that. This resolution in no manner prejudges the outcome of permanent status negotiations on East Jerusalem, which must, of course, reflect those historic ties and the realities on the ground. That’s our position.

We also strongly reject the notion that somehow the United States was the driving force behind this resolution. The Egyptians and Palestinians had long made clear to all of us—to all of the international community—that it was important for us to bring this resolution to the floor before the end of the year, and we communicated that to the Israelis and they knew it anyway. The United States did not draft or originate this resolution, nor did we put it forward. It was drafted by Egypt, it was drafted and I think introduced by Egypt, which is one of Israel’s closest friends in the region, in coordination with the Palestinians and others.

And during the time of the process as it went out, we made clear to others, including the Security Council, that it was possible that if the resolution were to be balanced and it were to include references to incitement and to terrorism, that it was possible the United States would then not block it, that—if it was balanced and fair. That’s a standard practice with resolutions at the Security Council. The Egyptians and the Palestinians and many others understood that if the text were more balanced, it was possible we wouldn’t block it. But we also made crystal clear that the President of the United States would not make a final decision about our own position until we saw the final text.

In the end, we did not agree with every word in this resolution. There are important
issues that are not sufficiently addressed or even addressed at all. But we could not in good conscience veto a resolution that con- demns violence and incitement and reiterates what has been for a long time the over- whelming consensus and international view on settlements and calls for the parties to start taking concrete actions to advance the two- state solution on the ground.

Ultimately, it will be up to the Israeli people to decide whether the unusually heated at- tacks that Israeli officials have directed to- wards this Administration best serve Israel’s national interests and its relationship with an ally that has been steadfast in its support, as I described. Those attacks, alongside allega- tions of U.S.-led conspiracy and other manu- factured claims, distract attention from what the substance of this vote was really all about.

And we all understand that Israel faces very serious threats in a very tough neighborhood. Israelis are rightfully concerned about making sure that there is not a new terrorist haven right next door to them, often referencing what’s happened with Gaza, and we under- stand that there are ways to find the common ground and form the basis for its state to exist. But this vote was not about that. It was about actions that Israelis and Palestin- ians are taking to make peace and to create a two-state solution impossible. It was not about making peace with the Palestinians. It was all about making sure that peace with the Palestinians will be possible in the future.

Now, we all understand that Israel faces ex- traordinary, serious threats in a very tough neighborhood. And Israelis are very correct in making sure that there’s not a terrorist haven right on their border.

But this vote—I can’t emphasize enough—is not about the possibility of arriving at an agreement that’s going to resolve that over- night or in one year or two years. This is about the future. This is about how we make peace with the Palestinians in the future but preserve the capacity to do so.

So how do we get there? How do we get there, to that peace?

Since the parties have not yet been able to resume talks, the U.S. and the Middle East Quartet have repeatedly called on both sides to independently demonstrate a genuine commit- ment to the two-state solution—not just with words, but with real actions and policies—to create the conditions for meaningful negotia- tions.

We’ve called for both sides to take signifi- cant steps on the ground to reverse current trends and send a different message—a clear message—that we believe there are ways to fundamen tally change the equation without wait- ing for the other side to act.

We have pushed them to comply with their basic commitments under their own prior agreements in order to advance a two-state reality on the ground.

We have called for the Palestinians to do everything in their power to stop violence and incitement, including publicly and consistently condemning acts of terrorism and stopping the glorification of violence.

And we have called on them to continue ef- forts to strengthen their own institutions and to improve governance, transparency, and ac- countability.

And we have stressed that the Hamas arms buildup and militant activities in Gaza must stop.

Along with our Quartet partners, we have called on Israel to end the policy of settlement construction and expansion, of taking land for exclusive Israeli use and denying Palestinian de- velopment.

To reverse the current process, the U.S. and our partners have encouraged Israel to resume the transfer of greater civil authority to the Palestinians in Area C, consistent with the transition that was called for in Oslo. And we believe that the Palestinian initiative to go in earnest across a range of sectors, including housing, agriculture, and natural resources, can be made without negatively impacting Israel’s leg- itimate security needs. And we’ve called for significantly easing the movement and access restrictions to and from Gaza, with due consider- ation for Israel’s need to protect its citizens from terrorist attacks.

So let me stress here again: None of the steps that I just talked about would negatively impact Israel’s security.

Let me also emphasize this is not about of- fering limited economic measures that perpet- uate the status quo. We’re talking about sig- nificant steps that would signal real progress towards creating two states.

That’s the bottom line: If we’re serious about the two-state solution, we need to start imple- menting it now. Advancing the process of sepa- ration now, in a serious way, could make a significant difference in saving the two-state solution and in building confidence in the citi- zens of both sides that peace is, indeed, possible. Some of these steps can be made in ad- vance of negotiations that can lay the founda- tion for negotiations, as contemplated by the Oslo process. In fact, these steps will help create the conditions for successful talks.

Now, in the end, we all understand that a final status agreement can only be achieved through direct negotiations between the par- ties. We’ve said that again and again. We cannot impose the peace.

There are other countries in the UN who be- lieve it is our job to dictate the terms of a solu- tion in the Middle East. But there is no longer a historic home of the Jews. The First Zionist Congress was convened in Basel by a group of Jewish visionaries, who decided that the concept was simple: to create two states and a nation for Jews and Arabs. And a hundred and twenty years ago, the First Zionist Congress was convened in Basel by a group of Jewish visionaries, who decided that the only effective response to the waves of anti-Semitic horrors sweeping across Europe was to create a Jewish state in the historic home of the Jewish people, where their ties to the land went back centuries—a state that could de- fend its borders, protect its people, and live in peace with its neighbors. That was the vision. That was the modern beginning, and it re- mains the dream of Israel today.

Nearly 70 years ago, United Nations Gen- eral Assembly Resolution 181 finally paved the way to making the State of Israel a reality. The concept was simple: to create two states for two peoples—one Jewish, one Arab—to realize the national aspirations of both Jews and Palestinians. And both Israel and the PLO referenced Resolution 181 in their respective declarations of independence.

The United States recognized Israel seven minutes after its creation. But the Palestinians and the Arab world did not, and from its birth, Israel had to fight for its life. Palestinians also suffered terribly in the 1948 war, including many who had lived for generations in a land that had long been their home too. And when Israel celebrates its 70th anniversary in 2018, the Palestinians will mark a very different anni- versary: 70 years since what they call the Nakba, or catastrophe.

Next year will also mark 50 years since the end of the Six-Day War, when Israel again fought for its survival. And Palestinians will again mark just the opposite: 50 years of mili- tary occupation. Both sides have accepted UN Security Council Resolution 242, which called for the withdrawal of Israel from territory that it occupied in 1967 in return for peace and sec- urity for both sides, as the basis for ending the con- flict.

It has been more than 20 years since Israel and the PLO signed their first agreement—the Oslo Accords—and the PLO formally recog- nized Israel. Both sides committed to a plan to advance the two-state solution and to begin Palestinian control during permanent status negotiations that would put an end to their conflict. Unfortunately, neither the transition nor the final agreement came about, and both sides bear responsibility for that.

And in the past, some 15 years ago, King Abdullah of Saudi Arabia came out with the historic Arab Peace Initiative, which offered fully nor- malized relations with Israel when it made peace—an enormous opportunity then and now, which has never been fully been em- braced.

That history was critical to our approach to trying to find a way to resolve the conflict. And based on my experience with both sides over the last four years, including the nine months of formal negotiations, the core issues can be resolved on both sides committed to finding a solution.

In the end, I believe the negotiations did not fail because the gaps were too wide, but because the level of trust was too low. Both sides were concerned that any concessions would not be reciprocated and would come at too great a political cost. And the deep public skepticism only made it more difficult for them to be able to take risks.

In the countless hours that we spent work- ing on a detailed framework, we worked through numerous formulations and developed specific bridging proposals, and we came away with a clear understanding of the funda- mental needs of both sides. In the past two and a half years, I have tested ideas with re- gional and international stakeholders, including our Quartet partners. And I believe what has emerged from all of that is a broad consensus on balanced principles that would satisfy the core needs of both sides.

President Clinton deserves great credit for laying out extensive parameters designed to bridge gaps in advanced final status negotia- tions 16 years ago. Today, with mistrust too high to even start talks, we’re at the opposite end of the spectrum. Neither side is willing to even risk acknowledging the other’s bottom
line, and more negotiations that do not produce progress will only reinforce the worst fears.

Now, everyone understands that negotiations would be complex and difficult, and nobody can be expected to agree on the final result in only a few months. And there are still those who are convinced that many others are now prepared to sign a peace agreement. And the parties do have in principle a position for years, and based on my conversations with them, both the Israelis and Palestinians. Recognition of this fact is not difficult. The two-state solution, with international assistance, that includes compensation, options and assistance in finding permanent homes, acknowledgment of suffering, and other measures necessary for a resolution consistent with two states for two peoples. In fact, the plight of many Palestinian refugees is heartbreaking, and all agree that their needs have to be addressed. As part of a comprehensive resolution, they must be provided with compensation, their suffering must be acknowledged, and there will be a need to have options and assistance in finding permanent homes. The international community can provide significant support and assistance. I know we are prepared to do that, including in raising money for compensation and assistance, other needs of the refugees are met, and many have expressed a willingness to contribute to that effort, particularly if it brings peace. But there is a general recognition that the solution must be consistent with two states for two peoples that cannot affect the fundamental character of Israel.

Principle four: Provide an agreed resolution for Jerusalem as the internationally recognized capital of the two states, and protect and assure freedom of access to the holy sites consistent with the established status quo. Now, Jerusalem is the most sensitive issue for both sides, and the solution will have to meet the needs not only of the parties, but of all three monotheistic faiths. That is why the holy sites that are sacred to billions of people around the world must be protected and remain accessible and the established status quo maintained. Most acknowledge that Jerusalem should not be divided again like it was in 1967, and we believe that. At the same time, there is broad recognition that there will be no peace agreement without reconciling the basic aspirations of both sides to have capitals there.

Principle five: Satisfy Israel’s security needs and bring a full end, ultimately, to the occupation, while ensuring that Israel can defend itself effectively and that Palestine can provide security for its people in a sovereign and non-militarized state. Security is the fundamental issue for Israel together with a couple of others I’ve mentioned, but security is critical. Everyone underlines the need to end the occupation and bring an agreed agreement that does not satisfy its security needs or that risk creating an enduring security threat like Gaza transferred to the West Bank. And Israel must be able to defend itself effectively, including against terrorism and other regional threats. In fact, there is a real willingness by Egypt, Jordan, and others to work together with Israel on meeting key security challenges. And I believe that those collective efforts, including close coordination on border security, intelligence-sharing, joint operations—joint operations, can all play a critical role in security.

At the same time, fully ending the occupation is the fundamental issue for the Palestinians. They need to know that the military occupation itself will really end after an agreed transitional process. They need to know they can live in freedom and dignity in a sovereign state while providing security for their population even without a military of their own. This is widely accepted as well. And it is important to understand there are many different ways to provide security for Israel, Palestine, Jordan and Egypt and the United States, and others to cooperate in providing that security.

Now, balancing those requirements was among the most important issues that we faced in the negotiations, but it was one where the United States has the ability to provide the most assistance. And that is why a team that was led by General John Allen, who is here, for whom I am very grateful for his many hours of effort, along with—he is one of our foremost military minds, and dozens of experts from the Department of Defense and other agencies, all of them engaged extensively with the Israeli Defense Force on trying to find solutions that could help Israel address its legitimate security needs.

Principle six: End the conflict and all outstanding claims, enabling normalized relations and enhanced regional security for all as envisaged by the Arab Peace Initiative. It is essential for both sides that the final status agreement resolves all the outstanding issues and finally brings closure to this conflict, so that everyone can move ahead to a new era of peaceful coexistence and cooperation. For Israel, this must also bring broader peace with all of its Arab neighbors. There are innovative approaches to creating unprecedented, multi-layered border security; enhancing Palestinian capacity; enabling Israel to retain the ability to address threats by itself even when the occupation had ended. General Allen and his team were not suggesting one particular timeline, nor were they suggesting that technology alone would resolve these problems. They were simply working on ways to support whatever the negotiators agreed to. And they did some very impressive work that our friends and partners thought would satisfy Israel’s security requirements can be met.

Now, balancing those requirements was among the most important and difficult issues that we faced in the negotiations, but it was one where the United States has the ability to provide the most assistance. And that is why a team that was led by General John Allen, who is here, for whom I am very grateful for his many hours of effort, along with—he is one of our foremost military minds, and dozens of experts from the Department of Defense and other agencies, all of them engaged extensively with the Israeli Defense Force on trying to find solutions that could help Israel address its legitimate security needs.

The Arab Peace Initiative also envisions enhanced security for all of the region. It envisages Israel being a partner in those efforts when peace is made. This is the area where Israel and the Arab world are looking at perhaps the greatest moment of potential transformation in the Middle East since Israel’s creation in 1948. The Arab world faces its own set of security challenges. With Israel-Palestinian-Israel, Israel, Jordan, Egypt—together with the GCC countries—would be ready and willing to define a new security partnership for the region that would be absolutely groundbreaking.

So ladies and gentlemen, that’s why it is vital that we all work to keep open the possibility of peace, that we not lose hope in the two-state solution, no matter how difficult it may seem—because there really is no viable alternative. Now, we are all know that a speech alone won’t produce peace. But based on over 30 years of experience and the lessons from the past 4 years, I have suggested, I believe, and President Obama has signed on to and believes in...
a path that the parties could take: realistic steps on the ground now, consistent with the parties’ own prior commitments, that will begin the process of separating into two states; a political horizon to work towards to create the conditions for a successful final status talk; and a basis for negotiations that the parties could act upon to work towards peace. We must not lose hope in the possibility of peace. We can only encourage them to take this path; we cannot walk down it for them. But if they take these steps, peace would bring extraordinary benefits in enhancing the security and the economy—a path to peace is not just moral. We cannot let that happen. There is an intimate one-on-one Shabbat dinner just a few weeks ago. Shimon in person—standing on the White House lawn—summed up simply and eloquently, as he often does, what we all prepared—and particularly Israelis and Palestinians—to make those choices now. Thank you very much. (Applause.)

Mr. ROYCE of California. Mr. Speaker, I yield to the gentleman from California. (Mr. ROHRABACHER.)

Mr. ROHRABACHER. Mr. Speaker, I rise in support of H. Res. 11. Contrary to the U.N. resolution that we are condemning today, which condemns the settlements that are taking place in Israel, the new settlements that the Israelis find themselves permitting are not undermining the cause of peace. Let’s get this straight. This is what we hear over and over again that the settlements are undermining peace.

What undermines peace is when the Palestinian people continue with their policies of terrorism, both attacking with missiles and rockets, as well as stabbings, as well as the Palestinian people and their leaders unwilling to stand up and recognize that Israel exists. They don’t have a right to flood into that country with a right of return. That is what undermines the peace.

The settlements wouldn’t be taking place, except the Israelis and the United Nations and the supporters of the Palestinian people have made a mockery of the deal that was made.

The Israelis withdrew from control of the territory. They withdrew, and they permitted the Palestinians to establish authority there with two promises: number one, they wouldn’t use the territory to attack Israel; and number two, they would recognize Israel’s right to exist, and this right of return permitting them to flood into Israel and eliminate it that way did not exist.

The Palestinians have given up nothing. The Israelis have given up territory and made themselves vulnerable to the type of attack that leaves Israelis dead every day from terrorist attacks.

No, the U.N. has it wrong. That resolution by the U.N. makes peace less likely.

Mr. ENGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I rise today to reiterate the strong, bipartisan support for our ally, Israel, in the United States Congress.

Support for Israel has always been a bipartisan value, and it reflects the values of our country. Although we are entering a period of one-party government, bipartisan support for Israel remains a strategic asset, and those who support Israel need to be careful not to jeopardize that. I think none of my colleagues do that. I want to make it clear.

In supporting this House resolution, we are expressing our deep concern regarding the decision to abstain in the U.N. Security Council Resolution 2334. Some may point out that the decision to abstain does not veer from the actions of past administrations. They would be right. It does not. That may be true, but it does not justify, in my view, this particular vote.

Allowing a one-sided resolution, which I perceived the U.N. resolution to be, to be adopted by the U.N. sends the wrong signal and emboldens Israel’s and America’s enemies.

The United Nations is notorious for its disproportionate criticism of Israel. Ambassador Samantha Power said before the U.N. Security Council vote on Resolution 2334: “As long as Israel has been a member of this institution, Israel has been treated differently from other nations at the United Nations.”

A one-sided resolution that assigns exclusive blame to Israel for the continuation of the conflict—without addressing Palestinian incitement to violence, Hamas control of Gaza, or their continued insistence on the so-called right of return and refusing to accept Israel as a Jewish state—undermines prospects for a two-state solution.

Also deeply concerning is this resolution’s reference of Israeli presence in East Jerusalem, including the Jewish Quarter of the Old City and the Western Wall, as illegal.

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

Mr. ENGEL. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Maryland.

Mr. HOYER. The only way to achieve a real and lasting peace that enables Israel to protect its security and remain both a Jewish state and a democratic one is a two-state solution, which I strongly support.

There are two parties to this conflict. Both have responsibilities. Both need to take steps toward peace. For Israel, this means not building in areas envisioned in the long term as part of a future Palestinian state; and for Palestinians, it means ending incitement, ending terrorism, and affirmatively accepting Israel’s right to exist.

I urge my colleagues to support this resolution. Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of H. Res. 11.

The U.N. resolution, on the other hand, is vastly disproportionate and includes language that seems designed to provoke Israel. Categorizing the Western Wall, Judaism’s holiest site, as occupied territory is entirely inappropriate.
January 5, 2017

CONGRESSIONAL RECORD — HOUSE

I believe that President Obama should have directed the United States to veto the U.N. resolution. Instead, our Ambassador sat silent. Abstaining on this vote handed a victory to the forces that wish to delegitimize Israel. This resolution erects a greater barrier between the two sides, hindering critical negotiations. The peace process must be negotiated bilaterally by Israel and the Palestinians with support, not provocation, by outside actors.

In this new year and new Congress, we should act to reassert a position of strength on the world stage. We must stand by our allies, including our strongest ally in the Middle East, Israel. This country should have exercised its veto power as it has done before and thwarted this divisive anti-Israel effort.

Please vote “yes” on this resolution.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY). Mr. CONNOLLY. Mr. Speaker, who are we kidding? I heard the ranking member say this isn’t about Obama, and yet virtually every statement on the other side of the aisle is trashimg President Obama.

If you want to simply condemn the U.N. resolution, let’s do so. I will join you. But that isn’t what this is about. It is subterfuge. This is about kicking a President on the way out one more time for a reason: because they don’t want to have access to places where, for 2,000 years, when Jordan occupied East Jerusalem and the West Bank, Jews could not visit the Western Wall or the Jewish Quarter of the Old City. They were denied access to places where, for 2,000 years, they have continuously made a personal connection to their faith and their history.

There was a viable alternative we could have had on the floor, and we were denied that right. We were even denied a chance to award a recompense for a cause they don’t want to risk that. They want to control the platform that is negative and insidious and a resolution filled with insinuations and distortions of fact and history.

Vote “no” on H. Res. 11.

Mr. ROYCE of California. Mr. Speaker, just by way of the facts, what this resolution attempts to do is to reject the U.N. resolution that calls for a Palestinian state but not a Jewish state, a resolution that the member for those who want to impose boycott, divestment, or other sanctions measures against Israel or Israeli companies and, in essence, declares Judaism’s holiest site as occupied territory. That is what is in this resolution. Those are the facts that we are debating here. Those are the facts that need to be rejected, my colleagues.

I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to condemn the U.N. resolution which hinders the path to peace and aims to undermine Israel, one of our country’s top allies.

We must not sit on the sidelines or be silent when anti-Israel resolutions are presented at international organizations. That is why I support H. Res. 11 today.

Mr. SCHNEIDER. Mr. Speaker, for 19 years, when Jordan occupied East Jerusalem and the West Bank, Jews could not visit the Western Wall or the Jewish Quarter of the Old City. They were denied access to places where, for 2,000 years, they have continuously made a personal connection to their faith and their history.

It is impossible to separate Jewish identity from the Western Wall or the Jewish Quarter of the Old City. It is impossible to separate Jewish identity from the Jewish State of Israel, yet this is exactly what has been happening in the United Nations for years and exactly what Security Council Resolution 2334 sought to do.

In addition, the resolution overwhelmingly assigns blame to Israel, while avoiding direct criticism of Palestinian incitement and violence. That is why, last month, I strongly urged President Obama to veto the resolution.

The U.S. has and must continue to seek a sustainable two-state solution with a democratic, Jewish State of Israel and a demilitarized democratic Palestinian state living side by side in peace and security. But the only path to two states is through direct negotiations by the two parties. Efforts to force a solution at the U.N. or internationalize the process are misguided and risk moving peace further away.

As an original cosponsor, I call on my colleagues to join me in supporting H. Res. 11.

Mr. ROYCE of California. I yield 1 minute to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of this resolution. We need to close ranks in the House of Representatives. We need to tell our colleagues, support what for decades has been the cornerstone principle of American diplomacy towards Israel and Palestine, and that is direct negotiation between these two countries. That is the only way that peace can be achieved. The fact that our Ambassador to the United Nations went against decades of precedent by abstaining from this vote is appalling. It is another vote for tyrants and terrorists.

All of us need to close ranks to support a two-state solution between Israel and Palestine. I am proud to stand with my colleagues on both sides of this aisle tonight, Mr. ENGEL and Mr. ROYCE, in opposing this mistake that has been made by our U.N. Ambassador and by the U.N. resolution itself. Both are wrong. Both our decision to abstain and the drafting have been destructive.

I am proud to have this resolution in the House to once again undo this harm and support our ally.

Mr. PRICE of North Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise today in support of H. Res. 11 to reject the anti-Israel U.N. Security Council Resolution 2334. The United States has vetoed 42 anti-Israel resolutions; but all of that changed in 2016.

The facts are, in the very final days of his administration, President Obama left our only ally in the Middle East to face opposition done by a deliberately violating longstanding U.S. policy. For crying out loud, either we are with Israel or we are not.

I could go on and on about the severity of the President’s refusal to veto an anti-Israel U.N. resolution and his decision to abstain from a vote on it. Instead, I will let Prime Minister Netanyahu’s words speak for themselves:

“The Obama administration not only failed to protect Israel and against this gang-up at the U.N., it colluded with it behind the scenes.”

Antagonizing our allies is not much of a foreign policy strategy. This is betrayal of the worst kind. Anti-Israel policies will not be tolerated. We are partners in this world and allies in democracy. I urge my colleagues to stand with Israel and support this legislation.

Mr. ENGEL. Mr. Speaker, it is my great pleasure to yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of today’s bipartisan resolution. There are no shortcuts to peace. Only the Israeli and Palestinian peoples can resolve their complicated differences through direct negotiation. That is why it has been longstanding policy to defend our ally Israel against one-sided U.N. Security Council resolutions seeking to undermine solutions.

Last year, Congresswoman GRANGER and I led a letter to President Obama signed by 394 Members of this body
catastrophic against one-sided U.N. initiatives that dangerously hinder the prospects for resuming direct negotiations. I believe the administration’s abstention is a stain on our country’s long and consistent record.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman for yielding me the time, and I thank our chair of the committee and our ranking member. I am here to stand with Israel. The question of the best way to do that is one of legitimate debate. It is a debate that we are having here in the House. It is a debate that the folks in Israel are having there. There is no question that the resolution before us is not the one that everyone would have written, or the one that was before the U.N. was the one everyone would have written. There is no question that there is fault on the side of the Palestinians with respect to the pale of peace.

But here is the question that is starting to really make an impact on the possibility of achieving the two-state solution that both sides by and large believe is essential, and that is something that is within the control of the Israeli Government: Will it continue to intensify the support for settlements in the West Bank? If it does, as it has been, there are 600,000 settlers now between the West Bank and east Jerusalem. It continues to do that, it makes as a practical matter it virtually impossible the land-for-peace swap that we know is essential to get to a two-state solution. That is the practical challenge that we have.

We are all friends of Israel. All of us here believe in a Jewish state and a democratic state. The second issue of major concern that is discussed in Israel as well as here is the fact that demographics are going to cause a demographic threat in Israel to maintain that Jewish identity and that democratic tradition. There are 4.5 million Arabs who live between the West Bank and in Israel proper. There are 6.5 million Jewish citizens. If there is not some resolution, at some point a decision has to be made to maintain the Jewish character at the expense of democratic ideals or compromise democratic ideals in order to maintain that Jewish identity.

The Israeli State has a proud, strong tradition of being democratic, of being reliable, of standing up for civil and human rights. Many there, and some of us here, believe settlements are an impediment to that tradition.

Mr. ROYCE of California. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. Deutch), my friend on the Foreign Affairs Committee and the ranking member of the Middle East Subcommittee.

Mr. DEUTCH. Mr. Speaker, in April of last year, 394 Members of this House signed a letter to the President urging him to oppose and veto if necessary any one-sided United Nations resolutions. Unfortunately, the resolution that passed the Security Council resolution without our veto was exactly that.

The resolution contained no fewer than five provisions on Israeli settlement activity. It calls the Jewish neighborhoods of Jerusalem illegal, and it calls, for example, praying at the Western Wall as being in flagrant violation of international law. But even if you choose to accept every provision on settlement activity, the resolution included only one very general statement about violence. The U.N., which is historically biased against Israel, could not even condemn Palestinian terrorism against Israel as an obstacle to peace. It is, and the U.N. must acknowledge it. That is not balanced. It is one-sided.

Today’s resolution clearly supports the goal of two states: a Jewish democratic State of Israel living next to a demilitarized Palestinian state as it stands against one-sided U.N. resolutions to take us further than this goal. Please support on Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we are all friends of Israel, but that friendship requires more than demonizing the United Nations and the Obama administration. In fact, it requires the facing of hard truths, the destructive effect of incitement and violence on the Palestinian side, which the U.N. resolution explicitly acknowledges, and the threat to any conceivable two-state solution by relentless settlement expansion on the Israeli side, pushed by the right wing, unchallenged by H. Res. 11.

The majority, seeking to push this resolution through, has displayed little interest in what it would take actually to achieve peace, choosing instead to distort the history, to impugn the motives of those attempting to achieve peace. It is not worthy of this body. I urge its rejection. I yield back the balance of my time.

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

When an unfair, one-sided resolution moves forward in the U.N., as Israel’s enemies have long wished, it is wrong. That is what this resolution does. This resolution also calls for a two-state solution. So my colleagues who are somehow portraying this resolution as not being for a two-state resolution, they are absolutely wrong.

I urge my colleagues, especially my Democratic colleagues, to continue to support the U.S.-Israel alliance, and you continue to support it by voting for this resolution. This is a fair resolution.

Let’s remember, when Israel left Gaza and uprooted settlements, what did it get in return? Not peace, but terrorism. Stand with the people of Israel. Vote “yes” on this resolution.

I yield back the balance of my time.

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

Mr. Speaker, in short, United Nations Security Council Resolution 2394 has harmed our ally, Israel. It has harmed the prospects for peace. It is one-sided. It is an anti-Israel resolution, the kind of which it has been longstanding U.S. policy to veto within the U.N. Security Council, and it is not hard to see why because this resolution opens the door for those who want to impose boycott, divestment, or other sanctions measures against Israel or against Israeli companies. And, in essence, it declares Judaism’s holiest site, the Western Wall, as occupied territory.

Mr. Speaker, this is reminiscent of another action by the United Nations, the infamous “Zionism is racism” resolution whose damage took decades to undo.

Fortunately, the bipartisan rejection of the President’s U.N. decision provides an opportunity for the House to rally around a more constructive policy and renewed U.S. leadership in the region.

I strongly urge my colleagues on both sides of the aisle to support this resolution so that the bipartisan policy of rejecting this harmful U.N. Security
Council resolution and encouraging direct negotiation is endorsed loud and clear. It is far past time for the incitement to stop and the budgeting of $300 million by the Palestinian Authority to pay people to slit Israeli civilians be discontinued.

I yield back the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I rise to speak in support of the bipartisan House Resolution 11 expressing opposition to UNSCR 2334.

In the summer of 1983 I visited the Western Wall in Jerusalem. Judaism’s most holy site, for the first time. Merely 17 years earlier I could not have gone to the Wall, or for that matter anywhere in the Jewish Quarter of the Old City of Jerusalem.

From 1949 to 1967, when Jordan occupied Jerusalem, Jews could not visit the one place where for nearly 2000 years, they had continuously made a personal connection to their faith and their history.

It is impossible to separate Jewish identity from the Western Wall, just as it is impossible to separate the Western Wall from its Jewish identity, or Jerusalem from the Jewish State of Israel.

Yet this is exactly what has been happening in the United Nations for years, and exactly what the one-sided UN Resolution sought to do.

In addition to seeking to declare the eastern part of Jerusalem a settlement, the resolution overwhelmingly assigns blame to Israel, while averting direct criticism of Palestinian incitement and violence.

That is why last month I strongly urged President Obama to veto the resolution.

The U.S. has, and must continue to seek a sustainable two-state solution with a democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security.

But the only path to two states is through direct, bilateral negotiations between the two parties. Efforts to force a solution at the U.N. or to internationalize the issue are misguided, and risk moving peace further away, not closer.

Israel is our most important strategic ally in a most important and chaotic region of the world. The United States always has and always will ensure the security of Israel.

As an original co-sponsor, I call on my colleagues to join me in supporting House Resolution 11.

Mr. GREEN of Texas. Mr. Speaker, I rise in support of House Resolution 11.

I’d like to thank Chairman ROYCE and Ranking Member ENGEL for bringing this resolution to the floor.

Your continued bipartisan support for our friend and ally, Israel, sets the right tone for any discussion this body has regarding this vital relationship.

Almost 70 years ago, on May 14, 1948, with the support of fiercely Democratic president, Harry Truman, the nation of Israel was born.

Created in the aftermath of World War II, the special relationship that our two countries now enjoy was founded. For 70 years, our government has supported Israeli interest because they represent American interests. Throughout the decades, from Dwight Eisenhower to Barack Obama, from the great Texan, and Speaker Rayburn to Speaker Ryan, our government has worked across party lines and across branches of government to ensure the one, true democracy in the Middle East is able to grow and prosper without hindrance.

Recently, we have reaffirmed our support for Israel by signing a new Memorandum of Understanding between the two countries that we support our ally in the Middle East. UNSCR 2334 does not align with this affirmation.

It should be the policy of the United States to support a viable two-state solution, where Palestinians and Israelis live in prosperity and security. This does not mean negotiating out of fear or forced necessity.

I want to, again, express my gratitude and appreciation for this body and our friends on the Foreign Affairs Committee for leading by example.

U.S.-Israeli relations have always been bipartisan and should remain that way. It is my hope the new Administration will build on the foundation created by the Presidents and elected officials that came before us and support Israel in a bipartisan fashion.

I ask colleagues to support House Resolution 11.

Mr. LEVIN. Mr. Speaker, any measure that seeks to promote a peaceful resolution to tensions between Israelis and Palestinians—whether commissioned by the United Nations or from this Chamber—should provide a balanced picture of the facts on the ground and the challenges confronting both sides. The recent UN Security Resolution on Israeli settlements failed that test by blaming Israel almost solely for impeding a two-states solution for peace and by using prejudicial language that places an unfair burden on Israel in depicting the basis for future negotiations. Calling any settlement activity by Israel since 1967 a major obstacle to peace, as the UN resolution does, ignores the reality that geographical adjustments will have to be made as part of any two-states solution reached by parties through direct negotiations.

However, the resolution before us today is also not balanced in that it too ignores conditions on the ground. Expressing the sense of Congress that the UN Resolution does not focus on the increasingly fragile state of the two-states solution, and on conditions that make its potential achievement increasingly difficult to obtain. Prime Minister Netanyahu has called his government the most pro-settlement in history. President-elect Trump further diminishes chances for the two-states solution by choosing envoys who undercut the prospects for peace by expressing support for major settlement expansions, and whose opposition to a two-states solution reinforces opposition within the government. Those positions threaten to continue to move momentumdangerously away from the possibility of a two-states solution.

I believe that the two-states approach, as challenging as it is to achieve, is the only way to ensure a Jewish and democratic state of Israel living in security with a non-militarized Palestinian state. It is important for peace in the Middle East and U.S. national interests.

This resolution is at present the only vehicle to express my concerns with the UN resolution, and I will therefore support it. However, I will continue to speak out on further actions that I believe will diminish the chance of a two-states solution and on issues vital to peace in the Middle East.
to Israeli-Palestinian Peace resolution. The resolution expresses the House’s disapproval of UNSC Resolution 2334, which passed 14 to 0 with the United States abstaining from the vote.

H. Res. 11 mischaracterizes the UNSC resolution and falsely claims that the United States has never abstained from votes on similar resolutions. The UN resolution reaffirms that Israel’s settlements in the West Bank and East Jerusalem are a “major obstacle” to peace, which has been long-standing US policy. H. Res. 11 states that the Obama Administration took an unprecedented step by abstaining from the vote when in fact the decision is not unique. The Reagan Administration took a similar step when it abstained from voting on UNSCR 605 that identified Jerusalem as part of the Palestinian and Arab Territories which is now occupied by Israel. Both Republican and Democratic presidents have continued similar U.S. policies.

Representatives PRICE, ENGEL and CONNOLLY offered a more balanced resolution as an amendment to H. Res. 11, but unfortunately House leadership refused to allow it a vote. The text of the amendment is now H. Res. 23, of which I am a cosponsor.

H. Res. 23 supports the longstanding policy that it is in the best interest of the international community that a two-state solution is reached only through direct negotiations between Israel and the Palestinian Authority. It reiterates United States support for Israel by opposing any outside efforts to impose a solution on the parties but rather to help facilitate peace negotiations. It includes continued opposition to the Boycott, Divestment, and Sanctions (BDS) campaign which calls for boycotting certain products and companies, divesting from various organizations, and encouraging the use of sanctions against Israel.

I have always supported a two-state solution with Israel and a Palestinian state through direct negotiations between the two parties. As an ally of Israel, the United States has an interest to ensure a lasting peace is reached between Israel and Palestine. Let me be clear, while I support the United States’ strong relations and alliance with Israel, its pro-feration of settlements around the West Bank and East Jerusalem is directly at odds with establishing a two-state solution.

Mr. PASCRELL. Mr. Speaker, I remain committed to a two-state solution, where a Jewish state of Israel and a Palestinian state can co-exist in peace. The best path to ultimately achieving this peace is through direct, bilateral negotiations between Israel and the Palestinians, not imposed solutions by international organizations. Instead of this Administration continuing to support the largest pledge of military assistance in U.S. history, it chose to end on a perplexing note by choosing not to veto United Nations Security Council Resolution 2334. The expansion of settlements in occupied territories has long been recognized on a bipartisan basis and in U.S. policy for decades as doing little to improve the confidence of Arabs that a final outcome can be freely and fairly negotiated. United Nations action does not help advance the cause of peace, nor does it bring about direct negotiations between Israelis and Palestinians so they might resolve their complicated differences and find a much needed, lasting two-state solution, which I have supported my entire career.

Any action, whether coming from the United Nations or the Congress, must provide a complete picture of the facts on the ground and full appreciation for the challenges confronting all sides. Like the one-sided resolution from the United Nations Security Council, H. Res. 11 too ignores the reality of the conditions on the ground. While I don’t believe either resolution is balanced, I am voting in favor of H. Res. 11 to express my displeasure with the actions of the UN, which make direct negotiations all the more difficult to resume. I will continue to speak out in support of efforts that lay the foundation for peace in the Middle East and vigorously oppose those that undermine a lasting two state solution.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the previous question is ordered on the resolution and on the permanent.

The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote by electronic device, and there were—yes 342, nays 80, answered “present” 4, not voting 7, as follows:

[Table]

Any action, whether coming from the United Nations or the Congress, must provide a complete picture of the facts on the ground and full appreciation for the challenges confronting all sides. Like the one-sided resolution from the United Nations Security Council, H. Res. 11 too ignores the reality of the conditions on the ground. While I don’t believe either resolution is balanced, I am voting in favor of H. Res. 11 to express my displeasure with the actions of the UN, which make direct negotiations all the more difficult to resume. I will continue to speak out in support of efforts that lay the foundation for peace in the Middle East and vigorously oppose those that undermine a lasting two state solution.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the previous question is ordered on the resolution and on the permanent.

The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote by electronic device, and there were—yes 342, nays 80, answered “present” 4, not voting 7, as follows:

[Insert table]

Any action, whether coming from the United Nations or the Congress, must provide a complete picture of the facts on the ground and full appreciation for the challenges confronting all sides. Like the one-sided resolution from the United Nations Security Council, H. Res. 11 too ignores the reality of the conditions on the ground. While I don’t believe either resolution is balanced, I am voting in favor of H. Res. 11 to express my displeasure with the actions of the UN, which make direct negotiations all the more difficult to resume. I will continue to speak out in support of efforts that lay the foundation for peace in the Middle East and vigorously oppose those that undermine a lasting two state solution.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the previous question is ordered on the resolution and on the permanent.

The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote by electronic device, and there were—yes 342, nays 80, answered “present” 4, not voting 7, as follows:

[Insert table]

Any action, whether coming from the United Nations or the Congress, must provide a complete picture of the facts on the ground and full appreciation for the challenges confronting all sides. Like the one-sided resolution from the United Nations Security Council, H. Res. 11 too ignores the reality of the conditions on the ground. While I don’t believe either resolution is balanced, I am voting in favor of H. Res. 11 to express my displeasure with the actions of the UN, which make direct negotiations all the more difficult to resume. I will continue to speak out in support of efforts that lay the foundation for peace in the Middle East and vigorously oppose those that undermine a lasting two state solution.

The SPEAKER pro tempore. Pursuant to House Resolution 22, the previous question is ordered on the resolution and on the permanent.

The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote by electronic device, and there were—yes 342, nays 80, answered “present” 4, not voting 7, as follows:

[Insert table]
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

Mr. CASTRO of Texas changed his vote from “yea” to “nay.”

Messrs. TIBERI and Mr. BEN RAY LUJAN of New Mexico changed their vote from “nay” to “yea.”

Mr. COHEN changed his vote from “present” to “nay.” So the result of the vote was announced as above recorded.

A motion to reconsider was laid on the table. Stated for: Mr. CRIST. Mr. Speaker, had I been present, I would have voted “yea” on rolcall No. 11.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2017

The SPEAKER pro tempore. The SPEAKER pro tempore. The House will observe a moment of silence.

The SPEAKER pro tempore. Pursuant to House Resolution 22 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 26.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

The Acting CHAIR. The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 185, not voting 13, as follows:

AYES—235

Abraham
Aderholt
Akin
Amash
Amodei
Arrington
Bacharach
Bacon
Banks (IN)
Barletta
Barr
Bartlett
Beaumier
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boehm
Brady (TX)
Bridgestone
Brooks (KS)
Brooks (AL)
Buchanan
Buck
Buchon
Budd
Burgess
Byrne
Calvert
Carson (GA)
Carter (TX)
Chabot
Chaffetz
Cheeseman
Colman
Comparato
Collins (GA)
Comer
Conolly
Connolly
Cook
Costello (PA)
Cramer
Crawford
Calhoun
Carlson
Carbajal
Ceresca
Dent
De La Rosa
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farrah
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Franks (AZ)
Frelinghuysen
Gaetz

Mr. CASTRO of Texas changed his vote from “yea” to “nay.”

Messrs. TIBERI and Mr. BEN RAY LUJAN of New Mexico changed their vote from “nay” to “yea.”

Mr. COHEN changed his vote from “present” to “nay.” So the result of the vote was announced as above recorded.

A motion to reconsider was laid on the table. Stated for: Mr. CRIST. Mr. Speaker, had I been present, I would have voted “yea” on rolcall No. 11.

Green; tragically short that day: the community came together to support compassion and civility that emerged also reflect on the renewed sense of line of duty.

The attack marked the first time in our country’s history that an assassination attempt was made on a congressional Member while engaging with his constituents. It also is remembered as the first assassination of a congressional staffer, Gabe Zimmerman, in the line of duty.

As representatives, we each carry out this critical discourse when home in our districts. Its exercise is vital to our free society, which is why this shooting wasn’t just an attack on Tusccon, but this body and our very democratic foundations. The attack marked the first time in our country’s history that an assassination attempt was made on a congressional Member while engaging with his constituents. It also is remembered as the first assassination of a congressional staffer, Gabe Zimmerman, in the line of duty.

As we remember those lost, we also reflect on the renewed sense of compassion and civility that emerged from this tragedy. This weekend, in Tucson, we will commemorate how our community came together to comfort those grieving and provide an example of courage and unity that the entire country can follow.

It is in this spirit of unity that we stand here for a moment of silence to recognize the six lives that were cut tragically short that day:

Nine-year-old Christina Taylor Green;

Dorothy Morris; Judge John Roll; Phyllis Schneck; Dorwan Stoddard; and Congressional staffer Gabriel “Gabe” Zimmerman.

The SPEAKER pro tempore. The House will observe a moment of silence.
The Acting Chair will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR: This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye 193, noes 230, not voting 10, as follows:

[Roll No. 13]

AYES—193

Abraham
Alderhot
Allen
Arendt
Arriington
Bacon
Barraga
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt
Broun
Bullock
Byrd, Brendan F
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carmen
Cardenas
Carson (IN)
Carter (FL)
Chu, Judy
Clay
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Culberson
Cummings
Davis (CA)
DeFazio
DeGette
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Dodd
Eliot
Engel
Espadas
Evans
Foster
Frankel (FL)
Garcia
Geyser
Gilbert
Grothman
Guthrie
Hagerty
Haller
Hageman
Hall
Hanna
Hansen
Harwood
Harrell
Hastings
Higgins (NY)
Himes
Hoffman
Jackson Lee
Jeffries
Kildee
Kimler
Kim
Klampfer
Kilgore
Kilgore
Kirby
King
Kilmer
Klavon
Kline
Kirk
Koch
Koch
Kohn
Koerner
Kottington
Kovanda
Kucinich
LaHood
Labrador
Langevin
Larson (WA)
Lawrence
Lawrence
Lew
Lewis (GA)
Lofgren
Lowe
Lujan Garcia
Lynch
Maloney
Maloney, Sean
Mandel
Mansoori
McCaul
McCaul
McCaul
McCarthy
McClintock
McHenry
McIntyre
McTavish
Medina
Mefford
Menendez
Menendez
Menendez
Menzler
Mercurio
Mercer
Merrill
Middleton
Mink
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Milliken
Milliken
Mills
Millea
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
Miller
So the amendment was rejected.

The result of the vote was announced as above recorded.

**AMENDMENT NO. 5 OFFERED BY MR. CICILLINE**

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

**RECORDED VOTE**

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 233, not voting 10, as follows:

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Noes</th>
</tr>
</thead>
<tbody>
<tr>
<td>186</td>
<td>233</td>
</tr>
</tbody>
</table>
Mr. FERGUSON changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 17]

AYES—190

[Roll No. 16]

AYES—192

[No. 14]

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.
January 5, 2017

CONGRESSIONAL RECORD — HOUSE

H169

Amendment No. 9 offered by Mr. Nadler

The Acting CHAIR. The unlimited period of debate expired yesterday, and the time of the forthcoming proceedings, so far as I am informed, will be occupied with questions of privilege. As to the adjournment, it is understood that a demand for a recorded vote has been made. This will be in order after the time for questions of privilege shall have expired.

The Acting CHAIR. This will be a 2-minute vote.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye’s 194, noes 231, not voting 8, as follows:

[Roll No. 18]

AYES—194


NOEs—231

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 19]

AYES—190

Adams, James P. (NY)        23
Aguiar, Andrew (CA)         23
Barragán, Grace (CA)        23
Bass, Andre (CA)            23
Beatty, Beatty (OH)         23
Bereuta, David (NY)         23
Boyle, Brendan (PA)         23
Brown (MA)                  23
Brownley (CA)               23
Bustos, Luis (IL)           23
Butterfield, K. C. (NC)     23
Capuano, Bill (MA)          23
Carlo, Delanie (CA)         23
Cárdenas, Tony (CA)         23
Carson (IN)                 23
Cartwright, Mark (CA)       23
Chu, Judy (CA)              23
Cicilline, Joe (RI)         23
Clarke (MA)                 23
Clarke (NY)                 23

Not Voting—8

Aynsley, Paul (NY)          8
Bereuter, K. C. (NC)        8
Boyle, Brendan (PA)         8
Brown (MA)                  8
Brownley (CA)               8
Bustos, Luis (IL)           8
Carlo, Delanie (CA)         8
Cárdenas, Tony (CA)         8
Carson (IN)                 8
Cartwright, Mark (CA)       8
Chu, Judy (CA)              8
Cicilline, Joe (RI)         8
Clarke (MA)                 8
Clarke (NY)                 8

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. MCKINNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCKINNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was taken.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 8, as follows:

[Roll No. 20]

AYES—193

Adams, James P. (NY)        23
Aguiar, Andrew (CA)         23
Barragán, Grace (CA)        23
Bass, Andre (CA)            23
Beatty, Beatty (OH)         23
Bereuta, David (NY)         23
Boyle, Brendan (PA)         23
Brown (MA)                  23
Brownley (CA)               23
Bustos, Luis (IL)           23
Butterfield, K. C. (NC)     23
Capuano, Bill (MA)          23
Carlo, Delanie (CA)         23
Cárdenas, Tony (CA)         23
Carson (IN)                 23
Cartwright, Mark (CA)       23
Chu, Judy (CA)              23
Cicilline, Joe (RI)         23
Clarke (MA)                 23
Clarke (NY)                 23

Not Voting—8

Aynsley, Paul (NY)          8
Bereuter, K. C. (NC)        8
Boyle, Brendan (PA)         8
Brown (MA)                  8
Brownley (CA)               8
Bustos, Luis (IL)           8
Carlo, Delanie (CA)         8
Cárdenas, Tony (CA)         8
Carson (IN)                 8
Cartwright, Mark (CA)       8
Chu, Judy (CA)              8
Cicilline, Joe (RI)         8
Clarke (MA)                 8
Clarke (NY)                 8

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 8, as follows:

[Roll No. 20]

AYES—193

Adams, James P. (NY)        23
Aguiar, Andrew (CA)         23
Barragán, Grace (CA)        23
Bass, Andre (CA)            23
Beatty, Beatty (OH)         23
Bereuta, David (NY)         23
Boyle, Brendan (PA)         23
Brown (MA)                  23
Brownley (CA)               23
Bustos, Luis (IL)           23
Butterfield, K. C. (NC)     23
Capuano, Bill (MA)          23
Carlo, Delanie (CA)         23
Cárdenas, Tony (CA)         23
Carson (IN)                 23
Cartwright, Mark (CA)       23
Chu, Judy (CA)              23
Cicilline, Joe (RI)         23
Clarke (MA)                 23
Clarke (NY)                 23

Not Voting—8

Aynsley, Paul (NY)          8
Bereuter, K. C. (NC)        8
Boyle, Brendan (PA)         8
Brown (MA)                  8
Brownley (CA)               8
Bustos, Luis (IL)           8
Carlo, Delanie (CA)         8
Cárdenas, Tony (CA)         8
Carson (IN)                 8
Cartwright, Mark (CA)       8
Chu, Judy (CA)              8
Cicilline, Joe (RI)         8
Clarke (MA)                 8
Clarke (NY)                 8

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 8, as follows:

[Roll No. 20]
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. King) on which further proceedings were postponed and on which the ayes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 193, not voting 10, as follows:

AYES—230

NOES—193

[Vote Roll, p. H171]
The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes in support of her motion.

Mrs. MURPHY of Florida. Mr. Speaker, this is the final amendment to the bill. It will be voted on and sent back to committee. If the amendment is adopted, the bill will immediately proceed to final passage, as amended.

Like a number of my new colleagues on both sides of the aisle, I was not a Member of Congress when Congress enacted the Patient Protection and Affordable Care Act. The law has now been in place for nearly 7 years, and it has become part of the fabric of our health care system, fundamentally changing the way that we provide and pay for health care in this country.

The Members of this Chamber, our counterparts in the Senate, and the incoming President will soon have a binary choice to make, and the stakes for patients, physicians, hospitals, and health insurance providers could not be higher.

The choice is this: Will we retain the many provisions in the Affordable Care Act that are functioning well and work together in a bipartisan manner to reduce costs, assist low-income individuals, and provide insurance to millions of those without health care? Or, do we take a piecemeal approach and undo each provision individually?

I believe that the Affordable Care Act is not perfect; but I believe the responsible and moral course of action for this body is to strengthen the law, not repeal it. A look to historic precedent gives us guidance here. In the past, when Congress enacted important legislation, like Social Security or Medicare, designed to address major national problems, it rarely gets it perfectly right the first time. Congress almost always needs to revisit the law down the line to observe how the law has operated in practice, to see who the law has helped or who it may have inadvertently harmed, to learn from that experience, and then, based on the evidence and the counsel of our constituents, to work across party lines to make any necessary improvements to the law.

The perfect must never become the enemy of the good. Just as in business, when your business plan runs into challenges, you don’t scrap the whole thing; you make left and right adjustments along the way and keep moving forward toward your goal. Health care is too critical to the lives of our constituents to be rebooted every few years in a partisan, haphazard manner.

My specific amendment is consistent with this broader philosophy. One of the most popular and well-functioning provisions of the Affordable Care Act is a provision requiring certain health insurance plans to allow young adults to stay on their parents’ health insurance plans until the age of 26. This provision has been particularly beneficial for my district in central Florida, which has one of the lowest median ages of any congressional district in the Sunshine State, and which is home to the University of Central Florida and the University of Florida, the state’s second largest university, with over 63,000 enrolled students.

Prior to the Affordable Care Act, too many young adults in central Florida and around the country were uninsured either because they were not employed or because they were employed at jobs that did not provide affordable coverage or any coverage at all. If these young men and women were to become sick or get injured, the resulting medical bills could bankrupt them or their families. The Affordable Care Act sought to mitigate this risk, and the evidence indicates that it has done so successfully; and the American people have said, overwhelmingly, that they want to keep this part of the provision.

Accordingly, my amendment would establish an exception to the REINS Act. It would ensure that any Federal regulation that executes or enforces the Affordable Care Act provision enabling young adults to obtain health insurance coverage through their parents’ plans will not be annulled by Congress. By voting for my amendment, you will send a signal that you support this provision, which has benefited millions of our constituents and is consistent with the shared goals of most Americans, regardless of party affiliation.

Accordingly, my amendment would need to receive a separate vote. I ask unanimous consent to allow a separate vote on my amendment so that this House can act to ensure the bipartisan success of the Affordable Care Act. Mr. Speaker, I yield back the balance of my time.
This motion to recommit seeks only to distract from the urgent need to reform our regulatory system and reduce unnecessary burdens on the public. When health care reform regulations are adopted, they should be adopted with the approval of this body.

I urge all of my colleagues to support this bill, reject this motion to recommit, and show America that Congress can act for the good of job creators and all Americans who desperately want and need jobs.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered to the Committee of the Whole House on the State of the Union.

Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote is ordered.

Mrs. MURPHY of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The result of the vote was announced as above recorded.

Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The ayes appeared to have it.
No. 12, “nay” on rollcall No. 13, “nay” on rollcall No. 14, “nay” on rollcall No. 15, “nay” on rollcall No. 16, “nay” on rollcall No. 17, “nay” on rollcall No. 18, “nay” on rollcall No. 19, “nay” on rollcall No. 20, “yea” on rollcall No. 21, “nay” on rollcall No. 22, “yea” on rollcall No. 23.

HOUR OF MEETING ON TOMORROW AND ADJOURNMENT FROM FRIDAY, JANUARY 6, 2017, TO MONDAY, JANUARY 9, 2017.

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow, and further when the House adjourns on that day, it adjourn to meet on Monday, January 9, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

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

The Clerk read the resolution, as follows:

H. RES. 25

Resolved, That the following named Member be added to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ETHICS—Ms. Sánchez.

The resolution was agreed to.

A motion to reconsider was laid on the table.

2015

PERVERSE TORTURE PERPETRATED BY HEARTLESS YOUNG ADULTS

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, today, four people were charged with a violent crime after a Facebook showed 30 minutes of horror.

This was not just bullying, this was experienced by an 18-year-old boy who was forced for 5 hours to cower in a corner scared, stunned, and powerless.

He was forced for 5 hours to cower in a corner scared, stunned, and powerless by people he thought were his friends. His mouth was duct tape shut. His hands and feet were tied. They cut his clothes, his hair, and scalp with a knife. He was burned, punched, and beaten. He was humiliated and berated. This was not just bullying, this was experienced by an 18-year-old boy who suffers from mental disabilities.

He is not alone because children with disabilities are four times more likely to be assaulted than the general population.

We enacted major mental health reforms just a few weeks ago. Unfortunately, we cannot litigate compassion, mandate morality, or common decency for perpetrators who have no sense of shame. But today, as a Nation, we should all be ashamed and recommit to teach our children there is never any excuse to harm a disabled person. Never. I pray for the victim and his family.

IMPACT OF ACA REPEAL ON MOMS AND BABIES

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

Ms. ROYBAL-ALLARD. Mr. Speaker, as co-chair of the Maternity Care Caucus, I rise on behalf of mothers and babies who will suffer if Republicans repeal the Affordable Care Act.

It is undisputable that, with prenatal care, babies are born healthier. Before the ACA, approximately 10 percent of childbearing women had no health insurance, and the plans of 60 percent of all insured women had no maternity coverage.

With ObamaCare’s Medicaid expansion and insurance subsidies, more than half of these women who were uninsured became eligible for maternity care. In addition, the ACA also requires health plans to cover maternity care and preexisting conditions. All of this will be lost with ACA repeal.

Women will also lose coverage for lactation counseling and the cost of breast pumps, a known barrier to successful breastfeeding which is one of the most effective ways to protect the health of babies.

I urge my Republican colleagues to consider the negative impacts repealing ObamaCare will have on our Nation’s mothers and babies. We must protect the future health of our children by ensuring all moms have access to maternity care and breastfeeding support.

RECOGNIZING ACHIEVEMENTS OF LEROY BALDWIN

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

Mr. YOHO. Mr. Speaker, I rise today to recognize the life and achievements of Leroy Baldwin. A true American original, Leroy Baldwin was born and raised in Ocala, Florida, on December 15, 1932. Not coming from a family with a rich ag background, Mr. Baldwin bought his first calf when he was 6 years of age from the money he earned delivering newspapers.
Mr. Baldwin served honorably in the U.S. Army from 1952 to 1955 during the Korean war. After the war, he pursued his lifelong project, the Baldwin Angus Ranch. Starting with 40 acres, the ranch now spans 620 acres and has taken the Florida Angus breed all over the world.

Mr. Baldwin thanked God each and every day for the blessings his family and business enjoyed.

God, family, and country are the words he lived by, words vitally important to our Nation today. We have lost a true giant.

Mr. Baldwin, may God bless you, your family, and thank you for what you have done for Florida and our Nation’s agriculture.

PATHWAY OF DESTRUCTION

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

Ms. JACKSON LEE. Mr. Speaker, today, in the Senate, the other body, unfortunately, joined the pathway of destruction for most Americans and voted to repeal the Affordable Care Act. These are not my words, the pathway of destruction, but is evidence that what will happen to millions and millions of Americans. By repealing without a replacement, which does not exist, insurance will be taken away from 32 million working families. Now, some 4 million uninsured children will have no insurance.

Let me be very clear that many of these individuals do not have college degrees. Many of them, the voters of those who now will take the reign of government. Healthcare premiums will increase by 50 percent for millions of Americans. Hundreds of billions of dollars will go to tax breaks for insurance companies while eliminating the tax credits and subsidies for millions of working families.

It will take healthcare coverage away from millions of low- and moderate-income Americans by cutting Medicaid, and it will close rural hospitals and public hospitals that provide the lifeline for many Americans. It will cut off Federal funds for health care for women through Planned Parenthood. And yes, it will eliminate and have cuts in Medicare and Medicaid.

Mr. Speaker, this is a pathway of disaster. We should not repeal the Affordable Care Act.

STEMMING AVALANCHE OF REGULATIONS

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

Mr. MITCHELL. Mr. Speaker, I am proud that, in my first week as a Representative of Michigan’s 10th Congressional District, we have passed two important pieces of legislation to stem the avalanche of Federal regulations.

The top concern I hear from employers of all sizes across my district is that regulation from Washington is making it harder for them to do business. I spent my career in business, so I have firsthand knowledge of the damage caused by excessive Federal regulations.

The Midnight Rules Act and the REINS Act will provide much-needed regulatory relief to families and businesses alike. Both pieces of legislation will make unelected bureaucrats accountable to Congress.

The American Dream is achievable, and, as the son of a General Motors line worker, my life is proof of it. But that dream is only possible when we give Americans the freedom they need to be successful and unleash their capabilities in our economy.

One, this is about the basic, fundamental American right of travel as we see fit, not as government sees fit.

Two, this is about the American liberty and this fragile notion of, if we don’t protect it, government tends to grow. Jefferson talked about this theme a long time ago. He talked about the normal course of things for government to gain ground and for government to yield. So if we don’t push back—and this is what the REINS Act was all about—if we don’t push back about the government edict or laws that have outgrown their usefulness, what are we doing is we are allowing government to encroach on this fragile notion of liberty.

Fundamental to the notion of common sense is, if you tried something for 50 years and it has not worked, may we not try something different? It was here in the 1990s. I signed onto Helms-Burton. But it didn’t work, and so we asked: Why not try something different?

What Ronald Reagan proposed at the time of the Iron Curtain in the former Soviet Union in helping to bring down that wall. So this is about pulling back the notion of engagement.

I think this is about saying American policy has been the excuse that the Castros have used for 50 years. We have almost the longest-serving dictatorship in the history of globe there with the Castro brothers. What was often the case is they would blame the blockade, the embargo, Americans’ inability to travel, whatever was going wrong with the country rather than simply addressing the real issue. The problem was communism and the way that it encumbers people and their hopes and their dreams. We gave them an excuse. So this is about pulling back the excuse and trying something different. It is about pushing back on a regulation that has not served its purpose.

Three, this is about engaging because that is part and parcel to American liberty. You know, I don’t like some of the things that are going on in Russia. I don’t like some of the things that are going on in China. I don’t like some of the things that are going on in Vietnam. You can pick your country. But what we have chosen, as an American policy, is this notion of engagement, that we ultimately are going to be able to change the model by engaging with other countries. Again, President Ronald Reagan embraced it with countries of the former Soviet Union in helping to bring down that wall. So this is about
perpetuating the notion of engagement and government regulation.

We have just passed the REINS Act, which is all about saying if something isn’t making sense, let’s peel it back. Let’s not have the fourth branch of government going out and perpetuating the notion of government without them going through Congress. Yet, with regard to travel to Cuba, you have to sign an affidavit as to why you are going there. You have to keep receipts for up to 5 years proving where you did or didn’t spend money. If you fill out a form wrong, you can be subject to a $250,000 fine. Is that kind of regulation consistent with free travel that we all should enjoy as Americans?

Finally, I think that this bill is about bringing about change to Cuba. My interest is not primarily about Cuba. My interest is about American liberty and the need to perpetuate American liberty.

But one of the offshoots, one of the benefits is about bringing change to Cuba. Even the worst detractor of the bill, we are all about the same thing, which is bringing more freedom to that country and the 11 million people that make up that country.

I think that allowing Americans to go there and talk to real people about what you are hearing from your state-run radio station or television station is not the truth, here is what is really going on. It is part and parcel to bringing about a change in Cuba. It is part and parcel to eliminating the causes that have been used by the communist regime there. It is continuing the theme of engagement that we have employed for more than 100 years. And most all, it is part and parcel to maintaining this fragile notion of American liberty which always needs to be protected.

If something has encroached upon American liberty, it is not about a tangible result in the here and the now. It needs to be pushed back. So, fundamentally, this bill is about those five different things. It is for that reason I would ask that viewers talk to their House or Senate Member and ask them to sign on to this bill.

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

ISRAEL AND THE UNITED NATIONS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, today we took up what was intended to be a very noble action on H. Res. 11 to rein in the out-of-control and outrageous actions of so many despots that occupy positions in the United Nations. The United Nations, whether you go back to Libya being in charge of human rights, you have U.N. troops molesting so many females. There are all kinds of problems that have been wrought, and yet the U.N. has the gall to continually show how bigoted it is and how anti-Jewish and anti-Israeli that it is.

It is easy to find, if anyone bothers to check, that the United Nations never asked once for any other country to pony up land, much less demand that other countries like Jordan, who is a good friend of the United States, but the U.N. never said: Look, you are occupying this land that they call Palestine, so you have to give it up. They never did until it was controlled by the Israeli people, thus making clear this is really a bigoted move by the U.N. to constantly slander and slam the nation of Israel. Also, if one wants to conduct another test to check to see how bigoted, if it is, the U.N. is, you could check on the condemnations by the U.N. for activities of Israel, the facts of those activities and self-defense efforts by Israel and compare them to acts of other nations—the genocide, for example, that even Secretary Kerry, as tough as it was for him to finally admit that genocide that Christians going on in the Middle East.

Is there any outrage by the U.N.? No. In fact, the U.N. head of the refugees who is now the U.N. General Secretary made clear about over a year and a half ago or so that the reason that they weren’t helping Christians to the extent that they were helping Muslim refugees is because of the historic importance Christians have in staying where they were—that means where they are being murdered, where they are having their throats slashed, being crucified, tortured, raped, incinerated. The U.N. General Secretary, when he was in charge of the refugee program, thought it was very important to leave Christians in the Middle East so they can be targets of some of the most heinous and egregious fashions imaginable.

So it was just and proper, to borrow from history, that we condemn the United Nations Resolution 2334 as being an obstacle to peace in Israel. Palestinians have made clear they don’t want peace with Israel. They want it eliminated from the map. They name holidays, squares, and all kinds of things for people who go out and kill innocent Jews and others just for being Jewish. They reward the families of those who go and blow themselves up, killing, in atrocious fashions, innocent Israeli people. The United Nations turns a blind eye to it since the U.N. has become so racist, so bigoted, and so anti-Israel, the most antiterrorist country in all of the Middle East, including north Africa—although Egypt is of great help in that regard these days, and there are those in Libya who would like to. But after President Obama turned Libya into absolute anarchy and chaos, then Egypt is having their problems even coming from Libya.

What has the U.N. had to say about all that? Not really anything because if the Muslim Brotherhood supports it, it does, basically, the U.N., and far too often so has the Obama administration.

That is why, I guess, Israel got the lecture from Secretary John Kerry. When he talked about the heinous acts of Genghis Khan, never bothered to mention the plights of the poor Palestinians before 1967 when they were under control of the most non-Israeli people you could imagine, they didn’t have no discussion about that, only leveling really bigoted allegations at Israel.

So we have H. Res. 11 today, and I was thrilled because it meant that I was going to be able to come to the floor and vote to condemn the U.N. passage of U.N. Security Council Resolution 2334. Unfortunately, as some of my friends here in Congress have pointed out, I am a bit anal at times. I actually want to read the things that we are going to vote on. So I got my copy of H. Res. 11, immediately noticing the very first whereas, it says the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution. It does say “sustainable two-state solution.” It says: “Whereas since 1993, the United States has facilitated direct, bilateral negotiations between both parties toward achieving a two-state solution . . . .”

Well, it is the truth that President Clinton twisted the arm of the Israeli Prime Minister and convinced him to basically give Arafat almost everything he wanted. Now, if you believe what Scripture says about Moses going and pleading to Pharaoh to let the Jewish people, the children of Israel, go, we are told that God hardens Pharaoh’s heart so that He could make a big demonstration of His power and glory down the road. Although there was suffering that came—great suffering—ultimately, incredible miracles were performed as a result of his hardened heart.

I think it is likely that when Arafat got everything he wanted—almost everything he wanted—in the offer from Israel, I thank God that Arafat turned him down. For anybody that has been in the military and goes to Israel, you can see readily, if Arafat had accepted what the Prime Minister of Israel had been offering, finding himself, he would have virtually made Israel indefensible unless they were using nuclear weapons or the threat of nuclear weapons.

Israel needs to be able to defend itself. King David was ruling from Hebron in the year around 1020 B.C. to around 1012 B.C. Then he moved, and he was ruling over Israel. What is now called the West Bank was actually called Israel—I mean, it was part of the nation of Israel. Solomon had control, but he did so from the City of David being noting that. The problem, that David had moved the capital from Hebron, which is also where Abraham and Sarah are buried.
I have also visited the tomb of David’s father, Jesse, that is there in Hebron. To be told: oh, no, this needs to be Palestinian lands. The reason some of us think that Hebron, Judea, and Samaria should be Palestinian lands is because 1,600 years after David ruled from Hebron, then Jerusalem, Mohammed came along. Some say it was a vision, some say a dream. Some say he actually, during one night, was taken by a winged horse or donkey and flown to Jerusalem. Some say he actually got there 700 years before the morning. Whatever the case, 1,600 years before that did or didn’t happen, David was ruling over that whole country.

There is no one alive today descended from any occupants of the Promised Land, the land of Israel, descended from people who lived in that land pre-dating King David and King Saul before him, King Solomon after him—nobody. Nobody alive today has a prior claim. There is nobody, no country, from whom the United Nations has demanded a secession of land back to people that attacked that country and the land was taken back in a defensive mode in protection from the attack.

So at page 3 of our H. Res. 11, it points out that the U.N. resolution is a major obstacle to the achievement of the two-state solution. At the bottom of page 5, it says: “A durable and sustainable peace agreement between Israel and the Palestinians will come only through direct bilateral negotiations between the parties resulting in a Jewish, democratic state living side-by-side next to a demilitarized Palestinian state in peace and security.”

Mr. Speaker, there cannot be peace and security in the Middle East when a people are allowed to occupy an area, and those people continue, with the encouragement of the United Nations, with John Kerry and this President, to conduct intensive terrorism on the people of Israel and we continue to condemn that terrorism.

You can’t have peace in a land where the most powerful nation—possibly the most powerful nation up to now. We were at one time. Our Navy is down, I think, to pre-World War I standards, and our troops are down below pre-World War II. But at one time, we were the most powerful nation. The most powerful or near most powerful nation is taking up for the victims and encouraging that the victims give away more of the land that they have already given so much of to those who are inflicting terror upon them. It is like my friends on the far left, constantly complaining about bullies, who never had been bullied like I was as a small child because I was very small in school.

My fifth grade teacher, after I got beat up trying to get back my football I got for Christmas, took me up in front of the class. My nose is still bleeding, dripping down my shirt. She said: I want everybody to see what happens when the little boys try to play with the big boys. She always took up for the bullies. And that is what this administration has been doing and this is what this United Nations has been doing: taking up for the terrorist bullies.

I am amazed that the nation of Israel has held back all hell breaking loose on the Gaza Strip because of the continued assaults day after day, sending rockets into Israel, Israel spending millions of dollars to protect themselves against the constant attack from the Gaza Strip.

And what happens? They try to protect themselves with a legitimate blockade to make sure nobody is sneakily sending the U.N. and world opinion goes nuts over that.

Page 6 of our resolution we voted on today goes on to say that the House of Representatives calls for United Nations Security Council 2334 to be repealed or fundamentally altered so that it is no longer one-sided and anti-Israel.

Here is my problem again. B, it allows all final status issues toward a two-state solution be resolved and have direct negotiations between the parties.

Nobody at the U.N., if we are a part of it, and nobody in the United States administration should even mention the little phrase “two-state solution.” This body should not even mention in a resolution that we are in any way endorsing a two-state solution.

I know there are a lot of Christians that aren’t as familiar with the Bible, perhaps, as some today, but my friend, Joel Rosenberg, pointed out numerous times in the book of Joel, chapter 3:

For look. In those days and at that time I will return the exiles to Judah and Jerusalem, and I will heal them, says the Lord. Then I will bring them down to the Valley of Jehoshaphat, I will enter into judgment against them there concerning my people Israel, who are my inheritance, whom they scattered among the nations.

Then it lists the number one grievance that the God of the Bible, the God I believe in, had against those nations he is going to rain down only hell judgment on. The number one grievance is: they partitioned my land. They divided my land, the promised land.

When the United States Congress embraces, demands that Israel be divided into separate states instead of being one country, that is the same thing that was occupied and promised over 3,000 years ago, I think we are making a big mistake. That is why I had to vote “no” on the resolution.

Now just last week last week leadership rushed this resolution to the floor, I am hopeful they will rush H. Res. 311 to the floor. I filed it today, this afternoon. H. Res. 311 is very basic. It says: “To withhold United States assessed and voluntary contributions to the United Nations, and for other purposes.”

[Res. 311 is very basic. It says: “To withhold United States assessed and voluntary contributions to the United Nations, and for other purposes.”]

“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 ‘Refusing to Assist Paying for United Nations Actions Against Israel Act’.”


It goes on . . . until such time as United Nations Security Council Resolution 2334, regarding Israel’s Settlements in the West Bank and East Jerusalem, is repealed in its entirety.”

Then, section 3 says: “No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions that are withheld under this Act.”

So the purpose of that is I am hoping and praying that this body will not just pay lip service to a U.N. resolution, and actually embrace, as John Kerry, foolishly, was saying that it does not much difference between AIPAC’s position in supporting this resolution. He may not have mentioned they would support the resolution, but AIPAC’s position and John Kerry’s position. If you look at what is in the resolution, he may have something there.

This would actually put some teeth into it. This is something that would send a message to the United Nations and the nations around the world that if you are going to make us so anti-Israel, so bigoted, so racist, so anti-Jewish, then the United States is not going to continue to fund your outrageous, bigoted activities, your lush, lavish lifestyle.

I would think if we could pass this, the United Nations delayed in withdrawing that resolution or rescinding it, then that should ultimately lead to our denial of any visas to diplomats of the United Nations. Then, once that occurs, apparently the only way to the United Nations, it was only for such time as the headquarters in New York—is the main headquarters of the United Nations. So if they can’t get diplomats there, they will have to move the headquarters elsewhere and that land would be ceded back to the foundation.

Hopefully, if we will go ahead and do something that has teeth in it and not embrace policy that will be fatal to this nation of Israel, we can make a difference. That can bring peace in the world. Terrorists only understand power, and sometimes power is conveyed in the way of money.
We should not be funding a United Nations that is so bigoted and so hateful to the nation of Israel.

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

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

The motion was agreed to; accordingly (at 8 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 6, 2017, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

9. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department’s final rule — Amendment to the Egg Research and Promotion Rules and Regulations To Update Patents, Copyrights, Trademarks, and Information Provisions (Docket No.: AMS-LPS-15-0042) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

10. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of multiple violations of the Antideficiency Act, Air Force case number 12-01, pursuant to 31 U.S.C. 1351; Public Law 97-256; (96 Stat. 926); to the Committee on Appropriations.

11. A letter from the Acting Under Secretary, Policy, Department of Defense, transmitting the Department’s Fiscal Year 2016 annual Regional Defense Combatting Terrorism Fellowship Program Report to Congress, pursuant to 10 U.S.C. 2260c(c); Public Law 108-136, Sec. 1221(a)(1); (117 Stat. 1651); to the Committee on Armed Services.

12. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility (Chambers and Harris Counties, TX, et al.) (Docket ID: FEMA-8461) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.


14. A letter from the Associate General Counsel for Legislation and Regulations, Of- fice of the Secretary, Department of Housing and Urban Development, transmitting the Department’s final rule — Narrowing the Digital Divide Through Installation of Broadband Infrastructure in HUD-Funded New Construction and the Developmental Rehabilitation of Multifamily Rental Housing (Dock- et No.: FR 8069-F-02) (RIN: 2501-AD75) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

15. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department’s National Health Service Corps Report to Congress for the Year 2015, pursuant to 42 U.S.C. 201(d); (114 Stat. 338A) (as amended by Public Law 107-251, Sec. 307(b)); (116 Stat. 1649); to the Committee on Energy and Commerce.

16. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department’s Quarterly Report on the Translation of the Stewardship of the Internet Assigned Numbers Authority Functions, covering the activities from January 1, 2015, to October 31, 2015, pursuant to 31 U.S.C. 1351; Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (96 Stat. 1275); to the Committee on Commerce, Science, and Transportation.


20. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13566 of June 16, 2006, pursuant to 50 U.S.C. 1614(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1267); to the Committee on Foreign Affairs.

21. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13666 of June 26, 2011, pursuant to 50 U.S.C. 1614(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1267); to the Committee on Foreign Affairs.

22. A letter from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department’s final rule — Russian Sanctions: Addition of Certain Entities to the Entity List, and Clarification of License Review Policy (Docket No.: BIS-2015-0033) (RIN: 0990-AA46) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

23. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department’s final rule — Arms Export Control Regulations: Revision of U.S. Munitions List Category XV (Public Notice: 9888) (RIN: 1400-AD33) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

24. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department’s final rule — Information Traffic in Armas Regulations: International Trade in Remote Sensing (Public Notice: 9811) (RIN: 1400-AE07) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

25. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting notification of a federal vacancy, pursuant to 5 U.S.C. 3394(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.


28. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department’s final rule — Alaska, Subsistence Collections (NPS-AKRO-22487; PPAKAKROZ5, PPMPLRLEY.L00000) (RIN: 1024-AE28) received January 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

29. A letter from the Secretary, Department of the Interior, transmitting the Annual Operating Plan for Colorado River System Reservoirs for 2017, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

30. A letter from the Assistant General Counsel for Legislation, Regulation, and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department’s final rule — Civil Monetary Penalties (RIN: 0900-AA46) received December 30, 2016, 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.

31. A letter from the Director, Contract and Grant Policy Division, Homeland Security, National Aeronautics and Space Administration, transmitting the Administration’s final rule — NASA Federal Acquisition Regulation Supplement—Financial Reporting of Property (2016-N024) (RIN: 2700-ASE3) received January 3, 2017, 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.

32. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration’s certification that the level of screening services and protection provided at the Bozeman Yellowstone International Airport (BZN) and Yellowstone International Airport (WYS) in Montana will be equal to or greater than the level that would be provided at Tsa Accredited Facilities and Security Officers and that the screening company is owned and controlled by citizens of the
United States, pursuant to 49 U.S.C. 44920(d)(1); Public Law 107-71, Sec. 108(a); (115 Stat. 613); to the Committee on Homeland Security.

A letter from the Chair, Board of Directors, Office of Compliance, transmitting the Office's report titled “Recommendations for Improvements to the Congressional Accountability Act of 1995,” pursuant to Sec. 102(b) of the Congressional Accountability Act of 1995; jointly to the Committees on Education and the Workforce and House Administration.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles are introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mr. GOMBERT, Mr. WEBER of Texas, Ms. JACKSON Lee, Mr. DOGGETT, Mr. VEASEY, Mr. CUELLAR, Mr. VELA, Mr. GONZALEZ of Texas, Mr. GRANGER, Mr. CARTER of Texas, Mr. FARENTHOLD, Mr. MARCHANT, Mr. WILLIAMS, Mr. GRESHAM McCAUL, Mr. GENE GREEN of Texas, Mr. BARTON, Mr. CONAWAY, Mr. BAHN, Mr. RATCLIFFE, Mr. POE of Texas, Mr. CASTRO of Texas, Mr. GRUENBERG, Mr. BUTLER, Mr. AL GREEN of Texas, Mr. SAM JOHNSON of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HURD, Mr. HINOJOSA, Mr. BRADY of Texas, Mr. SMITH of Texas, Mr. SESSIONS, Mr. FLORES, Mr. ABRAMZON, and Mr. O’ROURKE):
H.R. 294. A bill to designate the facility of the United States Postal Service located at 2700 Cullen Boulevard in Pearland, Texas, as the "Endy Ekpanya Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. CALVERT (for himself, Mr. HUNTER, Mr. NUNES, Mr. CRAWFORD, Mr. GRANGER, Mr. HOKITTA, Mr. LAMALFA, Mr. KNIGHT, and Mr. ROHRABACHER):
H.R. 295. A bill to provide for a limitation on the number of civilian employees at the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. CHAFFETZ:
H.R. 296. A bill to amend the Internal Revenue Code of 1986 to exclude major professional sports leagues from qualifying as tax-exempt organizations; to the Committee on Ways and Means.

By Mr. CHAFFETZ:
H.R. 297. A bill to require greater accountability in discretionary and direct spending programs, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, 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. CHAFFETZ:
H.R. 298. A bill to require additional entities to be subject to the requirements of section 522 of United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on Financial Services.

By Mr. VALADAO (for himself, Mr. WALZ, Ms. STEFANIK, Mr. COURTNEY, Mr. ROSS, and Mr. LOBONGIO):
H.R. 299. A bill to amend title 38, United States Code, to include assumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Iowa (for himself, Mr. RACON, Mr. BLUM, Mr. SHIMKUS, Mr. JODY B. HICK of Georgia, Mr. ROE of Tennessee, and Mr. GOWDY):
H.R. 300. A bill to require U.S. Immigration and Customs Enforcement to take into custody aliens convicted of an offense that has been committed in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. TOSKOS, Ms. SLAUGHTER, Mr. SERRANO, Ms. NOVAKOVA, Mr. QUIGLEY, and Mr. CARDEÑOS):
H.R. 301. A bill to require the National Institute of Standards and Technology to establish a premise plumbing research laboratory, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. COLE (for himself, Mr. RICHMOND, Mr. ABRAHAM, Mrs. BLACKBURN, Mr. BUTTERFIELD, Mr. CARTER of Georgia, Ms. DELBENE, Mr. DUNCAN of Tennessee, Mr. FLORES, Mr. GRIFFITH, Mr. HENSARLING, Mr. JODY B. HICK of Georgia, Mr. JOYCE of Ohio, Mr. KILMER, Mr. KINZINGER, Mr. KLINE of Missouri, Mr. LOEBSACK, Mr. ROE of Tennessee, Ms. NORMAN, Ms. JENKINS of Kansas, Mr. WALZ, Mr. BILIRAKIS, Mr. PETTIGREW, Mr. ISSA, and Mr. CONYERS):
H.R. 302. A bill to provide protections for certain sports leagues and teams, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:
H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both military disability compensation and other retired pay by reason of their years of military service or combat-related special compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. HUDSON (for himself, Mr. BUTTERFIELD, Mrs. WAGNER, Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, Mr. SCHOENKNECHT, Ms. BUTLER, Mr. KNIGHT, Mr. SMITH of Texas, Mr. EMMER, Mr. BILIRAKIS, Mr. ABRAHAM, Mr. CUMMINGS, Mr. COHEN, Mr. HASTINGS, Mr. RUIZ, Mr. KELLY of Illinois, Mr. ROE of Tennessee, and Mr. BLUMENTHAL):
H.R. 304. A bill to amend the Controlled Substances Act with regard to the provision of emergency medical services; to the Committee on Energy and Commerce, and in addition to the Committee on Veterans' Affairs, 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. ESHOO (for herself, Mrs. DINGELL, Ms. JACKSON Lee, Mr. HUFFMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. POCAH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. THOMPSON of California, Ms. BROWNLEY of California, Ms. MILLER of Idaho, Mrs. WATSON COLEMAN, Ms. MCCOLLMAN, Mr. KIND, Mr. PERLMUTTER, Mr. COHEN, Mr. MCGOVERN, Mr. SOTO, and Mr. BLUMENTHAL):
H.R. 305. A bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself and Mr. KINZINGER):
H.R. 306. A bill to amend the Energy Independence and Security Act of 2007 to prohibit energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DAVIDSON (for himself, Mr. ZELDIN, Mr. HENSARLING, Mr. TIBERI, Mr. BRAT, Mr. ABRAMHAM, Mrs. WAGNER, Mr. HUDSON, Mr. KING of Iowa, Mr. BARR, Mr. KELLY of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. MARSHALL, Mr. MASSIE, Mr. GIBBS, Mr. BYRNE, Mr. MCLINTOCK, Mr. TPTON, Mr. GOSAR, Mr. DUFFY, Mr. TUNER, Mr. HARRIS, Mr. WALDEN, Mr. ROYAL of Illinois, Mr. BLUM, and Mrs. LOVE):
H.R. 308. A bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Ways and Means.

By Mr. OLSON (for himself, Mr. LOEBSACK, Ms. DEGETTE, Ms. SINEMA, Mr. ZELDIN, Mr. DUNCAN of Tennessee, Mr. ROE of Idaho, Mr. SERRANO, Mr. KING of New York, Mr. GUTHRIE, Mr. MCMINNIES, Mr. JOYCE of Ohio, Mr. DURSTCH, Mr. SESSIONS, Mr. BLACKBURN, Mr. BILIRAKIS, Mr. HENSARLING, and Mr. ALLEN):
H.R. 309. A bill to amend the Public Health Service Act to facilitate the implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DeFAZIO (for himself and Mr. HUFFMAN):
H.R. 310. A bill to withdraw certain land located in Curry County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes; to the Committee on Natural Resources.

By Mr. GOMBERT:
H.R. 311. A bill to withhold United States assessed and voluntary contributions to the United Nations and its specialized agencies; to the Committee on Foreign Affairs.

By Ms. BONAMICI (for herself, Mr. RORHABACHER, Ms. BUTTER, Mr. Young of Alaska, Mr. CHU, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ISSA, Mr. DEFazio, and Ms. JAYAPAL):
H.R. 312. A bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, for alternative forms of investment; to the Committee on Science, Space, and Technology.

By Mrs. BLACKBURN (for herself and Mr. HENNINGER):

H.R. 311. To amend title II of the Social Security Act to establish a Social Security Surplus Protection Account in the Federal Old-Age and Survivors Insurance Trust Fund to hold the Social Security surplus, to provide for suspension of investment of amounts held in the Account until enactment of legislation providing for investment of the Social Security surplus other than obligations of the United States, and to establish a Social Security Investment Commission to make recommendations for alternative forms of investment of the Social Security surplus in the Trust Fund; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. HENNINGER, Mr. OLSON, Mrs. BLACK, and Mr. HUDSON):

H.R. 314. A bill to repeal title I of the Patient Protection and Affordable Care Act and to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce.

By Mr. CAPUANO:

H.R. 316. A bill to protect investors in futures contracts; to the Committee on Agriculture.

By Mr. CAPUANO:

H.R. 317. A bill to direct the Securities and Exchange Commission to require that repurposed securities be restricted to 20 years of service, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 318. A bill to amend the Federal Election Campaign Act of 1971 to reduce the limit on the amount of certain contributions which may be made to a candidate with respect to an election for Federal office; to the Committee on House Administration.

By Ms. ESPAÇO (for herself, and Ms. ROYBAL-ALLARD):

H.R. 319. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for such persons to remain in their own homes; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 320. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia:

H.R. 333. A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 334. A bill to expand and enhance existing adult day programs for younger people with neurological diseases or conditions (such as multiple sclerosis, Parkinson’s disease, traumatic brain injury, or other similar diseases or conditions) to support and improve access to respite services for family caregivers who are taking care of such people, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KENNEDY (for himself and Mr. BEN RAY LIJAN of New Mexico):

H.R. 336. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for such persons to remain in their own homes.

By Ms. LEE:

H.R. 337. A bill to direct the Secretary of the Interior to establish a fund for a National Neumyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 338. A bill to establish the Neumyelitis Optica Consortium; to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 335. A bill to amend title XIX of the Social Security Act to provide parity among States in the timing of the application of higher Federal Medicaid matching rates for the ACA-expansion population; to the Committee on Energy and Commerce.

By Mr. CONGRESSIONAL RECORD — HOUSE January 5, 2017

COSTELLO of Pennsylvania, Mr. TIPON, Mr. YOUNG of Alaska, Mrs. BLACKBURN, Ms. SINEMA, Mr. BUTTERFIELD, Mr. GRIFFITH, Mrs. WALTERS of Maryland, Mr. BUCHANAN, Mr. POLIQUIN, Mr. JOYCE of Ohio, Mr. HULTGREN, Mrs. WALORSKI, Mr. Posey, Mr. Byrne, Mr. Himes, Mr. McSALLY, Mr. CRAMER, Mr. CALVERT, Mr. DENHAM, Mr. HILL, Mr. CARTER of Georgia, Mr. PERLMUTTER, Mr. MORELL, Mr. VAID, Mr. ADAMS, Mr. CHABOT, Mr. ROYDEN DAVIS of Illinois, Mr. SHUMKUS, Mr. ROSE, Mr. OLSON, Mr. BOST, Mr. KEILHAUSEN, Mrs. MCDERMOTT, Ms. ROSE-LEHTINEN:

H.R. 321. A bill to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach; to the Committee on Science, Space, and Technology.

By Mr. DE SANTIS (for himself, Ms. FOXX, Mr. MASHIE, Mr. PALAZZO, and Mr. ROSE of New York):

H.R. 321. A bill to amend title 5, United States Code, to provide for the termination of certain retirement benefits for Members of Congress who have served less than 20 years of service, and for other purposes; to the Committee on Oversight and Administration of the House of Representatives, in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE, Mr. HENSARLING, Mr. OLSON, Mrs. BLACK, and Mr. HUDSON:

H.R. 322. A bill to amend title XIX of the Social Security Act to provide equity for certain eligible survivors, and for other purposes; to the Committee on Education and the Workforce.

By Mr. JOHNSON (for himself, and Mr. BOEHLER of Ohio, Mr. ROY of Tennessee, Mr. JENKS of West Virginia, and Mr. MCKINLEY):

H.R. 323. A bill to amend the Black Lung Benefits Act to provide equity for certain eligible survivors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KENNEDY (for himself and Mr. BEN RAY LujAN of New Mexico):

H.R. 324. A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services other purposes; to the Committee on Energy and Commerce.

By Ms. LEE:

H.R. 325. A bill to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, for alternative forms of investment; to the Committee on Science, Space, and Technology.

By Ms. LEE (for herself, Mr. NADLER, Mr. ORTIZ-JUAREZ, Mr. JACKSON of New York, Mr. ELISHA, Mr. MONOYOS, and Mr. SERRANO):

H.R. 326. A bill to amend the Federal Election Campaign Act of 1971 to reduce the limit on the amount of certain contributions which may be made to a candidate with respect to an election for Federal office; to the Committee on House Administration.

By Mr. CAPUANO:

H.R. 327. A bill to provide for United States participation in the Inter-Parliamentary Union, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CAUDILL of Kentucky:

H.R. 328. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for such persons to remain in their own homes; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 329. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for such persons to remain in their own homes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 332. A bill to provide for the issuance of the Peace Corps Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, 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. BISHOP of Georgia:

H.R. 333. A bill to amend title X, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans’ disability compensation; to the Committee on Armed Services.

By Ms. LEE:

H.R. 334. A bill to provide for the issuance of the Peace Corps Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, 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. LEWIS of Georgia:

H.R. 335. A bill to amend title XIX of the Social Security Act to provide parity among States in the timing of the application of higher Federal Medicaid matching rates for the ACA-expansion population; to the Committee on Energy and Commerce.
By Mr. MEADOWS (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, Mr. SCHWEIKERT, and Mr. BRYER):  
H.R. 336. A bill to provide transit benefits to Federal employees who use the services of digital transportation companies within the national capital region, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.  

By Mrs. NOEM:  
H.R. 337. To transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Veterans' Affairs, 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. HUGHES (for himself and Mr. HURSON):  
H.R. 338. A bill to promote a 21st century energy and manufacturing workforce; to the Committee on Energy and Commerce, 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. SABLON:  
H.R. 339. A bill to amend Public Law 94-241 with respect to the Northern Mariana Islands; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.  

By Mr. SERRANO:  
H.R. 340. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified manufacturing facility construction costs and to allow a credit against tax for qualified manufacturing facility construction costs; to the Committee on Ways and Means.  

By Mr. SERRANO:  
H.R. 341. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for start-up expenditures for business for 2017 and 2018; to the Committee on Ways and Means.  

By Ms. SINEIMA (for herself, Mr. McCaul, Mrs. Bustos, Mr. LoBiondo, Mr. Ruiz, and Mr. Sanford):  
H.R. 342. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.  

By Mr. SIRES:  
H.R. 343. A bill to authorize the Secretary of Housing and Urban Development to establish a program enabling communities to better leverage resources to address health, economic, and conservation concerns; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, and Natural Resources, 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. STEFANIK:  
H.R. 344. To establish the Forest Legacy Program of the Cooperative Forestry Assistance Act of 1978 to authorize States to allow certain entities to acquire, hold, and manage conservation easements under the program; to the Committee on Agriculture.  

By Mr. TROTTON:  
H.R. 345. A bill to amend title 18, United States Code, to prohibit the President, the Vice President, Members of Congress, and other officers of the executive branch from lobbying on behalf of designated countries of particular concern for religious freedom for 10 years after leaving office, and for other purposes; to the Committee on the Judiciary.  

By Mr. TROTTON:  
H.R. 346. A bill to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress, and for other purposes; to the Committee on the Judiciary.  

By Mrs. WATSON COLEMAN (for herself, Mr. HUH, Mr. THOMPSON of Mississippi, and Mr. PERRY):  
H.R. 347. A bill to amend the Homeland Security Act of 2002 to provide for requirements for the Department of Homeland Security to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress, and for other purposes; to the Committee on Homeland Security.  

By Mr. YOUNG of Alaska:  
H.R. 348. A bill to more accurately identify and transfer subsurface gravel sources originally intended to be made available to the Ukpakvik Inuitat Corporation in exchange for its relinquishment of related property rights; to the Committee on Natural Resources.  

By Mr. COHEN (for himself and Mr. COOPER):  
H.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.  

By Mr. DUFFY:  
H.J. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.  

By Ms. LEE:  
H. Con. Res. 6. Concurrent resolution expressing the sense of the House of Representatives and reaffirming long-standing United States policy in support of a negotiated two-state solution to the Israeli-Palestinian conflict; to the Committee on Foreign Affairs.  

By Mr. CHAFFETZ:  
H. Res. 21. A resolution expressing the sense of the House of Representatives that the Federal Government should not bail out State and local government employee pension plans or other plans that provide post-employment benefits to State and local government retirees; to the Committee on Education and the Workforce.  

By Mr. CROWLEY:  
H. Res. 22. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.  

By Mr. JENKINS of West Virginia (for himself, Mr. Roehrs of Kentucky, Mr. McKinley, Mr. Griffith, and Mr. Mooney of West Virginia):  
H. Res. 26. A resolution expressing the sense of the House of Representatives that the provisions of the Patient Protection and Affordable Care Act that restored the original black lung benefits eligibility requirements should not be reduced but should be preserved and protected; to the Committee on Education and the Workforce.  

By Mr. KING of Iowa:  
H. Res. 27. A resolution rejecting the "two-state solution" as the United States' diplomatic policy objective for the Administration to advocate for a new approach that prioritizes the State of Israel's sovereignty, security, and borders; to the Committee on Foreign Affairs.  

By Mrs. DAVIS of California (for herself, Mr. Joyce of Ohio, and Mr. King of New York):  
H. Res. 28. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take
all appropriate measures to ensure the con-
tinuation of door delivery for all business
and residential customers; to the Committee
on Oversight and Government Reform.

PRIVATE BILLS AND
RESOLUTIONS

Under clause 3 of rule XII,
Mr. LIPINSKI introduced a bill (H.R. 348)
for the relief of Corina de Chalup Turscinovic,
which was referred to the Committee on
Judiciary.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the
Rules of the House of Representa-
tives, the following statements are sub-
mitted regarding the specific powers
granted to Congress in the Constitu-
tion to enact the accompanying bill or
joint resolution.

By Mr. OLSON:
H.R. 294.

Congress has the power to enact this legis-
lation pursuant to the following:

Section 8, Clause 2; and Article I, Section 8,
nation pursuant to the following:

Article I, Section 9, Clause 7 of the Un-
ited States Constitution.

The constitutional authority of Congress
to enact this legislation is Section 8 of Arti-
cle I of the Constitution, specifically Clauses
1 (relating to providing for the general wel-
fare of the United States) and 18 (relating to
the power to make all laws necessary and
proper for carrying out the powers vested in
Congress) of such section.

By Mr. CHAFFETZ:
H.R. 296.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8 of the United States
Constitution.

By Mr. CHAFFETZ:
H.R. 297.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 9, Clause 7 of the United
States Constitution.

By Mr. VALADAO:
H.R. 299.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause 1; Article I,
Section 8, Clause 2 and Article I, Section 8,
Clause 18 of the United States Constitution.

By Mr. YOUNG of Iowa:
H.R. 300.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8 of the Constitution of
the United States.

By Mr. CARTWRIGHT:
H.R. 301.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8; Clause 18 of the Con-
stitution states '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. GUTHRIE:
H.R. 302.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 1 - 'The Congress shall have
Power To lay and collect Taxes, Duties, Imposts and Excises,
to pay the Debts and provide for the common Defense and general Welfare of the United States . . .

By Mr. HUDSON:
H.R. 303.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause I

By Ms. ESCH:
H.R. 304.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Sections 4 and 8 of the Constitu-
tion.

By Ms. ESCH:
H.R. 305.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8 and Article IV, Section
3 of the Constitution.

By Mr. DAVIDSON:
H.R. 306.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8; Clause 1—
'The Congress shall have Power To lay and
collect taxes, duties, imposts and excises . . .

By Mr. OLSON:
H.R. 309.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. DeFAZIO:
H.R. 310.

Article I, Section 8, Clause 18 (relating to
the power to make all laws necessary and
proper for carrying out the powers vested in
Congress).

By Mr. GOHMIERT:
H.R. 311.

Congress has the power to enact this legis-
lation pursuant to the following:

Article One, Section 8, Clause 18: “To
make all Laws which shall be necessary and
proper for carrying into Execution the fore-
going Powers, and all other Powers vested by
this Constitution in the Government of the
United States . . .”

By Ms. BONAMICI:
H.R. 312.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, section 8 of the Constitution of the
United States.

By Mrs. BLACKBURN:
H.R. 313.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. BLACKBURN:
H.R. 314.

Congress has the power to enact this legis-
lation pursuant to the following:

Article I, Section 8; Clause 3

By Mr. BURGESS:
H.R. 315.
Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight, Clause Three

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. LEES:

H.R. 329.

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 Ms. LEE:

H.R. 330.

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 Ms. LEE:

H.R. 331.

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 Ms. LEE:

H.R. 332.

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

Article One, Section Eight, Clause One:

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. LEWIS of Georgia:

H.R. 334.

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

Article One, Section Eight, which says that: "The Congress shall have the power . . . to declare war . . . and make rules concerning captures on land and water . . . and 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. LEWIS of Georgia:

H.R. 335.

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. MEADOWS:

H.R. 336.

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. NOEM:

H.R. 337.

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

Article One, Section Eight, Clause One:

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. RUSH:

H.R. 338.

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. SARBANES:

H.R. 339.

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

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

Congress has the power to enact this legislation pursuant to the following: Under Article I, Section Eight, Clauses 1, 3 and 4 and Article IV, Section Three, Clause Two of the Constitution of the United States.

By Mr. SERRANO:

H.R. 340.

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

Article One, Section Eight, Clause Eight of the Constitution.

By Mr. SERRANO:

H.R. 341.

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

Article One, Section Eight, Clause Eight of the Constitution.

By Ms. SINEMA:

H.R. 342.

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

Article One, Section Eight, Clause Eight of the Constitution.

By Mr. SIRES:

H.R. 343.

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

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Ms. STEFANIK:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
By Mr. TROTT:
H.R. 345.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. TROTT:
H.R. 346.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mrs. WATSON COLEMAN:
H.R. 347.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
By Mr. YOUNG of Alaska:
H.R. 348.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 & Article 1, Section 8, Clause 3
"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."
"The Congress shall have the power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes"
By Mr. LIPINSKI:
H.R. 349.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 4 of the Constitution provides that Congress shall have power to "establish an uniform Rule of Naturalization." The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in Galvan v. Press, 347 U.S. 322, 323 (1954), "that the formulation of policies (pertaining to the entry of aliens and their right to remain here) is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in Kleindienst v. Mandel, 408 U.S. 753, 766 (1972) (quoting Boutilier v. INS, 387 U.S. 118, 123 (1967)), "[t]he Court without exception has sustained Congress' plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden."
By Mr. COHEN:
H.J. Res. 19.
Congress has the power to enact this legislation pursuant to the following:
Article V
By Mr. DUFFY:
H.J. Res. 20.
Congress has the power to enact this legislation pursuant to the following:
Article V:
"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate."

ADDITIONAL SPONSORS
Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:
H.R. 26: Ms. TENNEY.
H.R. 74: MR. SENSENBEINER and Mr. TROTT.
H.R. 79: MR. HULTGREN, MR. CURBELO of Florida, MRS. WAGNER, MR. BARR, MR. DELANEY, MR. POLIS, MR. COSTELLO of Pennsylvania, MR. SCHNEIDER, and MR. PETERS.
H.R. 99: MR. THOMPSON of Mississippi and MR. LIPINSKI.
H.R. 111: MR. KIND.
H.R. 173: MR. MEEHAN and MR. MEADOWS.
H.R. 184: MR. LEWIS of Minnesota and MR. CARDENAS.
H.R. 244: MR. MALFALFA, MR. FARENBOLD, MS. KUSTER of New Hampshire, MR. TAKANO, MR. CRAMER, MR. SENSENBEINER, and MR. DONOVAN.
H.R. 246: MR. BYRNE, MR. FLORES, MR. HUIZENGRAAF, MR. ROE of Tennessee, MR. SMITH of Texas, and MR. DAVID SCOTT of Georgia.
H.J. Res. 11: MR. BYRNE, MR. CRAMER, and MR. HARRIS.
H. Res. 17: MR. TAYLOR, MR. BUCK, MR. O'NEILL, MR. ROZELL, MR. BUTLER, MR. WEBER of Texas, MR. ROJITA, MR. KUSTOFF of Tennessee, MR. BARK, MR. FLORES, MR. VEASEY, MR. GRAVES of Georgia, MR. BYRNE, MR. BILIRAKIS, MR. CORREA, MRS. COMSTOCK, MR. RATTCLIFFE, MR. MAST, MR. DESJARDINS, MR. AMODEI, MR. MESSER, MR. KELLY of Pennsylvania, MRS. LOVE, MS. FOXX, MS. TENNEY, MR. CURBELO of Florida, MR. MCCULLOCH, MR. KINZINGER, and MR. CHRIST.
H. Res. 14: MR. HIGGINS of Louisiana and MR. McCLINTOCK.

PETITIONS, ETC.
Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:
1. The SPEAKER presented a petition of Borough of Metuchen, County of Middlesex, State of NJ, relative to Resolution 2016-261, confirming for the record its support of H.R. 149 and urging the United States House of Representatives and U.S. Senate to enact this important legislation; to the Committee on the Judiciary.
2. Also, a petition of Electors of the City of Manitowoc, WI, relative to a resolution, supporting the passage of an amendment to the United States Constitution 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.
The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

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

Let us pray.

O Lord, as our lips are open in prayer, so may our hearts be open to receive Your Spirit. Help us to bow to Your will and live lives devoted to Your providential leading.

Lord, bless our Senators in their work. Let faith, hope, and love abound in their lives. Help them to seek to heal the hurt in our Nation and world and to be forces for harmony and goodness. Remind them that they will be judged by their fruits and that You require them to be productive and faithful. May they seek to serve rather than be served, following Your example of humility and sacrifice. Open their minds and give them a vision of the unlimited possibilities available to those who trust You as their guide.

We pray in Your mighty 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. ROUNDS). The majority leader is recognized.

OBAMACARE
Mr. MCCONNELL. Mr. President, ObamaCare was sold to the American people with a lot of promises and a lot of fanfare—speech after speech, promise after promise, splashy PR campaigns, quirky YouTube videos. But the American people never bought it, and the law never worked as it was promised. It opened up big problems and crashed computers on day one. Millions lost their health care plans and the doctors they were promised they could keep. Things only got worse from there. We have all gotten the calls and the letters. We have all seen the pain in our constituents' eyes. We all know how harmful this failed partisan experiment has been for those we represent.

We also understand our united mandate to do something about it. The American people have hardly been subtle—hardly subtle—in their negative view of ObamaCare. That is borne out in the polling we have seen since the passage of this law 7 years ago. This past November, they again called out to Washington. Please help us, they said. Please get rid of this law that is hurting my family.

About eight in 10 favor changing ObamaCare significantly or replacing it altogether.

My message to the American people is this: We hear you. We hear you. We will act.

It is my sincere hope that Democrats will include themselves in that “we.” I hope they will help us bring relief to the American people today and better health care solutions going forward. We want their ideas. We want their input. We value their contributions in the construction of durable, lasting, and effective reforms.

While I am not the kind of guy who believes history takes sides, I know some of our Democratic friends are, and by now, they must surely have concluded that the ObamaCare-or-nothing crowd cannot be anywhere but on the wrong side of history. There is no future with that crowd.

These are the guys who say ObamaCare’s innumerable, well documented, clearly apparent problems are just a case of bad PR. They tried to laugh them off, literally. They tried to blame Republicans, blame the media, blame the American people themselves. They have even taken to denying reality altogether.

They say that ObamaCare has been “wonderful for America.” They call its implementation “fabulous.” Just before the election, President Obama actually said this: “The parade of horribles the Republicans have talked about haven’t happened.” He really said that. He went further: “None of what they’ve said has happened.”

Really? So costs haven’t gone up, then? Premiums just skyrocketed by double-digit increases—as high as 50 percent in some places. Deductibles have risen 10 times faster than inflation and nearly 6 times faster than paychecks.

So choice hasn’t gone down then? Insurers are fleeing the exchanges, with more than half the country poised to soon have no more than one or two insurers to pick from. Americans are continuing to lose access to doctors and hospitals and health plans they like and were promised. Oh, they were promised they could keep those health care plans.

ObamaCare supporters may not like it, but these are simply the realities of this partisan law.

Now, you will notice they hardly talk about ObamaCare lowering costs or expanding choice anymore. They are down to just one or two talking points now, and even those are slipping away pretty fast. That is because, as Americans have unfortunately learned firsthand, having health insurance under ObamaCare is hardly the same thing as having health care. That is especially true for many who have been forced into Medicaid.

Let’s just look at my home State as an example. Kentucky was once held up as a shining jewel of ObamaCare—well, no longer. ObamaCare predictably
has become a mess in Kentucky, just as it has across the Nation. That has proved a bit confounding to some of our friends over on the left.

The technical rate of the insured ticked up, they say. So why are so many upset? Why are they upset? Well, when you force Kentuckians into ObamaCare plans that many of their doctors won’t accept, what did you think would happen? When you shoehorn folks with modest incomes into a plan with ever-growing premiums while they’re afraid to get sick, what do you expect?

In fact, across the Nation, about 4 in 10 adults in ObamaCare aren’t even sure they will be able to afford care if they really need it.

ObamaCare isn’t truly solving problems or making our country healthier. It is a box-checking regime devoid of true compassion or empathy, a green-eyeshade exercise that misses something important—the lives of real people.

So ObamaCare is making things worse, and we now have a moral imperative to repeal and replace it—to bring relief to families now.

Every Member of this body will consider their role in that process because the pain Americans are experiencing is deeply personal. The betrayal middle-class families are feeling is clearly palpable, and, unless we do something, millions of Americans will continue to lose their health plans. They will continue to get stuck with insurance that costs more and offers less.

Costs will continue to rise unsustainably. Choices will continue to shrink uncontrollably. No amount of ObamaCare happy talk—no amount of it—or reality denial is going to change that.

Some will just never accept the facts, though. They will say we need only to tinker around the edges of ObamaCare. The reality is, that by any measure, ObamaCare has failed. It didn’t deliver on its core promises. It hurt more than it helped. Americans still strain to pay for their monthly insurance bills, struggle to navigate sometimes bewildering system, and remain uninsured.

That pretty well sums it up. It is an indictment as damning as anything any Republican has said. It is something to keep in mind when you hear the predictable attacks from the far left.

Now, look, we already know their central contention is that Republicans somehow want to go back to the way things were before ObamaCare, which, everyone, of course, knows is not true. It is an argument that conveniently leaves out the fact that things are now worse for many than they were before ObamaCare. That is not all we can expect to hear either. We will hear that repeal will cause insurers to flee the exchanges, which, by the way, news flash, is already happening. We will hear that repeal will plunge ObamaCare into a death spiral, which, they might have missed, is here already. Read tea leaves: ObamaCare is going nowhere—velocity—the death spiral—right now.

We long warned that ObamaCare would eventually collapse under its own weight. That is exactly what is happening. Democrats chose to rip apart our health care system 7 years ago and give the chaos we are seeing, and things will only continue to get worse unless we act now.

It is time to finally bring relief. The status quo is simply unsustainable. The reality is, that by any measure, ObamaCare has failed. It didn’t deliver on its core promises. It hurt more than it helped. Many are finding they can’t even use the insurance they now have. History will record ObamaCare as a failed partisan experiment, an attack on the American middle class, a lesson to future generations about how not to legislate. Let’s be clear. ObamaCare’s failure is the fault of ObamaCare and those who forced it on our country, not the American people, not the Republicans. We didn’t cause this problem, but we are now determined to provide relief. We are determined to live up to our promise to the American people and repeal this failed law.

Starting today, we will begin repairing the damage by passing the legislative tools necessary to repeal ObamaCare and begin to transition to more sensible health care solutions. We just laid down the ObamaCare repeal budget resolution this week. We will take it up soon, but repeal is only the first step. It clears the path for a replacement that costs less and works better than what we have now. Once repeal is enacted, there will be a stable transition period to a patient-centered health care system that gives Americans access to quality, affordable care.

We plan to take on this challenge in manageable pieces, not with another 2,700-page bill. That was one of ObamaCare’s initial mistakes and one we do not intend to repeat. Some of our friends across the aisle have mused publicly about their role in this process. I hope they will work with us. We hardly need another tired slogan from Democratic colleagues—after all, how does that move us ahead—but we do want their ideas, and we do want to work together to improve our health care system. That is the best way forward. That is certainly the way I prefer.

I hope our Democratic colleagues will join us in taking an important step forward soon by confirming Tom Price as HHS Secretary and Seema Verma as CMS Administrator. Some of you may remember the “redtape tower” we used to wheel around here. It represented the fact that while the ObamaCare bill may have run about 2,700 pages, its regulations run to tens of thousands of pages. That is what Price and Verma can get to work on once confirmed, stabilizing the health care market and bringing relief.

It isn’t going to be easy. It is going to take time. There will be bumps along the way, but we are going to do everything we can to heal the wounds of ObamaCare and move forward toward real care. We are going to move step-by-step. We want the widest possible coalition working to achieve real solutions for the people who are hurting and calling for our help.

Let’s give them that help. Let’s give them some hope. Let’s leave ObamaCare in the past and work together instead on reforms and outcomes we can all be proud of.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.
Mr. SCHUMER. Mr. President, first, I appreciate the remarks of my colleague the Republican leader. I understand the Republican leader’s discomfort. There is a cry from his side to repeal, but it has been 6 years and they have no plan to replace. Repeal without a replacement will leave millions Americans who have had health care in the lurch; leaves college students who are 21 to 26 and have been on their parents’ plan in the lurch; leaves women who are now getting equal health care treatment to men in the lurch; and leaves people who have families who have preexisting conditions, and now can get insurance but without ObamaCare couldn’t, in the lurch.

I understand the Republican leader’s discomfort. Replace is not available because they can’t come up with a plan. I appreciate his request to work with us. He has two choices. Our Republican colleagues have two choices: Either, once they repeal, come up with a replacement plan, and we will give it a look-see and have been able to do it for 6 years; they are squirming right now because they don’t have one; they are leaving so many Americans who need health care in the lurch—or don’t repeal and come talk to us about how to make some improvements. We are willing to do that.

I will note that yesterday the vote to repeal without replace was totally partisan. My colleagues decried that the vote originally for ACA was bipartisan. This is equally partisan, and it is going to create huge trouble for our colleagues. Again, I will say to my Republican colleagues, your job is not to name call but to come up with a replacement plan that helps the people who need help—people who are now helped by the ACA but who will be left in the lurch once it is repealed.

**CABINET NOMINATIONS**

Mr. SCHUMER. Mr. President, I have another subject I wish to talk about, and maybe this one will be a little more constructive right now. In terms of my Republican leader’s response because he and I yesterday had a constructive meeting on the matter of processing the President-elect’s nominations to the Cabinet. We are still working on several details, but on this issue I want to express my appreciation for the majority leader’s willingness to have a dialogue and work in good faith toward a process both sides of the aisle can live with.

Our concern is that it is absolutely essential that the Senate has a chance to appropriately vet the nominees, and the American people deserve to hear their views and qualifications in public hearings, especially for the most powerful Cabinet positions. We all know Cabinet positions have enormous power and influence over the lives of everyday Americans. They run massive government agencies that do the actual work of implementing our laws, keeping our Nation safe from terrorism, protecting the environment and civil rights, promoting clean energy and affordable housing—and on and on. Every facet of public life is governed by a very powerful Cabinet official.

It is only in the Senate—and by extension the American people—get to thoroughly vet their baseline acceptability for these jobs. That means getting their financial records to make sure they don’t come into public office with standing conflicts of interest, and if potential conflicts of interest are found, making sure they have a plan to divest the assets in question, making sure the FBI has had the time to complete a full background check. It means making sure the independent ethics officers of each agency can sign off on them.

All of these benchmarks are standard protocol. All were done by about this time 8 years ago by the Obama administration. They are onerous requirements. They are necessary requirements to prevent conflicts of interest.

I remind my colleagues again, every Obama Cabinet nominee had an ethics agreement in place before their hearing. Every Obama Cabinet nominee underwent a full FBI background check before the Senate considered their nomination. For such positions of influence in our government, it is the responsibility of the Senate to ensure that we have all the information we need on each nominee and in a timely fashion.

Truth be told, the slate of nominations selected by President-Elect Trump has made this process—standard for nominees of Presidents of both parties—immensely difficult. There are several nominees who have enormous wealth and own stock of enormous value. We have a CEO of one of the largest oil companies in the world, a billionaire director of financial services executive, another advisory financial services executive.

Leaving aside for a moment what that says about the President-elect’s priorities for his incoming administration, these nominees have potential conflict of interest challenges of epic proportions. At the very least—at the very least—they owe the American people the standard paperwork, and in fact we believe many of these nominees, given their financial holdings, should go further and provide their tax returns.

The minority only has ethics agreements in for four of the nominees so far. We only have financial disclosure forms from four of the nominees so far. We only have tax returns for four of the nominees so far. None of our committees has been notified that any nominee’s FBI background check has been fully completed. Briefings have started, but they are far from complete.

As I said earlier, I hope the majority leader and I can work out an arrangement that works for both of our caucuses to process these nominees in a fair but thorough fashion. It certainly shouldn’t be the case, as seems to be planned now, that six hearings—several on very important nominees—all occur on the same day and on the same day so potential vote-arama. That is mostly unprecedented in the modern era of Cabinet considerations, happening only once in history. That is not the standard, but right now that is the case on January 11.

There are Members who sit on multiple committees. One of our Members chairs one of the committees, Judiciary, but has been very active on the Intelligence Committee—both nominees in a single day. That is unfair, not only to her, with her great knowledge, but to the American people. Each member deserves plenty of time to question each nominee, and if questions remain, they should be brought back for a second day of hearings.

In all, they are going to hold incredibly powerful positions for potentially the next 4 years. To spend an extra day or two on each nominee, if it takes a few weeks, several weeks, to get through them all in order to carefully consider their nominations, that is certainly worth it to the American people and, I would argue, to the new administration.

I have made these points to the majority leader, and I must say he has respectfully listened. I am hopeful we can find an agreement that alleviates the crunch and gives Senators and committees the opportunity to process these nominations with the proper care and oversight, with all of the proper paperwork in place, thoughtfully and thoroughly.

I yield the floor.

**CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017**

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The bill clerk reads as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, the pending business in the U.S. Senate is to set the stage procedurally so the Republican majority can repeal ObamaCare, the Affordable Care Act. That is what we are about. That is the business of the day, the week, and probably the weeks to come. So we are addressing that issue and others related to the budget.

I would like to start by sharing a story that was told to me by a family who I represent, Richard and Mary Laidman, who live in Naperville, Illinois. They told me a story, and I will read from it.

My 13-year-old son Sam was diagnosed with leukemia one day after the “no pre-existing conditions exclusions for children”
protection went into effect [under the Affordable Care Act.] The good news is that the form of leukemia has, so far, been effectively controlled by a magic-bullet drug. My son is currently a very robust young man and in otherwise good health (while the drug keeps him alive). The bad news is that the drug, as I understand it, costs [Blue Cross Blue Shield is] about $10,000 a month. Without even going into the issue of ‘‘Big Pharma’’ pricing—

They wrote—they that means it would take about $6 million to get my son into his 60s. Obviously we are far too forthcoming on all the benefits of the Affordable Care Act right now—no pre-existing conditions exclusions, no caps on benefits, allowing Sam to stay on our health insurance plan till he reaches age 26.

Mr. President, the bottom line according to the Laidman family of Naperville, IL, is that the Affordable Care Act is critical to their family’s health and financial survival. That is what this debate is about. It is not about making magical promises made in campaigns or slogans one way or the other. It is about families like the Laidman family in Naperville who understand that were it not for the provisions in the Affordable Care Act, their son might not be here today or they may be penniless.

That is what it was like in the old days. If you had a son with leukemia and wanted to buy a family health insurance plan, good luck. If they would sell it to you, probably couldn’t afford it. And secondly, many policies had limits on how much they would pay. Listen to what she tells us: $10,000 a month just for this drug that keeps her son alive.

There were policies that had $100,000 limits on the amount they pay each year. Oh, they were affordable and cheap enough. What would the Laidman family have done if that is all they had to turn to?

Sadly, we know thousands, perhaps millions across America face that. That is why the Affordable Care Act made a difference. That is why it is inconceivable that the Republicans are coming to the floor, saying they want to repeal the Affordable Care Act without any replacement.

They have had 6 years to come up with a better idea, 6 years to come up with a list of improvements, and they have failed and failed miserably. Why? Because it is hard. It is difficult. We found that when we wrote this law. It is contrary to the heart of the Republican leader who was on the floor this morning. I am ready to sit down.

I think other Democrats are as well. If you want to change and improve the Affordable Care Act to make sure that American families like the Laidman family in Naperville have a chance for these protections in a better situation, I want to be part of it, and I have wanted to be part of it for 6 years. But the Republican approach has been very simple: All we will propose is repeal. We will not come up with an alternative. It is catching up with them this week in Washington. Have you noticed? Senators on the Republican side of the aisle and even some House Republicans are saying publicly: You know, we really ought to have a replacement.

It is not fair for us to say to America: We’re going to repeal the only protection you have. Trust us. Some day in the future we might come up with a better plan.

The atmospheres have changed—maybe even changed with the President-elect. Remember a few weeks ago when he said he thought that provision about the pre-existing conditions was a good idea? Well, he is right, and so is the provision to make sure you don’t have limits under the policy, the provision that allows the Laidmans to keep their son under their family health insurance plan until he reaches the age of 26.

Yesterday, Mrs. Kellyanne Conway, Senior Advisor to President-Elect Trump, was on a morning show, and she said: ‘‘We don’t want anyone who currently has insurance to not have insurance.’’ That is a good statement. Then, when she was asked about whether the Republicans should come up with a replacement, she went on to say: ‘‘That would be the ideal situation. Let’s see what happens practically.’’

Well, I don’t know Mrs. Conway, but her observations square with what we feel on this side of the aisle, and more and more Republicans are starting to say publicly that it is irresponsible for us to repeal the Affordable Care Act without an alternative. It invites chaos. We know what is likely to occur. We know that if there is no replacement that is as good or better, people are going to lose their health insurance.

Illinois’ uninsured rate has dropped by 49 percent since the Affordable Care Act was passed. A million residents in my State now have health insurance who didn’t have it before the Affordable Care Act. Illinois seniors are saving $1,000 a year on their prescription drugs because we closed the doughnut hole in the Affordable Care Act, which the Republicans now want to repeal.

More than 90,000 young people in Illinois have been able to stay on their parents’ health plan until age 26 under our current health care system, and 4.7 million Illinoisans, such as the Laidman family, no longer have annual or lifetime caps on benefits, and I don’t want a sick member of their family and they need it the most. Under our current health care system, 5.6 million Illinoisans with preexisting conditions no longer have to fear denial of coverage or high premiums.

I am going to close with this brief reference. Remember the first thing President-Elect Trump did when he went to visit the State where they were going to keep 800 jobs and not transfer them overseas? He took justifiable pride in the fact that he had jawboned the company into deciding to keep at least some of the jobs in the United States—800 jobs. That is good.

America needs companies to make the decision to keep jobs here. We need all the good-paying jobs we can get, particularly in manufacturing. But do you know what the repeal of the Affordable Care Act means to jobs in Illinois? Well, the Illinois Health and Hospital Association told us that it would have a devastating impact on hospitals in Illinois. That includes many rural downstate hospitals, the major employers in their community. They estimate that we would lose between 84,000 and 95,000 jobs with the repeal of the Affordable Care Act. We could have a press conference for saving 800 jobs at Carrier, but are they going to have a press conference and celebrate when they are killing 84,000 jobs in Illinois with the repeal of the Affordable Care Act? They shouldn’t. They should do the responsible thing.

Let’s work together. Let’s make the Affordable Care Act better, more affordable. We can do it. But the notion of saying it is time, first thing, to get around to a substitute later invites chaos. That is going to make America sick again.

Mr. President, I yield.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I want to thank Senator DURBIN for his comments about the policy of repealing the Affordable Care Act and not knowing what comes next, the impact it would have on people in Illinois. I am going to talk about people in Maryland. I have received similar letters showing that people are going to be adversely impacted.

I want to share with my colleagues the conversation I had with the secretary of health from Maryland. Maryland has Governor Hogan, a Republican Governor, and his secretary of health met with me several weeks ago to express his concerns about the impact on the health of Maryland if the Affordable Care Act were repealed. What I heard from the secretary of health of Maryland was similar to what I heard from many of the health care stakeholders from the hospital association to physician groups, to health care advocates, to ordinary Marylanders who have contacted me about their concerns about what happens if we see a repeal of the Affordable Care Act.

Let me just give you some examples of what the Affordable Care Act is working in my State and, as Senator DURBIN indicated, in his State. The uninsured rate in Maryland has dropped from 12.9 percent to 6.6 percent. That is about a 50-percent drop in the uninsured rate. That benefits all Marylanders—all Marylanders. Yes, 400,000 Marylanders now have health coverage who didn’t have health coverage before, and for those 400,000, that is a big deal. That means they can see a doctor and get a physical examination. If they are ill, there are now doctors and hospitals that will want to take care of them because they have third-party reimbursement. They
no longer have to show up in emergency rooms because that is the only place they could get to. They can now go to a doctor and get a physical examination.

Mr. President, it benefits more than just the Marylanders who went thanks to the Affordable Care Act, have health coverage. It affects all Marylanders because we no longer have the amount of cost shifting of those who have health insurance paying for those who are uninsured, because they use the system and don’t pay for it. That dislocation has been dramatically changed in my State. So all Marylanders are benefiting from having 400,000 Marylanders who now have health coverage, but it goes beyond that. Many Marylanders who had health insurance didn’t have adequate health insurance. They had restrictions on preexisting conditions. They had caps on their policies. It didn’t cover preventive health care. They now have quality health coverage.

All of that is at risk. All of that is at risk because of what we are talking about doing, if I understand correctly. Quite frankly, I am still trying to figure out what the Republicans are doing to the Affordable Care Act, but if I understand it, they are going to repeal it, and they are not going to tell us right now how they are going to replace it. So everything that is included in the Affordable Care Act is at risk.

I will give you one more example of costs because I think this is an important point. Under the Affordable Care Act, if an insurance company wants to increase rates more than 10 percent, there are certain procedures they have to go through, certain public disclosures. We have a much more public process, but the number of claims of those who wanted to increase their policies by 10 percent have dropped from 75 percent before the Affordable Care Act to now 14 percent nationally. We have seen one of the lowest growth rates in health care costs in modern history. Yes, the Affordable Care Act has helped us do that. Why? Because individuals who had insurance now have coverage for preventive health care and are saving us money. Those who didn’t have health care coverage now have health care coverage, and they are seeing doctors, and they are saving us money because if they have a disease, it is being caught at an earlier stage, being treated in a more aggressive way, and they are saving more intensive health care costs. All that is benefiting the people of Maryland and our country.

Senator DUBIN mentioned several people in his State—a person in his State—and letters. I want to talk about people in Maryland whom I have talked to over the last several years about the impact of the Affordable Care Act and why they are so concerned about the policy now of repealing the Affordable Care Act.

I want to go back to 2007. That is a date that Marylanders know very well. I want to go back to a 12-year-old, Deamonte Driver. Deamonte Driver was a 12-year-old who lived about 10 miles from here. His mom tried to get him to a dentist, but he had no insurance coverage, and she couldn’t find a dentist who would take care of him. Deamonte Driver needed about $80 of oral health care. He had an abscessed tooth that needed to be removed. It would have cost $80, and he couldn’t find care in 2007 in the western part of our State, in America. As a result, his tooth became abscessed and it went into his brain. He had thousands of dollars of health care costs, and he lost his life. As a result of that incident, I, along with other members of Congress, took up the cause of pediatric dental care to make sure every child in America has access to pediatric dental care. That is included in the Affordable Care Act as an essential health benefit.

Before the Affordable Care Act, very few health policies included pediatric dental; therefore, families were at risk as to whether they would actually use dental services because they did not have the money to pay for them. That was changed under the Affordable Care Act. That is at risk because, if I understand what is being suggested here, we are going to repeal the Affordable Care Act and the essential health benefits. We can’t allow any more tragedies like Deamonte Driver in America. Affordable Care Act. That means we are now taking away the protection against arbitrary caps.

Before the Affordable Care Act, very few health policies included pediatric dental; therefore, families were at risk as to whether they would actually use dental services because they did not have the money to pay for them. That was changed under the Affordable Care Act. That is at risk because, if I understand what is being suggested here, we are going to repeal the Affordable Care Act and the essential health benefits. We can’t allow any more tragedies like Deamonte Driver in America. Affordable Care Act. That means we are now taking away the protection against arbitrary caps.

There was another provision I worked very hard to get into the Affordable Care Act that I think is extremely important. We now have a National Institute of Minority Health and Health Disparities at the National Institutes of Health. We have agencies that deal with minority health and health disparities in all of our health care agencies thanks to the Affordable Care Act. That means we are now acknowledging that historically we have not done right for minority health in America. We looked at a lot of the research dollars; they were not spent in areas that minorities were impacted by. We see that access to care in certain communities is much more challenging because of minority status. We are looking at these issues and taking action.

The Institute sponsored a study in my home city of Baltimore. That study showed that depending on what ZIP Code you live in, your life expectancy could be as different as 30 years—a generation. Just your ZIP Code. We are taking steps to change that in Baltimore thanks to the National Institutes and the Institute on Minority Health and Health Disparities. Are the Republicans telling us that is not needed anymore, that we are going to repeal our efforts to look at minority health disparity that is not unconscionable. Yet, if I understand correctly, that is the course we are going to follow.

Mental health parity is another area we have talked about at great length here. We know we still have not reached that goal to make sure mental health receives the same attention as any other health need, but in the Affordable Care Act did a number of things to expand access to coverage for mental health and drug addiction. By expanding the Medicaid population, we have 1.6 million Americans who now have expanded coverage for mental health and substance abuse.

We have had great discussions in this body. I am very proud of the Cures Act, where we expanded coverage for drug addiction. Now Republicans are talking about taking a major step backward by repealing Medicaid expansion that allows access to coverage for mental health and drug addiction. To me, that is something that is unthinkable. Yet we are moving on that path by the legislation that is being discussed.

Let me share a letter I received from Lillian from Baltimore. In 2008 she lost her job. She has a history of abnormal mammograms. She could not get coverage. She could not get an insurance company to cover some of the preexisting concerns. She wrote: The Affordable Care Act has worked. I have coverage.

No preexisting conditions. No longer is being a woman considered a preexisting condition in America. Are we now going to turn our backs on the women of America and allow these discriminatory practices that existed before the Affordable Care Act to come back? I will tell you I am going to fight to do everything I can to make sure that does not happen, and I would hope my colleagues on both sides of the aisle feel the same. But you are marching down a path that puts women at risk, that puts Americans at risk.

We know about the caps that were in the law before the Affordable Care Act. What do I mean by caps? That is the maximum amount your health insurance policy will pay you. Some 2.25 million Marylanders will be impacted by repealing the Affordable Care Act—not just the 400,000 new people who have come into the system, 2.25 million Marylanders will be impacted if we eliminate the protection against arbitrary caps.

The tragedy about caps is that when you really need coverage, that is when you are impacted. You get insurance to cover you. You discover you have cancer or a disease, and it is coming extremely fast. Some of these people have had thousands of dollars of health care costs, and he lost his life. As a result of that incident, I, along with other members of Congress, took up the cause of pediatric dental care to make sure every child in America has access to pediatric dental care. That is included in the Affordable Care Act as an essential health benefit.

There was another provision I worked very hard to get into the Affordable Care Act that I think is extremely important. We now have a National Institute of Minority Health and Health Disparities at the National Institutes of Health. We have agencies that deal with minority health and health disparities in all of our health care agencies thanks to the Affordable Care Act. That means we are now acknowledging that historically we have not done right for minority health in America. We looked at a lot of the research dollars; they were not spent in areas that minorities were impacted by. We see that access to care in certain communities is much more challenging because of minority status. We are looking at these issues and taking action.

The Institute sponsored a study in my home city of Baltimore. That study showed that depending on what ZIP Code you live in, your life expectancy could be as different as 30 years—a generation. Just your ZIP Code. We are taking steps to change that in Baltimore thanks to the National Institutes and the Institute on Minority Health and Health Disparities. Are the Republicans telling us that is not needed anymore, that we are going to repeal our efforts to look at minority health disparity that is not unconscionable. Yet, if I understand correctly, that is the course we are going to follow.

The Institute sponsored a study in my home city of Baltimore. That study showed that depending on what ZIP Code you live in, your life expectancy could be as different as 30 years—a generation. Just your ZIP Code. We are taking steps to change that in Baltimore thanks to the National Institutes and the Institute on Minority Health and Health Disparities. Are the Republicans telling us that is not needed anymore, that we are going to repeal our efforts to look at minority health disparity that is not unconscionable. Yet, if I understand correctly, that is the course we are going to follow.

The Institute sponsored a study in my home city of Baltimore. That study showed that depending on what ZIP Code you live in, your life expectancy could be as different as 30 years—a generation. Just your ZIP Code. We are taking steps to change that in Baltimore thanks to the National Institutes and the Institute on Minority Health and Health Disparities. Are the Republicans telling us that is not needed anymore, that we are going to repeal our efforts to look at minority health disparity that is not unconscionable. Yet, if I understand correctly, that is the course we are going to follow.
through numerous operations. If caps are in place, she cannot get adequate care for her 18-month-old daughter. Those are real, live examples of people who are impacted by the Affordable Care Act. She also told me: Thank you for the 26-year-old provision where you can stay on your parent’s policy. At least she knows Eva will be able to stay on her policy until she is 26.

I heard from Nichole, who is a 22-year-old student at Towson University. She could not get affordable health care coverage and was able to stay on her parents’ policy. That is an important provision which is being repealed by the Affordable Care Act.

I helped work on the provision in the Affordable Care Act that provides preventive care coverage—inmunizations, cancer screening, contraception, no cost sharing. That saves money. Preventive care saves money. It makes our health care system more cost-effective. That is why we decided to put preventive care in and expand it dramatically. Now, 2.95 million Marylanders benefit from the preventive health care requirements of the Affordable Care Act that is included in every health policy. That will be gone with the repeal of the Affordable Care Act. We don’t have a replacement. We don’t know what it is going to look like. It is not easy to figure out how to put the pieces back together again.

There is a provision in the Affordable Care Act that deals with prevention and public health funds and that provides dollars to deal with some of the real challenges we have out there—obesity, tobacco abuse. My State is getting funds so that we can deal with healthy eating that will not only provide a better quality of life for those who have weight issues but also lead to a more cost-effective health care system. That will be gone with the repeal of the Affordable Care Act.

Let me talk for a moment about health centers because I know we made that a priority in the Affordable Care Act. Qualified health centers are centers that are located in, in many cases, challenging communities where it is hard to get doctors and hospitals to locate. We provide access to care for people who have limited means. The Affordable Care Act did two things that are extremely important in regard to health centers. First, it provided some significant new direct resources for those programs. Secondly, because they are in challenging neighborhoods, they have a much higher number of people who have no health care who go into these centers; therefore, their third-party reimbursement is much lower than other health centers that are located in better neighborhoods or more affluent neighborhoods.

The Affordable Care Act has worked in expanding dramatically the capacities of these qualified health centers. We have 18 that are located in Maryland. I could talk about all of them, but I have been to the Greater Baden Medical Services Center several times. It is located in Prince George’s County. They also have a center in St. Mary’s County. I have been to them many times and found facilities that thanks to the Affordable Care Act. I have seen the building in which they provide mental health services and pediatric dental care and actually adult dental care also. They provide those services, so we are helping them with the affordability of their health care. They told me that in the very first year alone of the Affordable Care Act, they were able to reduce their uninsured rates by 20 percent, meaning they get a lot more money coming in and they can provide many more services. All of that will be gone if the Affordable Care Act is repealed. I can’t be silent about that. This center is providing incredible services. It is one thing to have third-party coverage; it is another thing to have access to care. We provided both in the Affordable Care Act. We are not going to go back.

I heard Senator Durbin talk about Medicare. I just want to underscore this. This is not just about those under 65, it is about our seniors. It is about those on disability who are covered by Medicare.

We heard about the doughnut hole. We all understood. We were getting numerous letters from people who fell into the doughnut hole. Those letters are tailing off dramatically. Why? Because the Affordable Care Act closes the doughnut hole for prescription drug coverage. In my own State of Maryland, 80,000 Marylanders benefited in 2014 from the Affordable Care Act and better coverage for prescription drugs, amounting to $82 million, averaging over $1,000 per beneficiary benefit. Those over 65 have better coverage for prescription drugs. I heard from Laurel, MD, and all of a sudden seniors figure out they have to pay another thousand dollars a year for prescription drugs. In my State, they don’t have the money to do that. You are going to again hear about prescription drugs left on the counter at the pharmacy because of the repeal.

Guess what. It even does more than that. The Affordable Care Act provided greater solvency for the Medicare system. That was the $700 billion pool, the 95 corridor. I see small entrepreneurs who used to work for one of the giant departments, the VA, that was the doughnut hole. They wasted tons of money on these programs. It was something that was happening before the passage of the Affordable Care Act. That is wrong.

I received many letters from small business owners. One of the proud parts of the Affordable Care Act is that it helped our small business owners. Why? If you ran a small business, you wanted health insurance for your employees. You can keep them well. You were discriminated against before the Affordable Care Act. You didn’t have a big pool. God forbid one of your employees gets really sick during the year; your insurance premium goes through the roof. It is about that is what was happening before the passage of the Affordable Care Act. We are going to go back to the days where we tell small companies: You really can’t get health insurance because if someone gets sick, you have to pay the premium. It is basic. That is what we are talking about.

Annette of Bel Air, MD, wrote to me. She said she has saved significant money as a small business owner as a result of the Affordable Care Act. Tim from Laurel, MD, told me that in his small business, he saved $7,000 a year thanks to the Affordable Care Act. The reason is simple: You have broader pools, and you get the same type of rates larger companies get now. You will lose that with the repeal of the Affordable Care Act.

Let me tell you about one of the tragedies of this that will happen immediately, affecting America’s competitiveness and entrepreneur spirit. We know that a lot of people who work for big companies have great ideas, and they want to start out on their own. I have seen that over and over again in the biotech industries of Maryland. I have gone down the 270 corridor, the 95 corridor. I see small entrepreneurs who used to work for one of the giant defense contractors, and now they are pulling out and coming up with new ideas, doing things in a great way. That is what makes America a great nation. That is how we create jobs and how we deal with innovation.

Here is the situation. You are a 30-something-year-old, ready to leave that company and go out on your own. Your spouse has cancer. What do you do? You are not going to be able to get coverage. You are locked into that job. That will be a consequence of the repeal of the Affordable Care Act. We are
Mr. Kaine. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit legislation that makes America sick again.)

At the end of title IV, add the following:

SEC. 4. DON'T MAKE AMERICA SICK AGAIN.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any legislation that makes America sick again, as described in subsection (b).

(b) LEGISLATION MAKING AMERICA SICK AGAIN.—For purposes of subsection (a), legislation that makes America sick again refers to any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that the Congressional Budget Office determines would:

(1) reduce the number of Americans enrolled in public or private health insurance coverage, as determined based on the March 2016 updated baseline budget projections by the Congressional Budget Office;

(2) increase health insurance premiums or total out-of-pocket health care costs for Americans with private health insurance; or

(3) reduce the scope and scale of benefits covered by private health insurance, as compared to the benefits Americans would have received pursuant to the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 130) and the amendments made by that title.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. Kaine. Mr. President, I rise to offer this amendment, amendment No. 8, with Senator Murphy and other Senators, to the budget resolution we are currently considering, and the purpose of amendment No. 8 would be to create a point of order against any legislation that would either strip Americans of health insurance coverage, make health care more expensive, or reduce the quality of health care.

Our amendment creates a high hurdle to any legislation that would make America sick again, and basically that is what we are trying to do. If we are going to either strip coverage from people or make health insurance more expensive or reduce the quality of health care services, that they currently have, we shouldn’t make that easy to do. We should have a high hurdle in place so we consider it before we do it.

The point of order is necessary because the entire purpose of this budget resolution is not to really address the budgetary matters facing the country. I say that as a member of the Budget Committee. In fact, the budget process was basically ignored in the last Congress.

This budget is only before us to set up a pathway to pass a fast-track repeal of the Nation’s most consequential health care program in decades, a program that affects millions of people and a repeal being fast-tracked that would strip health care from millions of Americans.

I will come back to the health points in a second, but I want to address how we got to where the health question that was in the province of the Budget Committee.

I think it is a little strange that half-way into Fiscal Year 2017, which began October 2016, we are setting budget levels now. A budget resolution is a tool to set forth the guidelines for spending in Congress.

We know, in the history of this body, we are not always successful in passing a budget through both Houses of Congress and approving that budget through a conference process, but at least some progress is usually made; for example, both Houses doing their budget resolutions. As you know, that didn’t happen in 2016. Last year, our GOP counterparts in each House decided, for the first time in the modern budget era, not to hold a hearing on the President’s submitted budget, not to have any activity on a budget in the Senate, neither in the committee or on the floor.

To begin, I have to ask, if the budget wasn’t important enough for us to consider last year, why is it now so important for us to be taking up a budget? The answer is obvious. We are debating a budget for the sole purpose—the sole purpose—of setting in motion a process to repeal health care coverage for tens of millions of Americans. This is really about an attack on people’s health care.

I and many of my colleagues have said there is a significant need to make improvements to the Affordable Care Act and, more generally, to our health care system.

Mr. President, you were a chief executive of a State, just like I was. I learned something in my first year as Governor of Virginia, which was, when I looked at all the bills that were put before the Governor, the Legislature, or veto at the end of my State’s legislative session, three-quarters of the bills were not new legislation or not repeals of legislation; three-quarters of the bills were improvements of existing law. That is the work of a legislative body. Overwhelmingly, it should be improvements to existing law. The Affordable Care Act needs significant improvement, just as other health care laws do, just as virtually everything we do needs improvement.

There is no reason, while we acknowledge the need for improvement, to repeal a law outright without having a sense of what the replacement will be because, as we are doing, what we do is create chaos in the economy, chaos in the health insurance market, and especially chaos in the most intimate and important area of people’s lives, their health.

Actually, on that subject, there was a wonderful letter that was sent on January 3 by the American Medical Association to the congressional leadership on
this very point, don’t do a repeal that creates chaos for people. I am going to read some sections of the letter.

The AMA supported passage of the Affordable Care Act because it was a significant improvement on the status quo at that time.

We continue to embrace the primary goal of the law to make high-quality, affordable health care coverage accessible to all Americans. We also recognize that the ACA is imperfect, and there are a number of issues that need to be addressed.

Continuing the quote:

It is essential that gains in the number of Americans with health insurance coverage be maintained.

The letter concludes, from the American Medical Association, the largest organization representing American physicians:

Consistent with this core principle, we believe that before any action is taken, through reconciliation or other means, that would potentially alter coverage, policymakers should lay out for the American people, in reasonable detail, what will replace current coverage. Patients and other stakeholders should be able to clearly compare current policy to new proposals so they can make informed decisions about whether it represents step forward in the ongoing process of health reform.

The amendment Senator MURPHY and I propose is designed to accomplish exactly the goal, exactly the goal the AMA has specified in the letter of January 3.

We would create a 60-vote point of order against any legislation that would, first, reduce the number of Americans who are enrolled in public or private health insurance coverage, so there would be a 60-vote point of order against any proposal that would reduce coverage for Americans; second, the point of order would also lie against any plan that would increase health care premiums or total out-of-pocket health care costs for Americans with health insurance; and, third, the point of order would lie against any proposed plan on the table that would reduce the scope and scale of benefits offered by private health insurance because the ACA was not only about affordable care and it was not only about coverage, it was also about the quality of care.

Could your coverage discriminate against you because you are a woman? Could your coverage expire once you get an illness and now have a preexisting condition?

These bill of rights protections for patients were an important and integral part of the Affordable Care Act, and the budget point of order that we would put on the table would establish a 60-vote point of order, for considering any legislation if it triggered one of those three concerns: reduction in coverage, increase in cost, reduction in quality.

The point of order actually goes right to the heart of the pledge that the President-elect made. In September of 2015, President-elect Trump said:

He has made a promise to the American public that we will not rush into a new health care chapter that reduces coverage, that reduces quality, or that increases cost.

Just 2 days ago, the key spokesperson for the President-elect Kellyanne Conway said: We don’t want anyone who currently has insurance to not have insurance.

She is talking a threshold of 1 million people or 100,000 people or 10 people. She is saying the threshold is this: We do not want anyone who has insurance to have that insurance jeopardized by actions of Congress.

This is what a repeal of the Affordable Care Act, without a replacement plan, will mean. It will have three significant consequences, and then I want to finish with some personal stories.

First, a repeal will inflicts a significant wound on the American economy. Health care is one-sixth of the American economy, one-sixth. You cannot inject uncertainty into one-sixth of the American economy without having significant negative effects on our economic activity.

Congress should be in the business of increasing certainty, not increasing uncertainty, and if we go into the biggest sector of the American economy with a repeal, without any replacement strategy, it is going to add $15 trillion to the national debt.

Second, the effect of the repeal of the Affordable Care Act is going to impact every family in every community.

Congress should be in the business of increasing certainty, not decreasing certainty, and if we go into the biggest sector of the American economy with a repeal, without any replacement strategy, it is going to add $15 trillion to the national debt.

Second, the effect of the repeal of the Affordable Care Act is going to impact every family in every community.

Third, the impact that is the most significant is the impact on the health care of average Americans. The Urban Institute did a study in December and said: If there is a repeal with no replacement or a repeal with a delayed replacement, we can know not what it will be, there will be 30 million Americans who will lose their health insurance. About 20 million will be people who got health insurance under the Affordable Care Act, and an additional 10 million will be people who will lose their insurance because of the chaos created in the insurance market.

To put that number, 30 million, into a context because numbers can just sound big and mysterious. Here is what 30 million people is. The number of people who would lose health insurance because of an ACA repeal is equal to the population of 19 States: Wyoming, Vermont, North Dakota, Alaska, South Dakota, Delaware, Montana, Rhode Island, New Hampshire, Maine, Hawaii, Idaho, Nebraska, West Virginia, New Mexico, Nevada, Utah, Kansas, and Arkansas.

Nineteen States combined populations, that is 30 million people, and that is who is going to lose health care coverage if we go forward with a repeal without a replacement.

Eighty-two percent of these 30 million who would become uninsured are working families. 38 percent will be between the ages of 18 and 34, and 56 percent are non-Hispanic Caucasians. Eighty percent of the adults becoming uninsured are people who do not have degrees. The other half will be 12.9 million fewer people who have Medicaid or CHIP coverage in 2019 if the repeal goes through. These are some sobering statistics. These statistics show that, at a minimum, what we are doing here is very, very consequential and very, very important and should not be rushed into in a partisan 51-vote budget reconciliation process.

I want to conclude and tell a couple of stories from Virginians of people who are going to be impacted by this. When we essentially recessed in the Senate on December 9—between then and now—I went around the State and talked to people. I heard a story that I want to share, and then I will tell a couple of quick ones.

I met with Ashley Hawkins, a young mother in Richmond, a mother of two kids. We sat around a conference table in a federally chartered community health center in Richmond and talked to stakeholders. Ashley told her story. She had a preexisting health condition. Before the Affordable Care Act, health insurance was unaffordable. After the Affordable Care Act passed, she could suddenly get insurance.

She runs a small business. She runs a nonprofit that provides community arts education that serves others. Because of the ACA, she has been able to sign up on exchanges and get health insurance. Because of her income, she can receive subsidies to make health insurance affordable. She makes $45,000 a year.

Without health insurance, the recent hospital bill for the birth of her youngest child would have been close to $16,000. With the Affordable Care Act, she receives a subsidy, and she is able to access high quality health insurance for her and her two kids for $280 a month. That is the difference between
not being able to afford to go to a hospital and deliver a child and to be able to afford, as a small business owner, a health insurance policy that covers her and her two kids for less than $300 a month.

This is what she said as we sat around the table and talked about what it means to have affordable insurance. She said: “It has to do with self esteem and security and well-being.”

Having health insurance is about security. In your case, you are not sick. Obviously, when you are sick or when you are delivering a child, health insurance is needed. But when you are a mother of two children, even if you are at the peak of your health and even if your children are at the peak of their health, you would go to bed at night—and Ashley described this—wondering: What will happen tomorrow if my child gets sick? What will happen tomorrow if I am in an accident? Not having health insurance for a parent is a continuous worry in your mind. It is an anxiety creator, about what is going to happen to my family if we get sick or get in an accident, which is something that happens to virtually every family. It has to do with self-esteem, with security, with well-being. Without the protection for people with preexisting conditions, without the subsidies in the marketplace, people like Ashley will go back to not being able to afford coverage for their families.

After the Affordable Care Act passed, I happened to be in a position where I was trying to buy health insurance in the open market without an employer subsidy for the first time in my life. When I said I was doing this, what I mean is that my wife was doing all the work because she is the one who does all the work. She talked to two insurance companies who said: Hey, sorry, Anne, we can’t afford your entire family because you have preexisting conditions. One company would not cover me. One company would not cover one of my children. My wife said: Hold on a second. The Affordable Care Act just passed. You can’t turn somebody down on a preexisting condition now.

In each case the insurance company said: I have to talk to my supervisor. They had to call back and say: You are right; we are wrong. We have to provide insurance for your entire family. Can we afford it? My family is the healthiest family in the United States. At the time my wife was making those phone calls, of the five of us, the only time any of us had ever been hospitalized was in the three occasions my wife went to the hospital to give birth to our kids. We are a healthy family, and we were turned down twice because of a preexisting condition by insurance companies that had to say: We are wrong, and because of the Affordable Care Act, now we can write a policy for your entire family.

I had a woman write me a letter—a Virginian from Williamsburg—a couple of years ago who said: My husband and I are self-employed, and we could never afford insurance. Because we couldn’t afford insurance, we decided that we couldn’t have children. We couldn’t pay a hospital bill. This is what the Affordable Care Act has meant to them. We often talk about life and death issues, health issues, cancer diagnoses, and preexisting medical conditions. They can be life or death issues, but they can also be life issues, in the sense of this couple who wrote and said that because they could not get insurance, they employed individuals with subsidies to make it affordable, they are now going to start a family because of the Affordable Care Act. They could start a family.

Finally—and I will always remember this because this gives me this great motivation—as I was getting outside of my native Virginia and exploring other States on an interesting 105-day summer vacation as part of a national ticket, I went to the Iowa State Fair. I told the story of the family on the floor, but I am going to tell it again. A grandfather came up with a little boy in his arms. I said: What is that child’s name? Jude. Jude, the patron saint of lost causes. There is St. Jude Children’s Research Hospital in Memphis, a place where children have been able to go to get medical care.

I knew there must be a story. I said: Hey, Jude, tell me about Jude. Jude was a 3½-year-old who was diagnosed with a rare heart defect and by age 3½—as his grandfather told me the story, now mom and dad were coming around me as well—Jude had to have multiple heart operations at the Children’s Hospital in Omaha. The grandfather said to me that Jude would not have been able to have those operations and Jude would be uninsurable for the rest of his life if it were not for the Affordable Care Act.

Then Jude’s father put his hand on my shoulder and said: This is a big guy. He said to me: You have to tell me that you will do everything you can to make sure that Jude isn’t stripped away and consigned again into the outer reaches of preexisting conditions and uninsurable, with an uncertain future for my son. I made a pledge to him. I said: I am only one person. I don’t know what, at the end of the day, I can do, but I can tell you this. I can stand up to make sure that your child and other children—such as Ashley’s two kinds—and two kids and I vote me about wanting to have children—will not be left high and dry and without the security of health insurance in the wealthiest and, to my way of thinking, still the most compassionate Nation on the face of this planet.

I encourage every Member of this body to ask their constituents for stories like Ashley’s, like Jude’s, like my family’s, and like the family in Williamsburg about how an ACA repeal with no ACA would impact them. I will go back to the purpose of the amendment. The ACA is not perfect. We ought to be talking about reform. If Republicans want to call it replace and we want to call it reform or improvement, I don’t care what we call it. We should have the AMA, hospitals, patients, and Members of Congress from both parties around the table to lay down what are our concern, what are our ideas, and how to fix them. There is so much we can do. There is so much we can improve. But by pushing an immediate repeal through a partisan budget process, we won’t have the opportunity to work together to build on that common ground.

This is not a game. Sometimes we get into a budget vote-arama, and it has a little bit of a game aspect to it. I have been here until 2 a.m. or 3 a.m. when amendments are put on the table, there are 1-minute presentations of why it is good or bad, and we have a vote. It has a little bit of a feeling of a game. This is not a game. This is life and death.

Anne said anything more important to someone than their health, because their health forms the foundation of their relationship with their spouse or their loved ones or their children? Health is what keeps a parent up at night worrying about the family. Health is what keeps a child worrying about an elderly parent. This is the most important thing to any person in this country, regardless of party, regardless of State, regardless of political persuasion. The worst thing we can do on a value of such importance is to rush and create chaos in the lives of millions of people.

So I conclude by saying that the amendment that Senator MURPHY, I, and others offer would seek to protect what we have—protect coverage, protect costs, protect quality—by making it harder to enact legislation that would strip these important items away from tens of millions of Americans.

We should be sitting down at the table to talk about reforms. So many of us want to do that. But we should not be rushing into a repeal that would jeopardize people’s lives.

I urge my colleagues to please support amendment No. 8.

Thank you, and I yield the floor.

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

Mr. ENZI. Mr. President, I ask unanimous consent that at all time be considered time on the resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that during the periods of a quorum call, the time be equally divided between the two sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. ENZI. 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. MURPHY. 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. MURPHY. Mr. President, what is happening on the floor right now is absolutely extraordinary. It is absolutely extraordinary that Republicans are using the budget process, the reconciliation process, in between the swearing in of a new President, to rip away from 20 million Americans health care insurance, to drive up rates for one-third of consumers in this country who have some form of preexisting condition—a sickness that without this law would make their rates go higher—and to throw the entire health care marketplace into chaos.

It is absolutely exceptional what is happening right now. No one in this body should be proud of this. No one outside of this body should perceive this to be just politics as usual.

I was here when the Affordable Care Act passed. I was in the House of Representatives. Then, I have heard my Republican friends say over and over again that they want to repeal the Affordable Care Act and replace it. I can’t tell you the hundreds of times I have heard that phrase, “repeal and replace.”

President-Elect Trump talked about that throughout the campaign, and then 2 days after he won the election, on Thursday night, he went on national television to double down on the promise that there would be an immediate replacement. He said: There will not be 2 hours between the Affordable Care Act being repealed and it being replaced with something better.

That is the second part of the argument that Republicans have made. The Affordable Care Act, in their minds, was deficient, despite the fact that there are 20 million people who have insurance today who wouldn’t have it otherwise. And despite the fact that there are hundreds of millions of Americans across the country who don’t have to worry about them and their loved ones having their insurance rates jacked up because they are sick, and despite the fact that seniors are paying thousands of dollars less in prescription drugs than they were.

The Affordable Care Act isn’t perfect—it never was—but the enthusiasm of Republicans to take away from America’s seniors health insurance and to drive rates up for millions more is really unbelievable.

We heard over and over again that the priority was to repeal it and replace it. Now we are repealing the Affordable Care Act with no plan for what comes next. We are driving forward with a repeal vote with no plan for how we keep the health care system together, how we prevent it from falling into chaos, how we continue to ensure the millions of Americans who rely on it.

There is a cruelty to this enthusiasm for immediate repeal that is a little bit hard to understand—it is really hard to understand.

I think about somebody like Jonathan Miller, He lives in my State. He lives in Meriden, CT. He was born with cystic fibrosis. He is insured today through the Affordable Care Act. Here is what he wrote to me:

For me, I was able to live a relatively normal life growing up, wonderful family and friends, but health has always been the most important thing in my life. Is predators in a good health year probably one or two hospitalizations each year that require IV antibiotics, I am on a whole suite of medications, each day I take some medications to treat some of those are pills, some are breathing treatments, and then there is the shots. Healthcare is the number one priority in my life, it’s more important than income, more important than anything else, being able to maintain my health.

He is insured by the Affordable Care Act today, but he also receives the benefits of the insurance protections because of the Affordable Care Act, even if he had insurance, would lose it—probably a couple of months into the year—because of a practice prior to the Affordable Care Act of capping the amount of money you would be covered for in a given year on the medicines. Jonathan would have blown through that in a heart-beat.

It is not hyperbole when he says: ‘‘Without the Affordable Care Act, I’d probably be dead within months.’’

That is the reality for millions of people across this country. Without health insurance, they cannot survive. They can’t afford their medication.

So this isn’t just about politics, this isn’t just about the words on the page, these are people’s lives. This is about life or death, and the casualness of throwing out a law without any concept of what comes next—I have read so many quotes in the paper over the last few days of Republicans admitting that they don’t know what they are going to do in its place, but they still feel the need right now, in the lameduck session, to begin the process of repealing this law without any concept of what comes next.

Why do it now? Why not take one step back? Why not reach across the aisle to Democrats and say: We are going to repeal the Affordable Care Act, and we are going to replace it with something better. We are going to take the millions of Americans who are enrolled in health insurance; No. 2, increase premiums or total out-of-pocket costs for those people with private insurance; or, No. 3, reduce the scope and scale of benefits that people have.

I have heard my Republican friends say: We are going to repeal the Affordable Care Act, and we are going to replace it with something better. There is no one cost cutting, it is not reducing costs, and it is not going to reduce benefits.

I am going to be honest. The replacement isn’t coming. It is not coming, and even if it comes, it can’t meet those three tests. There is no way there is a replacement coming that is going to maintain the 20 million people who have insurance now, that is going to maintain cost controls and maintain benefits. It is not happening.

I show a flash to the American public: This law is being repealed under a budget reconciliation process that shuts out Democrats, and it is not going to be replaced by something that is equal in quality or better.

Mr. MURPHY. Mr. President, I would just say, I had the pleasure of sitting here listening to the Senator from Connecticut talk about his concerns about repealing ObamaCare, and I would say it strikes me that their posture is, that we sold the American people a lemon, and we insist they keep it.

Our position is that ObamaCare has been a failure. It has been a grand—in terms of scale—experiment, a national experiment that has failed.

Yesterday I talked about the fact that my constituents are writing me and telling me that their premiums, in many instances, have doubled, and their deductible has gotten to the point that they are effectively self-insured so their insurance does them virtually no good.

We will vote to repeal ObamaCare, but obviously we are not going to leave people hanging out to dry. We are going to make sure they have coverage that they can choose and that they can afford. I welcome the assistance of our colleagues on both sides of the aisle to try to craft a bipartisan reform.
The biggest failure of ObamaCare was the fact that when our Democratic friends had 60 votes in the Senate and they had President Obama in the White House and a majority in the House, they jammed it down the throats of the American people. That is really why ObamaCare is happening. It was purely a partisan political exercise. We need to start over by repealing ObamaCare and then reforming our health care system so people can buy the coverage they want at a price they can afford. We are going to work very carefully to make sure the transition is thought out, methodical, and very carefully done.

NOMINATIONS

Soon, Mr. President, we will be considering and confirming men and women nominated by the President-elect to fill leadership roles throughout the administration. This is crucial to ensuring a smooth transition from one President to another, and it is important to make sure the next President has the people and resources he needs to help lead our country.

I have had some of the reporters in the hallway say: How in the world can you process so many nominees at the same point, so quickly? I said: It is the tyranny of the calendar. We are going to have a new President on January 20, and wouldn’t you want—for example, the President’s CIA Director choice, the Attorney General, the Secretary of Defense, the Secretary of the Department of Homeland Security, the Director of National Intelligence—wouldn’t you want all of those key national security positions filled as soon as possible in case some of our adversaries decide to take advantage of this transition to try to threaten the United States?

It makes sense to me that we would work in an orderly sort of way with our colleagues across the aisle to make this smooth transition. One of the first things President Obama to President Trump. President Obama has said that is what he is working to do, and you would think it would make sense for us to be a part of the solution and not a part of the problem.

Holding up confirmations just for delay’s sake is irresponsible and it is dangerous. As I speak, there is a hearing going on on the foreign cyber threats in the Senate Armed Services Committee. The American people are justifiably concerned about what our adversaries are doing in cyber space. But it is not related to just cyber space, it is related to nuclear threats from countries such as North Korea, obviously the ongoing humanitarian crisis and civil war going on in Syria and elsewhere, the threats from Russia not only in cyber space but also to our NATO allies in Europe, and I could go on and on talking about Iran and its nuclear aspirations, its ballistic missile capability.

This is the world we are living in, and why in the world would we want to make it even more dangerous just to let our colleagues delay for delay’s sake President-Elect Trump getting to fill his Cabinet, particularly these important national security offices? The truth is, when it comes to wanting what is best for America, we are all on the same team. We should all want what is best for our country. It doesn’t do our Democratic colleagues a bit of good to delay the inevitable because, thanks to former Democratic leader Harry Reid and the so-called nuclear option that changed the Senate confirmation rules, we know that President-Elect Trump’s Cabinet members will be confirmed. It is going to happen because it takes 51 votes. Just delaying for delay’s sake out of partisan pique really doesn’t do anything to accomplish any goal but, rather, makes our country more dangerous and denies the President-elect the Cabinet he has chosen.

When President-Elect Obama was nominated to office, we acted very quickly. In fact, on the day he was inaugurated—January 20, 2009—seven of his Cabinet members were confirmed. We were not happy about the outcome of the election on this side of the aisle. We wished a different electoral outcome had occurred. But once the voters had spoken, we accepted the verdict. We worked cooperatively to see a smooth transition from the Bush administration to the Obama administration. I believe it is our duty to do that. Nearly all of President Obama’s Cabinet nominations were confirmed within the span of 2 weeks. We came together, understood that the people had spoken, and we went to work to cooperate in good faith, not necessarily because we were happy about the outcome but because it is our responsibility to do so.

Then there are some of the statements from some of our colleagues across the aisle that they now appear to be walking away from. In the spring of 2015, just hours after the 114th Congress was sworn in, the senior Senator from Michigan, said: “When a President wins an election, they have the right to have their team.” He said that on April 20, 2015. I hope that not only the President from Michigan but her other colleagues remember that position they took then and simply reciprocate in good faith during this transition.

Senator Stabenow is right, by the way. No matter which side you are on, the American people have a right to have their voices in whom they wanted to pick the next Supreme Court Justice, whether it was a Democrat or Republican in the White House, and we would move forward with that nominee in the Clarence Thomas case.

I hope our Democratic friends don’t slow-walk President-Elect Trump’s nominees. It is one thing to obstruct, but it becomes an even bigger problem when they intentionally try to keep President Trump from doing the job the American people have given him the responsibility to do.

The American people made clear in November that they are done with
business as usual here in Washington, DC. Frankly, I don’t think it was a robust endorsement of either one of the political parties. We got an unconventional President-elect, and I think the American people expect him to shake this place up, and I think he will. We interject him to make sure there is a positive outcome for the American people. I don’t think they are interested in political stunts or delay for delay’s sake, nor do they want us to return to the dysfunctional do-nothing Congress of the past. They want results, and they want a path forward toward a brighter future for themselves and their families.

Let’s not keep from President Trump the men and women he has chosen to work alongside him. That would only make us less safe, our economy more fragile, and the government less efficient. After all, we are paying the bills as taxpayers. Why would we want a less efficient or less effective government? In short, I want to serve the interests of the American people well.

I know we are ready on this side of the aisle to roll up our sleeves and get to work. As I have learned through hard experience, the only time anything is accomplished in the Senate is when we work together. I am not talking about people sacrificing their principles. We ought to fight like cats and dogs when it comes to our basic principles. There are a lot of things that are outside of those principles where we can find common ground and work together and build consensus. I think we ought to take advantage of this historic opportunity to do just that, starting with confirming the President’s Cabinet and letting them get to work to help his administration as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. Porter. Mr. President, I am going to talk about the resolution we are moving to that will allow us to repeal and begin the replacement for the President’s health care plan.

A little over 3 years ago, President Obama hailed the start of the ObamaCare exchanges as a life-changing opportunity for Americans. For most Americans, it was life-changing, but it didn’t turn out to be an opportunity. It was a life-changing experience because in many cases the insurance they had was no longer affordable, what they thought met their family’s needs was no longer available, and the cost continues to go up.

When President Obama pushed the health care law through Congress without a single Republican vote, he repeatedly assured Americans that they would be able to keep the plans they had, that they would be able to keep the doctors they had, and that every family would have a significant reduction in health care costs. The President continued to make every one of those commitments until the plan actually was put in place and it was obvious those commitments were not going to be what happened. By the end of 2013, at least 4.7 million Americans had their plans canceled because they didn’t meet the law’s mandatory requirements. Remember, these were plans that 4.7 million people thought met their needs because they could afford those plans. That is why they bought them. They might not have been perfect. They might have still been a stretch on their budget, but they decided: This is insurance I can afford. This meets the needs that I can afford to meet with the insurance I can buy.

The President’s claims about everybody being able to keep their policies and keep their doctor were so far from reality that Politifact rated it as the lie of the year. I don’t like to use that language as it relates to the President of the United States. I would say it must be really easy to become isolated in the Oval Office, and the President lost sight of the everyday man and the everyday woman that sounds to him as if his plan is working, but the truth is that the President is not entitled to his own facts. He is entitled to his own opinion. He is entitled to his vision of what he thinks health care in America should look like, but he is not entitled to his own facts. If it is not happening the way he thinks it is happening, somebody needs to tell him. But, of course, in just a few days there will be a new President, and we have to deal with the chaos, frankly, that has been created under the old law.

President Obama said this law would mean more choice, more competition, and lower-cost millions of Americans. Nobody can find those Americans. A number of Americans got on Medicaid, another government program, who weren’t on Medicaid before. But there aren’t millions of Americans who have more choices, and there aren’t millions of Americans who have more competition for their business, and there aren’t millions of Americans who have lower costs. In fact, just the opposite would be the case in Missouri, where I live. A number of insurers pulled out of the exchange totally. Our neighboring States all have the same experience and, in some cases, even worse experience, but the competition, the choices, just aren’t there because the system doesn’t work.

We have 115 counties in our State, and in 97 of them, you have one choice; you have one insurer offering insurance. That one insurer may offer three different plans, but there is no competition for whatever level you are shopping for. There is only one place to get that level. This would be as if there is one shoe store in town and none of the shoes fit and they all cost too much, but if you didn’t buy the shoes in that shoe store—and the chairman of the Budget Committee knows a lot about this business—You wouldn’t have to pay a penalty for not buying shoes that were available at that one location. Everybody would think: Well, that is unacceptable; you ought to at least be able to drive to another community and look for shoes. But that is not the case in 97 places, 97 counties. The vast majority of our State and a couple of States have no counties on the individual exchange that have competition.

We were looking at seven counties a year ago in Missouri had at least two companies offering insurance, so there was at least a competitor. Some had more than two companies offering insurance. Now 97 have one company.

The promise was to bend the cost curve. The cost curve bent, but it bent the wrong way. The cost curve went up; it didn’t go down. In our State, again, increased premiums have been as high as 40 percent.

In a number of States, they are in the 70-percent category. In one State, there is a 100-percent increase—not from where ObamaCare started but from last year—in the cost of insurance for individuals and families had too often already doubled, and now another add-on.

I was with somebody the other day, and asked them about their insurance. He was a healthy guy in his mid-40s. His wife and two daughters were healthy. I said: What are you doing for insurance?

He said: I am self-employed. In 2009, there were four of us. We had insurance we thought met our needs. We were paying $300 a month. Now we are paying $1,190 a month, and we have a $7,500 deductible. If two of us are sick, we have to submit that deductible twice before we get any assistance from the insurance company—a $15,000 deductible if two people in the family are sick with a $1,190 monthly premium.

This is a family that had no health care problems. This is not a response to somebody who has a policy that they were using. This is a policy that wasn’t being used and, of course, with a $7,500 deductible unlikely to be used unless that family really has a catastrophic situation occur. We know that family found out a few months after I visited with them was that their policy went up closer to $2,000 than $1,190.

The average deductible for a mid-level plan—there are the gold plan, silver plan, the bronze plan. For the silver plan, the average deductible in the exchange last year was $3,000. The average deductible in the bronze plan was $5,000, and it is higher than that for many people.

To make matters worse, if you aren’t able to afford the few options available on the exchange, you pay a penalty. So you have no competition. You are required to buy the product, and if you don’t buy the product, you pay a penalty. It could have been as much this year as $2,045, but if your option is to pay $15,000 or $20,000 for insurance that has this high deductible, that is what many people have decided to do.

I have heard a lot of Missourians from the day this was initiated through today talking about the individual challenges they have seen. For
example, Dave, a small business owner in Columbus, said that the premiums for his employees have doubled. Why would that be the case? One, the standards necessary for a policy change and, two, if you’re losing all this money in the individual marketplace, the insurance companies make that up somewhere. So his premiums have doubled. At the same time, they have continually had to raise deductibles and seriously reduce benefits. The cost goes up and the coverage goes down. I think that is what President Clinton said when he said this is a crazy system. It is costing more all the time and covering less. That is what Dave has found out in his business, and he was told late last year that he should expect a 40-percent increase this year. He said: If that happens another time, we are no longer in the employee-employer provided insurance marketplace.

Another location that serves our State and happens to be headquartered also in the Old Missourians Transportation System, a not-for-profit. They provide critical transportation services to older Missourians, and they have it other places in the country—older Missourians to low-income and underserved in our State that don’t have other transportation options. The costs to insure their drivers have gone up by half a million dollars. The paperwork to comply with the law’s requirements, as the executive director told me, is so complex and cumbersome, they had to spend additional money to hire a consultant to implement a software program to help them keep up with the new mandates. It suddenly got even harder to be a not-for-profit and break even.

Families and small businesses shouldn’t be penalized because the law did not live up to its promise: If you like your health care, you can keep it. If you don’t, you can go out and pick another one. Your family policy until you are 26. Your family will go down by $2,500 after this plan is put in place. Those things didn’t happen.

We are in a chaotic situation now, and it is time to move in a new direction. We will have a bill before us very shortly that will allow us to begin that transition to do things that will prevent Washington from getting in between health care providers and their patients. We will do things that will break the artificialities that artificially restrict choice and prevent Americans from picking insurance that meets their family’s needs that they can still pay for. What a concept that would be.

This is basically the system we had before. It wasn’t a perfect system, and I will say the biggest straw man put forward in that system was that nobody else had any ideas. There were plenty of other ideas, ideas that would better serve American families, American job creators, American job holders, small businesses to band together and become a bigger group to seek group insurance for a number of businesses instead of just one business’s health savings account, better use of health savings accounts, buying across State lines, and things that I proposed specifically on letting your family stay on your insurance a little bit longer. Frankly, that was a 4-page bill ago that would have allowed you to keep your insurance every year so you can stay on your family policy until you are 26. There are four pages with a lot of white space. This does not have to be that complicated. There is no cost to taxpayers. Frankly, you are adding young, healthy people, not much cost to anybody but fundamentally no cost to taxpayers. It is just an additional way to look at things like buying insurance across State lines would be. There are solutions here, but we have been prevented from moving to those solutions. I urge my colleagues to support the resolution that will allow us to move forward. We will begin to eliminate the chaos of ObamaCare and restore the focus on people, the doctors they want to have, and the places they want to go to get their health care.

I yield the floor.

The PRESIDING OFFICER (Mrs. Fischer). The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that at 2:45 p.m. today, the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered. Mr. ENZI. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to begin my remarks this morning by taking stock of how the 115th Congress, led by my Republican colleagues, seems to be coming out of the gate. Here is what is coming if the Senate vote in relation to amendment No. 8.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. WYDEN. As I think about this resolution, it is so ordered.

I yield the floor.
side, tens of millions of Americans lose insurance and suffer economic pain. That is the typical family. On the other side, there are substantial tax breaks for those at the top of the income scale.

One of the questions I am asked nearly every day in these halls, and I am asked this by many in the press and elsewhere, is whether Democrats are going to take part in this effort and what ideas Democrats would put forward. I want to take just a minute to describe, in answer to this question, that the Senate at its best, working together. That is the Senate at its best. That is the Senate at its best.

A typical proposal that comes to the Senate floor is subject to unlimited debate and unlimited amendments. Usually it takes 60 Senators, Members from both parties to come together and vote to pass legislation. It is very rare that a party builds that kind of supermajority on its own, so the two sides have to work together. That is the Senate at its best.

I see my friend, the distinguished chairman of the Budget Committee, Senator Enzi. He and I have served on the Finance Committee. At its best, that is what the Finance Committee has always been about—trying to find common ground, working together to get a proposal that can get 60 votes. Reconciliation throws those unique characteristics of bringing Senators together; basically, reconciliation just trashes it, throws it out the window. In my view, when you use reconciliation the way it is being used here, you are telling the other party you neither need nor want their votes. It puts a one-sided proposal on the fast track to passage, tight limits on debate and amendments, a bare majority of votes required to actually pass it.

I am very concerned that what is at issue now is a serious misuse of the reconciliation process. This is not a simplified procedure to address a budget issue; this is an effort to ram through repeal and run. Second, this is not your run-of-the-mill congressional debate where you have both sides bringing their best ideas forward to tackle a policy issue.

For my Democratic colleagues and I have said that we are ready to work on a bipartisan basis to solve this country's health care challenges. I think I have spent about as much time as anybody in the Senate working to try to find bipartisan solutions to the country's health care challenges. Back in 2008, 2009, we had a bipartisan proposal: seven Democrats, seven Republicans. We had never had that before. I can tell you, we Democrats are ready to work on a bipartisan basis to solve the country's health care challenges.

For me, essentially what I have tried to make my top priority for public service—health care is one-sixth of the American economy. It has always been the issue that Americans care the most about because if you and your loved ones don't have health, nothing else much matters. So we ought to be working on a bipartisan basis to solve the country's health care challenges, finding ways to lower costs for families, making prescription drugs more affordable, uplifting the promise of Medicare, and strengthening its guaranteed benefits.

When I was director of the Gray Panthers at home, a senior citizens group, we always said that Medicare was a promise. It was a promise of guaranteed benefits. We ought to strengthen that promise, particularly updating it to incorporate changes in the program that reflect the needs of the Americans who face chronic health conditions, which is where the vast majority of Medicare dollars are going.

That is what we ought to be doing, uplifting the promise of Medicare, working together in a bipartisan way. But that is not what is happening here. From the other side, what we have heard again and again is repeal and replace, dozens of partisan votes producing legislation that burned out in the Senate's chamber.

Now, with a new administration, the Trump administration coming in, the Republicans kick off a procedural scheme that slashes taxes for the most fortunate, raises costs for typical Americans, and takes insurance coverage away from tens of millions of people. No Democrat is going to buy into that proposition. The reason they won't is that the American people are not going to buy into that proposition. This scheme is going to bring on a manufactured crisis that does harm to millions of Americans across the land, rocks our health care sector, our providers, our plans—all of those who make up this health care system. One side is pushing it, but the other side is saying: No, let's not create this catastrophe.

That is why, in my view, the questions about Democrats signing on to flawed, bad proposals miss the point. Everyone recognizes that the strict and immovable strategy adopted by the other side 8 years ago paid dividends in elections. But politics is different from governing. Politics is different from governing because there are serious consequences to inaction and actions that deprive Americans of health insurance. Families are going to feel economic pain when premiums and deductibles jump.

I believe Americans are going to speak out. They are going to rally against an unfair, unbalanced bill that cuts taxes for the most fortunate, while putting insurance companies back again in the driver's seat. What is at stake here is pretty simple: it is whether or not America is going to turn back to the successful model we worked through those dark days when health care in our Nation was reserved for the healthy and the wealthy.

My colleagues and I say no way. We are going to fight that unfair, imbalanced approach in every way we can. I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

Mr. ENZI. Madam President, today I have been listening to the diatribes against the repeal resolution we are voting on, and I think some things need to be answered.

The Republicans are not trying to throw 30 million people off of their insurance. What we have seen over the time ObamaCare were 30 million people who were uninsured when we started that debate, and today there are 30 million people who are uninsured. Now it is a different 30 million people. The 30 million people who come scale. The 30 million people who come step by step to a new set of reforms, and we want them to have insurance. And the 30 million people who are now off insurance used to have insurance, but they can no longer afford it. There has been a huge increase in the cost of health care. That is the way it was supposed to be. The prices were supposed to come down.

Yesterday we took the first step in fulfilling the promise of repealing ObamaCare, which will pave the way for real health care reforms to strengthen the doctor-patient relationships, expand choices, lower health care costs, and improve access to quality, affordable, innovative health care. As I discussed yesterday, while Republicans will start by repealing ObamaCare immediately, we will ensure a stable transition in which those with insurance will not lose access to health care coverage. This will allow us to move step by step to a new set of reforms, listening carefully to the advice of millions of Americans affected and making sure we proceed wisely, doing no harm.

There is a common misconception that some of my friends across the aisle have promoted. It is the idea that ObamaCare was a success and that repeal will be tearing down a functioning program. That is not true. ObamaCare has put our health insurance markets on the brink of collapse in many parts of the country. And what Republicans face now is an imperative to do something that the Democrats couldn't bring themselves to do when they had control, and that is to fix the problems they created.

ObamaCare became the epitome of a sacred cow for them, and any changes, as you can see, unless done by Executive action, were out of the question. As I discussed yesterday, while President Obama recently admitted in October 2016 at Miami Dade College that the law has real problems and that, in his words, "There are going to be people who are hurt by premium increases or a lack of competition and choice." That is the health care the United States is talking about ObamaCare. In that same speech, he went on to call these issues "growing pains." I think that is a troubling
blind spot about this law that he and many of my Democratic colleagues share. Millions are facing improbably high health insurance premiums for plans they may not even want to have. Costs are going up, and they can’t afford—or choose not to pay for—these changes. Families who were counting on the tax credits and subsidies that are built into the law, and who were counting on the ability to consider it and bring us to a budget that would begin from the time the President is sworn in, but Republicans reject the budget requirements, and that is going to pull the United States out of the hole that we are in on our deficit spending, which results in huge debt. We need to fix it for both of them.

So I think Members are looking forward to an open and serious debate—I hope that is something we can both agree on. Thank you. I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be assumed to be charged to both sides.

The PRESIDING OFFICER (Mrs. Ernst). The Senator from Kansas.

Mr. MORAN. Madam President, in 2010 the American people were promised a number of things, but among

is happening with health care. If somebody wants to raise the threshold of the $1 billion for each of the two committees, that would be perhaps acceptable—unnecessary but perhaps acceptable. If somebody wants to change the budget, we are going to have an actual change to change the budget. That is where we are at this point in time on our spending. Hopefully, we will do well on the new budget and come up with a plan that is going to pull the United States out of the hole that we are in on our deficit spending, which results in huge debt. I would like to make that distinction. Deficit is our overspending. Debt is the amount that we owe that we have to pay interest on—like pouring money down a hole—and that interest is a tax for hard-working taxpayers. I think that is something both sides can agree on, and that is what will happen.

This resolution we are debating does two things. It recognizes the point in the budget we are at considering the points of order and things that happened up to this point in time. We are just recognizing that is where this budget is. It still keeps in place the points of order to maintain some control over our spending, but the significant part is the repeal part. That is where we institute the reconciliation, and all that is, is an instruction to two committees on the Senate side and two committees on the House side. The two on the Senate side, were the Finance Committee—they are the ones who deal with all of the taxes and the finance and the Medicare and the Medicaid, and they need to save $1 billion over 10 years. That is peanuts around here. They will go further than that, I am certain. And then the HELP Committee—Health, Education, Labor, and Pensions—also has an instruction to save $1 billion. That is it.

This isn’t a debate over what the changes are going to be to ObamaCare; this is a debate about whether we are going to give two committees, which have jurisdiction over this situation, the ability to consider it and bring us something. It has to conform with the budget requirements, and that is going to be the case here. That is why we have a very low threshold, each of them saving $1 billion. That is the time when we will have the debate on what

cause they couldn’t afford the insurance premium. They could also see no way that they were going to be able to get a benefit from that.

For those lucky enough to be able to afford insurance, particularly in the individual market, under the new health care law, premiums were increasing faster in 2017 than in previous years. Some States will see insurance premiums rise by as much as 53 percent. I think that makes it truly an emergency.

After discussing the why, it is important to talk about how we are going to do this. Passing the repeal resolution we are currently debating today will allow Republicans to use the budget reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare. Let me say that again. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare.

After Congress passes this repeal resolution, it can then move forward on reconciliation legislation that will provide for the repeal of ObamaCare and pave the way for real health care reforms. I think Members are looking forward to an open and serious debate about the future of America’s health and its health care system and the importance of restoring the trust of hard-working taxpayers. I think that is something both sides can agree on, and that is what will happen.

This resolution we are debating does two things. It recognizes the point in the budget we are at considering the points of order and things that happened up to this point in time. We are just recognizing that is where this budget is. It still keeps in place the points of order to maintain some control over our spending, but the significant part is the repeal part. That is where we institute the reconciliation, and all that is, is an instruction to two committees on the Senate side and two committees on the House side. The two on the Senate side, were the Finance Committee—they are the ones who deal with all of the taxes and the finance and the Medicare and the Medicaid, and they need to save $1 billion over 10 years. That is peanuts around here. They will go further than that, I am certain. And then the HELP Committee—Health, Education, Labor, and Pensions—also has an instruction to save $1 billion. That is it.

This isn’t a debate over what the changes are going to be to ObamaCare; this is a debate about whether we are going to give two committees, which have jurisdiction over this situation, the ability to consider it and bring us something. It has to conform with the budget requirements, and that is going to be the case here. That is why we have a very low threshold, each of them saving $1 billion. That is the time when we will have the debate on what

cause they couldn’t afford the insurance premium. They could also see no way that they were going to be able to get a benefit from that.

For those lucky enough to be able to afford insurance, particularly in the individual market, under the new health care law, premiums were increasing faster in 2017 than in previous years. Some States will see insurance premiums rise by as much as 53 percent. I think that makes it truly an emergency.

After discussing the why, it is important to talk about how we are going to do this. Passing the repeal resolution we are currently debating today will allow Republicans to use the budget reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare. Let me say that again. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare.

After Congress passes this repeal resolution, it can then move forward on reconciliation legislation that will provide for the repeal of ObamaCare and pave the way for real health care reforms. I think Members are looking forward to an open and serious debate about the future of America’s health and its health care system and the importance of restoring the trust of hard-working taxpayers. I think that is something both sides can agree on, and that is what will happen.

This resolution we are debating does two things. It recognizes the point in the budget we are at considering the points of order and things that happened up to this point in time. We are just recognizing that is where this budget is. It still keeps in place the points of order to maintain some control over our spending, but the significant part is the repeal part. That is where we institute the reconciliation, and all that is, is an instruction to two committees on the Senate side and two committees on the House side. The two on the Senate side, were the Finance Committee—they are the ones who deal with all of the taxes and the finance and the Medicare and the Medicaid, and they need to save $1 billion over 10 years. That is peanuts around here. They will go further than that, I am certain. And then the HELP Committee—Health, Education, Labor, and Pensions—also has an instruction to save $1 billion. That is it.

This isn’t a debate over what the changes are going to be to ObamaCare; this is a debate about whether we are going to give two committees, which have jurisdiction over this situation, the ability to consider it and bring us something. It has to conform with the budget requirements, and that is going to be the case here. That is why we have a very low threshold, each of them saving $1 billion. That is the time when we will have the debate on what

cause they couldn’t afford the insurance premium. They could also see no way that they were going to be able to get a benefit from that.

For those lucky enough to be able to afford insurance, particularly in the individual market, under the new health care law, premiums were increasing faster in 2017 than in previous years. Some States will see insurance premiums rise by as much as 53 percent. I think that makes it truly an emergency.

After discussing the why, it is important to talk about how we are going to do this. Passing the repeal resolution we are currently debating today will allow Republicans to use the budget reconciliation process to untangle the country from this unworkable, unpopular, and unaffordable law. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare. Let me say that again. This is the exact same procedure congressional Democrats and President Obama used to secure passage of portions of ObamaCare.

After Congress passes this repeal resolution, it can then move forward on reconciliation legislation that will provide for the repeal of ObamaCare and pave the way for real health care reforms. I think Members are looking forward to an open and serious debate about the future of America’s health and its health care system and the importance of restoring the trust of hard-working taxpayers. I think that is something both sides can agree on, and that is what will happen.

This resolution we are debating does two things. It recognizes the point in the budget we are at considering the points of order and things that happened up to this point in time. We are just recognizing that is where this budget is. It still keeps in place the points of order to maintain some control over our spending, but the significant part is the repeal part. That is where we institute the reconciliation, and all that is, is an instruction to two committees on the Senate side and two committees on the House side. The two on the Senate side, were the Finance Committee—they are the ones who deal with all of the taxes and the finance and the Medicare and the Medicaid, and they need to save $1 billion over 10 years. That is peanuts around here. They will go further than that, I am certain. And then the HELP Committee—Health, Education, Labor, and Pensions—also has an instruction to save $1 billion. That is it.

This isn’t a debate over what the changes are going to be to ObamaCare; this is a debate about whether we are going to give two committees, which have jurisdiction over this situation, the ability to consider it and bring us something. It has to conform with the budget requirements, and that is going to be the case here. That is why we have a very low threshold, each of them saving $1 billion. That is the time when we will have the debate on what
those things was affordable, accessible, and quality health care. They were promised that if they liked their health care plans, if they liked their insurance, they could keep those insurance policies. They were promised a system that would get more folks covered at lower costs.

Instead, unfortunately, the Affordable Care Act has failed us and has failed to keep its promises. Canceled policies, elimination of certain plans, difficulty in finding new coverage, massive premium increases, sky-high deductibles, and limited options for doctors have really become a new standard for many American families.

This year, I completed another round of 105 townhall meetings in our State. There are 105 counties in Kansas. On occasion—it is pretty rare but on occasion someone will say: The Affordable Care Act was helpful to me and my family. My response to that is: I am glad, but surely we can come up with a proposal—a plan—that isn’t so damaging to so many other people for the benefits that you claim you have acquired under the Affordable Care Act. That is why we need to make sure that we are in a plan that doesn’t increase premiums, increase deductibles, increase copayments, eliminate plans, reduce the choice of the physician you see, and reduce your ability to keep the health care plan that you like. Because I am opposed to the Affordable Care Act does not mean I am opposed to trying to make sure Americans have better options and more affordable care.

I have also visited all 127 hospitals in our State. I have had conversations with the chief financial officer, the CEO, the trustees, the doctors, the nurses, and almost without exception the conversation is about how bad debt expenses increase, the ability for their patients who are admitted to the hospital—to pay their bills is less, not more, and that is because they can’t afford the copayments and deductibles.

Unfortunately, ObamaCare—the Affordable Care Act—has taken away the freedom to make health care decisions from Americans, from us as individuals, and given way too much authority to the Federal Government. Kansas continue to ask me to help them to get back to their former health care plans, to find a better way to do this, a plan that is more affordable with better coverage.

Over the last 6 years, I have advocated for a number of changes to our health care plan to help American families. Even before President Obama was President, we were talking about what we ought to do.

I have listed of what we could do to improve the chances that people across Kansas and around the country would have a better opportunity to provide health care insurance for themselves and their family members. I am proud of some of the successes we have had in recent time.

I am a member of the Senate Appropriations Committee and a supporter of funding for NIH, or the National Institutes of Health. This is research that is essential to saving and improving lives, growing our economy, and maintaining America’s role as a global leader, but, most importantly, it saves lives and improves quality of life. It saves money—the cost of health care—when we can find the cure and treatment for cancer, for diabetes, for Alzheimer’s. One of the ways we can help reduce the cost of health care and improve quality of life is to make certain that we make the necessary investments in finding those cures and treatments.

Last year, I supported, and this Senate and Congress passed, the 21st Century Cures Act. This takes us in additional directions in the way of finding those cures for life-altering diseases and, in the process, helps us to save our families’ dollars. We have also worked hard to try to maintain the funding for Federal programs and agencies that work with universities and medical schools to train and recruit medical professionals who then go on to serve particularly in medically underserved areas, in your State and mine, Madam President, in which we are experiencing the constant shortage of the necessary professionals to provide the necessary health care.

While this is progress, with a new Congress a new year, and a new administration, we now have a tremendous opportunity to provide real substantive reform to our health care system. I mentioned the conversations I have had in town hall meetings. In addition to the health care side of the Affordable Care Act and the problems it has created for affordable and accessible health care, we have also had the challenges on the economic side—the job creation side—and the Affordable Care Act has contributed to the conversation about whether or not to expand a business, whether or not to exceed the 50-employee threshold. Those aspects of the Affordable Care Act are very damaging and needed to be addressed and dealt with well.

As we as a Senate, we as a Congress, and as we a country look for a replacement strategy, for something different—significantly different than the Affordable Care Act—we ought to focus on the practical reforms that embrace increased flexibility and allow American men and women to decide what is right for them and their individual family health care needs.

As we talk about a new proposal up in Congress, I wish to again put forth some specific ideas I have offered over the years as a blueprint for reform that we should try to put in place.

First, we should provide preexisting condition protections for those with continuous coverage. Individuals with debilitating diseases and chronic conditions who have purchased health care should be reassured that their coverage will not be stripped in any future health care changes to our system.

Second, we can increase coverage by enabling Americans to shop for plans from coast to coast, no matter what State they live in. This will lower the premiums by spurring greater competition in the insurance market.

Third, we should extend tax savings to those who purchase health care coverage, regardless of their employment. To assist low-income Americans, we can offer tax credits to help them obtain the private insurance of their choice. We also can expand access to care by supporting community health centers and other primary care access points.

Fourth, instead of limiting the choice of plans, let’s give small businesses and organizations the ability to pool together in order to offer health insurance at lower premiums, similar to corporations and labor unions. We also need to make it possible for health insurance to travel with workers when they move from one job to another job throughout their careers.

Fifth, we ought to increase the incentives available to individuals to save now for their future and for long-term care needs by empowering them to utilize health savings in other incentive plans. Doing so enables individuals to take ownership in their health, and that is important as well.

Sixth, we need not accept the idea that costs for currently available medical treatments will inevitably rise. Instead, let’s continue to support those things that bring down the cost of health care by finding cures and treatments, as I mentioned, with the National Institutes of Health. Advancing living medical research and spurring innovation can help us accomplish health care savings, reducing the financial burden for those with diseases and their family members who care for them.

In a month, we need to address shortages in our medical workforce by promoting education and programs at our universities and our medical schools that train physicians, nurses, and other health care professionals. We need to encourage them to practice in underserved areas through scholarship and loan repayment programs. Kansas is an example as is your State, Madam President, where those rural areas and, additionally, those core centers of our cities lack so often the necessary health care providers.

Eighth, in order to curb the preventable costs that often occur through unnecessary emergency room visits and hospitalization for acute illness, we should provide coverage to low-income Americans, despite their limited financial means, in a financially sustainable way that ends up saving money in the long run. For all of us, the best reducing those costs is wellness, fitness, diet, and nutrition. That also means early preventive care. It means early diagnosis, and we make certain that Americans have access to that diagnosis and that early treatment. Ensuring access to quality care with a focus on preventive health is an effective way to limit high-cost health visits that place burdens on hospitals,
physicians, our economy, and our health care system as a whole.

Lastly, we can reform our medical liability system and reduce frivolous lawsuits that result in inflated premiums and the practice of defensive medicine. Doctors order every possible test out of fear of potential lawsuit. Doing so can save tens of billions of dollars each year and make health care more affordable for more people.

The bureaucracy that goes with the providing of health care needs to be simplified. I have often looked behind the desk when I go see my family physician and wonder what all the people who are working there are doing. So much of it is not about patient care but navigating the system by which your health care bill, at least in part, gets paid. There is all the variety of insurance forms. I know this in my life—the ability to understand that insurance document that arrives in the mail and sits on our kitchen table waiting for my wife or me to figure out what this means. I have seen this with my own parents when they were living—the amounts, payments, paperwork, and forms and checks for $13.19 that arrived in my dad’s mailbox and trying to figure out with my parents: What does that mean? Why am I getting this?

So much cost savings and so much anxiety and angst could be eliminated if we had a system that was much more uniform in its presentation, simplifying the way in which our health care bill gets paid by our insurance provider, by Medicare, by Medicaid, or out of our own pocket. I would defy most Americans to be able, unfortunately, to understand what is the stuff that comes in the mail and what it means to the patient.

As we move forward with trying to replace and improve access of Americans to health care—to affordable health care—I believe there are reforms that will provide us with a good blueprint that starts helping Americans and all Americans across the country who have suffered under the deficiencies and the costs and the damage that comes from ObamaCare.

I look forward to working with my colleagues—Republicans and Democrats—to find solutions to take advantage of this opportunity that we have. The American people—many American people, most American people—are hurting under this law, and they have spoken clearly numerous times. It is time for us to bring to them the changes that improve their lives by improving their health care, by improving their health, and by making sure that no American is worried about whether or not they have health care that they need or their family member needs is outside of their reach.

Mr. CARPER. Will the Senator yield?

Mr. MORAN. Will the Senator yield?

Mr. CARPER. It is great to see my friend from Kansas on the floor and looking forward to serving the next 6 years.

One of the things I focused on as a member of the Finance Committee on the Affordable Care Act was the idea that we have doctors, hospitals, and nurses who in some cases provide entirely too many tests and procedures and the possible cost to treat somebody just in order to cover—as Naval aviation used to say—our 6 o’clock. You didn’t want to have somebody come up from behind you to shoot you down. So I talked about covering our 6 o’clock and making sure that nurses spend a lot of time covering the 6 o’clock, as my friend knows.

I am an Ohio State boy. I am going to say something nice about Michigan, which is really out of character here. In Michigan, the University of Michigan Medical School and hospital came up with a policy called Sorry Works. If a doctor, hospital, or nurse made a mistake that adversely affected a patient, they apology. The idea was to apologize, make up for it, make them whole, help them get well, cover their financial costs and so forth. It is called Sorry Works. It is a good idea.

I met a guy who is a doctor and a lawyer from Illinois who took the idea of Sorry Works and he put it on steroids and they called it Seven Pillars. It has been a great example of what actually works to reduce the incidents of medical mistakes in hospitals and nursing homes and also to get better health care outcomes. You reduce medical malpractice costs, and you also get more satisfaction from the patient side.

We have taken that idea in Delaware—Seven Pillars—at Christiana Care, which is the big health care delivery system in our State. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.

And you also get more satisfaction from the patient side. Doctors, hospitals, and nursing homes and also the incidents of medical mistakes in our 6 o’clock. We have done that and have begun to incorporate it in the way they work. We have taken that and have begun to incorporate it in the way they work. If I am a patient and I perform a procedure on you, if you are harmed or hurt—not your fault, my fault—the idea is I apologize. I meet with you privately—no lawyers—and apologize for what has happened. I apologize and sit with you.
I yield my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Madam President, I hear my Democratic colleagues praising ObamaCare. I had to smile yesterday. We are talking about how ObamaCare was addressing high pharmaceutical costs. I had to start laughing—and kind of a bitter laugh. Tell that to a senior who is paying $6,000 for her medicine, which before ObamaCare passed was a fraction of that.

We hear how great it is that ObamaCare has given so many people coverage. Say how great that coverage is to someone who has a $6,000 deductible—a $6,000 deductible—who does not have $400 in her checking account. There is a friend of mine—people don’t believe it so I put it on my Facebook page. He got his quote for him and his wife. They are 66 and 61 years of age. Their premium for 1 year was $39,000, each—$39,000. Again, it is on my Facebook page because otherwise no one would have believed me.

So when people speak about the affordable health care act, I have to laugh. Is health care affordable, what would be affordable? We can clearly do better than this.

I begin this speech by calling into question my Democratic colleague’s defense of ObamaCare, but we can have common ground. I applaud and still applaud the goals of those who support the Affordable Care Act. They wish to have coverage for all. Now, that is important. For over 30 years, I have worked as a physician in a hospital for the uninsured. My medical practice has been geared toward bringing coverage, to bringing care to those who otherwise would not have it.

As I look at this issue, I have to thank them for their motivation but have to recognize that the Affordable Care Act has not achieved that in a way which most Americans find affordable. The other thing about ObamaCare is that it coerces Americans. It takes power from patients and States and gives it to Washington, DC, coercing the individual with mandates and penalties, taking away her right to choose. That is not where the American people wish to be.

I would like to believe Republicans and Democrats can find common ground. I have introduced a replacement plan that would give States the power. I am willing to concede, the minority leader believes that ObamaCare is working just fine in his State of New York. In my plan, we repeal ObamaCare on a Federal level, but if a State like California or New York thinks ObamaCare is working for them, God bless them.

Under my plan, a State legislature would have the right to stay on ObamaCare. So here Congress would pass the legislation giving States the choice, and the State would either have the option we advance, which I think is superior—but when Republicans say that you can keep your health insurance if you wish, and we mean it, we mean it. If a State decided they wished to stay on ObamaCare, they could or if a State truly decides they want to have nothing at all to do with any of this, they could simply remove from the Medicaid expansion, from any help for others in their State to purchase insurance, period.

I think this recognizes that if the majority leader wants to claim it is working for him, it is working for him, but clearly ObamaCare is not working in some other States. We can talk about Arizona, where briefly a county did not have a single insurance company providing insurance and where premiums increased by as much as 100 percent. We can look at Louisiana, my State, where that quote I gave earlier—a fellow and his wife, $39,000 for 1 year’s premium.

Clearly, ObamaCare markets are failing there. So let’s repeal ObamaCare, give the States the power, allowing them to choose the system that will work for them. Now, health care cost is important. Under our bill, we make health care more affordable by giving the individual the power, if you will, of price transparency. Under ObamaCare, we have seen prices rise out of control. A lack of price transparency keeps providers from having to compete which takes away the consumer and the choice.

You can see this power of choice in price transparency. Fifteen years ago, LASIK surgery cost $1,000 an eye or $875 an eye, with more for astigmatism. Now you can drive down the street and you see a billboard—a billboard—that says: LASIK surgery $275 an eye. So over a period of time, when everything has increased, LASIK surgery has come down—the power of price transparency.

Another example I like to use is that of a woman, able to walk into a mammogram. She wanted to pay cash. They talked her out of it. No. No. No. We don’t even know what to charge you. OK. I won’t pay cash.

They billed her insurance company. She later found that if she had paid cash for her mammogram, it would have cost her $90. As it turns out, they billed the insurance company $500. Her deductible was $100. She was actually out $10 because they billed her insurance company. She should have known that price going into it.

One more example. If a doctor orders a CT scan, the cash price, according to an LA Times article a few years ago in the Los Angeles Basin, varied from $250 to $2,500. Unless you are an investigative reporter for the LA Times, able to call up and get that cash price, you otherwise would not know. I guess maybe it sometimes helps to have another example. Would anyone buy a car if they did not know the price of the car beforehand? Yet, that is routinely done with health care.

Under the legislation I and Senator COLLINS have introduced in the Senate, and I and PETE SESSIONS have introduced in the House of Representatives, people will know what the cash price is. I have found, working in a hospital for the uninsured, that when you give the patient the information and power they need to know to make the decisions, you get better outcomes.

By the way, we have been told that Republicans don’t have a plan. The plans I am speaking of now are drafted in legislative language—legislative language. Again, this would repeal ObamaCare, put in price transparency, and return decisionmaking power to the patient. We should repeal the individual mandate, repeal the employer mandate, prevent the Federal Government, the long arm of the Federal Government from reaching into someone’s household, forcing them to do something they don’t wish to do.

There should be an alternative. Under both the World’s Greatest Health Care Plan—the bill I introduced with PETE SESSIONS—or the Patient Freedom Act that I have SUSAN COLINS as a cosponsor, we take all of the money a State would receive had they done the Medicaid expansion and those cash credits, be signed up for the ObamaCare exchanges, and we give that money to the State to allow them to give tax credits to those who are eligible.

These tax credits could only be used for health insurance. If the patient did nothing, she would have a health savings account, catastrophic policy with a pharmacy benefit. She could use the health savings account as first-dollar coverage.

Now, under ObamaCare, $6,000 deductible. Under our plan, the patient has first-dollar coverage, so if her daughter has an earache and she takes her daughter to the urgent care center, she can cover that visit with a health savings account that would be funded with this credit. They also have catastrophic major medical coverage, so if they get in that car wreck, take them to the emergency room, sky-high pricing, they are protected from medical bankruptcy.

Under our replacement plan, we also give States the option to say that if someone in our State is eligible, they are automatically enrolled. I smile when I say that covers two populations, the person who is under a park bench and does not have his life together to otherwise do it, and the other population would be my 22-year-old son and those like him, those young folks who never think they are going to get ill so they never sign up for insurance. Without them being in the pool, we end up with a sicker pool. That is what has happened with ObamaCare.

By the way, it would be easy to imagine you could end up with 95 percent enrollment of eligible who should the State decide to go this way. The timeframe for our replacement would be simple. In year one, say 2017 Congress
Mr. HATCH. Madam President, I rise today in support of S. Con. Res. 3 and the ongoing effort to repeal the most harmful elements of the so-called Affordable Care Act.

While our friends on the other side of the aisle have been trying to convince the American people that there is nothing to see here and that this poorly named law is working according to plan, the vast majority of our citizens know the truth: ObamaCare just doesn’t work.

According to the results of a recent Gallup poll, 80 percent of Americans want Congress to either change the Affordable Care Act significantly or repeal and replace it altogether. Let me repeat that. Eight out of every 10 people in this country agree that the status quo is unacceptable and that we need a major change in what is going on around here.

We need a major course correction in our health care system. It is not hard to see why this is the case. After all, under ObamaCare, the cost of health insurance has increased dramatically and will continue to do so well into the future. Under ObamaCare, individuals and families are being left with fewer and fewer choices when it comes to buying health insurance. Under ObamaCare, patients have fewer options and reduced access to health care providers. Under ObamaCare, the American people have been hit with steep taxes, burdensome mandates, and policies that require them to purchase health insurance plans on the exchanges—and that is this year—and about a third of the country, the increases have been significantly larger than that.

In addition, over the past 2 years, insurance plans have been dropping out of markets all over the country. As a result, it is estimated that more than half of the counties in the United States will have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. And, it is essential that more than half of the constituents in my State have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. And, it is essential that more than half of the constituents in my State have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. And, it is essential that more than half of the constituents in my State have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. And, it is essential that more than half of the constituents in my State have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.

I am quite certain that every single Member of this Chamber has heard from a number of their constituents about these problems, about the problems they have faced as the Affordable Care Act has been implemented. I know I have. And, it is essential that more than half of the constituents in my State have two or fewer available health insurance plans on the exchanges—and that is this year—and about a third of them have only one available option.
major role to play throughout this process of repealing ObamaCare, providing for a secure transition, and replacing the law with more effective reforms. Our committee has jurisdiction over all the major Federal health programs, including Medicare and Medicaid, and I will have jurisdiction over the tax provisions, which include all of ObamaCare’s harmful taxes as well as the premium tax credits provided to purchase plans in the ObamaCare exchanges.

I have spoken at length to my Republican colleagues on the Finance Committee about these issues, and all of them are ready and willing to do whatever is necessary to put our Nation’s health care system on a more responsible path. We are going to get it done. In that I have no doubts.

To be sure, the first few steps in this effort are going to happen quickly. Once again, the plan is to produce repeal legislation before the end of this month. This, of course, is how it has to be. The American people don’t have the time for us to wait around on these issues, and we don’t have the luxury of sitting back and watching the problems get worse over time. The problems with our health care system are growing by the day. We need to take the swiftest possible action.

We intend to act quickly and methodically to begin providing relief for the millions of Americans who are currently and directly suffering as a result of ObamaCare and the unworkable system it has created. As I noted, if that effort is going to be successful, it should be bipartisan. Both Congress and the incoming administration will need to work together.

CABINET NOMINATIONS

On that point, Madam President, I do want to note that my friends on the other side of the aisle have as recently as this morning made a number of statements and have made no efforts to abbreviate or shorten our procedures for any nominee made no efforts to abbreviate or shorten our procedures for any nominee. That process and not provide the in-coming Trump administration’s nominees the same respect and regard our committee has provided for nominees the same way we handled the Obama administration and prior administrations as well. As chairman, I take this process very seriously. I have made no efforts to abbreviate or short-circuit our procedures for any nominee and have no intention of doing so in the coming Trump administration in the Senate.

My friends on the other side may not like the results of the recent election, but their disappointment of the outcome is no justification for reinventing the way we do business here in the Senate. I hope we will all take this into consideration and we will start cooperating with each other and getting the government moving again and that we will support and sustain these people who are doing good people who are being chosen by the Trump-elect administration. I think it is important that we do these things and do them carefully and that we treat each other with the respect that is well deserved in this body and that the petty, cheap politics will be discontinued. Mr. President, with that, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I enjoyed listening to the comments of my colleague from Utah about the Affordable Care Act, and I wanted to expand on that a little if I could. I know we are having a discussion right now about whether or not to replace the Affordable Care Act, and we are focused a lot on what the timeframe might be and what the replacement might be, which is appropriate, but we also have to remind ourselves as to how we got here.

We got here because the Affordable Care Act has not met its promises and has let down the people of Ohio and people around the country. Millions of these families have already had a tough time because really a middle-class squeeze of flat wages, even declining wages, on average, over the last decade or so, and now higher costs. That squeeze is accelerated by the cost of health care which has gone up dramatically.

In my own State of Ohio, the Ohio Department of Insurance has reported a 91-percent increase in the individual market in Ohio in the last 6 years, an 80-percent increase for small businesses that are purchasing Affordable Care Act-compliant plans. This is since the Affordable Care Act went into effect. Think about that. There has been almost a doubling of health care pre-

mum costs. Who can afford that? People certainly can’t afford that as their wages are flat or even declining.

According to the Kaiser Family Foundation, average family premiums since the Affordable Care Act went into place have gone up by more than $4,700. Recall that one of the promises of the Affordable Care Act was that costs would go down, on average, $2,500 per family. Exactly the opposite has happened in fact, there has been an almost doubling, with a $4,700 increase. I don’t think families got that kind of pay increase to be able to afford that. They certainly haven’t in Ohio.

So this is a huge problem. To make matters worse, we think these cost increases are continuing to escalate in our State and around the country. In Ohio, premiums grew this year in 2017—on average, 13 percent higher than in 2016. So there have been double-digit increases in 1 year. With two plans in particular, premiums went up by 39 percent in Ohio. So for some families it was much worse than that. We have had good leadership in Ohio with Governor Kasich and Governor Mary Taylor, who is also the insurance commissioner in our State, and because of that we have done a better job of trying to control these costs, but in many parts of the country, the situation is getting even worse.

Nationally, premiums are increasing by 25 percent just this year. In Arizona, they are doubling. In Tennessee, they are rising 63 percent. In Pennsylvania, right next door to Ohio, they are rising 32 percent. I can go on and on. I am sure North Dakota has had similar problems, as the President-Officer can tell us about. Some people might be able to afford these higher premiums, but I think we just have to solve.

I heard Senator HATCH talk about having to make a choice between paying your rent or being able to pay your premium. That is what I hear in Ohio as I talk to people. People are being hit with these huge expenses. Unless we take action, there is no light at the end of the tunnel.

The Congressional Budget Office, which is a nonpartisan group in Congress, and also the Joint Committee on Taxation projected that unless we do something to change the status quo, premiums will continue to skyrocket. They say they will grow by at least 5 percent per year over the next decade. By the way, that is far faster than they assume wages are going to grow so the squeeze will continue.

The law was advertised as something that would ‘‘bend the cost curve,’’ but it was not bend the cost curve, and we would like to see a reduction in the cost of health care, but health care costs have gone up, not down, and on top of that, American people had to pay hundreds of billions of dollars every year in taxes for this law. There are 19 tax increases in the Affordable Care Act. Some of these like the Cadillac tax, are very unpopular, even among Democrats and Republicans. So we are hoping we can deal
with that with any kind of repeal effort immediately.

Another goal of this law, we were
supposed to be increasing access to
health care. Let’s talk about that for a
second. We heard different things on
the floor. About 6 million Americans
people lost health insurance they liked
as a direct result of this law going into
effect. About 6 million Americans were
told their coverage is no longer ade-
quate because it didn’t meet the man-
dates. They will lose their coverage.
President Obama told the American
people, I am told, 37 different times
that if they liked their doctor, they
could keep their doctor. Of course, that
turned out not to be true. When you
lose your health care plan and lose
your doctor, you don’t feel like those
promises have been kept.

The outside fact checker called
PolitiFact rated that as the Lie of the
Year for 2013. That is the outside group
that looks at what we elected officials
say and the mandates and requirements and
compares it to what actually happens.
By the way, it still is not true. One in five
ObamaCare customers were forced to
find a new insurance company for this
year.

So the Congressional Budget Office
that I mentioned and the Joint Com-
mittee on Taxation, these nonpartisan
groups, now project that 27 million
Americans are still uninsured today.
Under the status quo, if we don’t take
action, they say that will be the case
for the next decade. So this notion that
everybody is going to get covered just
didn’t happen. By the way, that is
about 1 in 10 people in our workforce,
even after hundreds of billions of dol-
ars of taxpayer dollars have been
spent on the Affordable Care Act, in-
cluding these 19 new tax increases.

A lot of people have told me: Ros, I
have health insurance, but I really
don’t because my deductible is so high.
So, our premiums for a second,
to pay for health care, just the an-
ual deductible has gone out of sight.
There are some plans where a deduc-
tible for a family might be $8, $9, $10,000
a year. That is not really health care
because you end up paying all that
money out of pocket. The average de-
ductible for a midlevel plan for
ObamaCare, according to the Kaiser
Family Foundation, went up to $2,500
the year before last, 2015, to more than
$3,000, an increase of about 25 per-
cent in just 1 year. You see that in
increases in deductibles and copays,
not just in the premiums.

National insurers have lost billions
dollars on the Affordable Care Act
exchanges, and a lot of them pulled
their plans from the States. This is a
real problem because if you don’t have
competition or choice out there, you
will not get the costs down. I see in my
own State of Ohio we lost one-third of
the companies on the exchanges just
this year. We have just 11 companies
offering insurance on the ex-
changes in 2016, last year, to this year
having just 11—so 17 companies going
down to 11 companies. We now have 20
of our counties—there are 88 counties in
Ohio—20 of our counties have only 1
insurer. This is also true nationally.
About one-third of the counties around
the United States only have one in-
surer. Again, this leads to higher costs,
less choice. Quality also goes down because you don’t have
competition for the beneficiaries. It
also affects the issue of premiums
going up, deductibles going up, copays
going up, and the middle-class
squeezed.

So the President’s health care law
certainly failed at its own goals that
were laid out in the promises that were
made. It was supposed to create jobs,
too, which is a different issue. What is
the economic effect of this? Having
more people covered is a good thing.
We all want that. But what is the eco-
nomic impact on the way the Afford-
able Care Act was put into place? We
are looking at the weakest recovery in
the economy from a re-
cession still. Unfortunately, we haven’t
seen the strong economic growth we
hoped for and had anticipated after a
depth recession. Some of the reason for
that, in my view, is health care. Health
care costs are very, very high. Peo-
ple are paying a lot more for health
care, not being able to get ahead, small
businesses having higher and higher
costs.

If you look at the latest jobs report,
it is not great. The Bureau of Labor
Statistics tells us that 5.7 million
Americans now are stuck in part-time
work who want full-time work. These
are people who are looking for a full-
time job but only have a part-time job.
Why is that? The economy is not work-
ing as it should. It is not generating
even enough growth to create job opportuni-
ties full-time, but it is also because of
these mandates under the Affordable
Care Act. I can tell you, economists
differ on the impact of this, but go
talk to people about it.

I was in Chillicothe, OH, and some-
one came up to me and asked: Can you
help me; because my employer is say-
ing I can only work 28 hours a week. I
figured out what it was about. She was
a fast-food employee. I asked her: What
did they say? And she said it was be-
cause of health care. What does that
mean? It means that under ObamaCare,
if you work under 30 hours a week, you
are not covered by the mandates and the
new costs, so some employers are not
going to say we are keeping you under
30 hours a week. That has led to more
part-time work.

In this particular case, the woman
said: I have to find another part-time
job and I have kids at home and this is
tough. And I said: Well, the answer to
this, in part, is to change the health
care law; that is, to take out some of
the mandates and requirements and
make it more pro-growth and pro-job
rather than the reverse.

There are tens of thousands of new
pages of regulations in this new law. It
forces small businesses—and I am a
small business person. I can tell you
that I have burned a lot of time and ef-
fort to try to figure it out. You can go
to consultants and pay them a bunch of
money, and they will tell you they are
not sure what it means either. This is
why we need to go back to the drawing
board and talk about the Affordable
Care Act; that it is really hard for busi-
nesses to figure out what they are sup-
posed to do, particularly small busi-
nesses that don’t have that kind of ex-
pertise inhouse. Those costs could go
toward having more employees. They
could go into reinvesting in business,
plants and equipment, but they are
going into trying to figure this thing out.

I don’t doubt the good intentions
of my colleagues on the other side of
the aisle who support this legislation. We
all want to see more coverage and see
health care costs go down, but that is
not what is happening.

Before the Affordable Care Act went
into effect, the CBO estimated that 26
million Americans would be enrolled
in a plan in 2016. That is what they esti-
mated. The Congressional Budget Of-
ﬁce said 26 million would be enrolled
in a plan in 2016. The actual number
was 12.7 million, less than half. So, again,
it hasn’t met its own promises and pro-
jections.

The co-ops are another failure. There
was a debate on the floor just before I
got elected about should there be a
public option so everybody would have
an option to get into an exchange. We
said let’s put together these co-ops.
They will be nonprofit. They will work
great. We will set up co-ops around the
country. There were 23 co-ops set up,
including 1 in Ohio. We now see that 15
of the 23 co-ops have gone insolvent.

I will tell you that last spring, when
22,000 Ohioans lost their health care be-
cause the co-op went belly up, it was
tough because they had to scramble and
find a new health care plan quick-
ly. More than 860,000 Americans—peo-
ple are paying a lot more for health
care costs went up dramatically. Peo-
ple are paying a lot more for health
care, not being able to get ahead, small
businesses having higher and higher
costs.

The co-ops are another failure. There
was a debate on the floor just before I
got elected about should there be a
public option so everybody would have
an option to get into an exchange. We
said let’s put together these co-ops.
They will be nonprofit. They will work
great. We will set up co-ops around the
country. There were 23 co-ops set up,
including 1 in Ohio. We now see that 15
of the 23 co-ops have gone insolvent.

I will tell you that last spring, when
22,000 Ohioans lost their health care be-
cause the co-op went belly up, it was
tough because they had to scramble and
find a new health care plan quick-
ly. More than 860,000 Americans—peo-
ple are paying a lot more for health
care costs went up dramatically. Peo-
ple are paying a lot more for health
care, not being able to get ahead, small
businesses having higher and higher
costs.

The co-ops are another failure. There
was a debate on the floor just before I
got elected about should there be a
public option so everybody would have
an option to get into an exchange. We
said let’s put together these co-ops.
They will be nonprofit. They will work
great. We will set up co-ops around the
country. There were 23 co-ops set up,
including 1 in Ohio. We now see that 15
of the 23 co-ops have gone insolvent.

I will tell you that last spring, when
22,000 Ohioans lost their health care be-
cause the co-op went belly up, it was
tough because they had to scramble and
find a new health care plan quick-
ly. More than 860,000 Americans—peo-
ple are paying a lot more for health
care costs went up dramatically. Peo-
ple are paying a lot more for health
care, not being able to get ahead, small
businesses having higher and higher
costs.

The co-ops are another failure. There
was a debate on the floor just before I
got elected about should there be a
public option so everybody would have
an option to get into an exchange. We
said let’s put together these co-ops.
They will be nonprofit. They will work
great. We will set up co-ops around the
country. There were 23 co-ops set up,
including 1 in Ohio. We now see that 15
of the 23 co-ops have gone insolvent.

I will tell you that last spring, when
22,000 Ohioans lost their health care be-
cause the co-op went belly up, it was
tough because they had to scramble and
find a new health care plan quick-
ly. More than 860,000 Americans—peo-
ple are paying a lot more for health
care costs went up dramatically. Peo-
ple are paying a lot more for health
care, not being able to get ahead, small
businesses having higher and higher
costs.
Office, GAO, issued a report in March which confirmed the results of our investigation, and it indicates that this money, the $1.2 billion, has now increased substantially because more of the co-ops have gone under.

Many of the 22,000 Ohio families who were in the co-op had already paid deductibles in the plans they thought they could count on. Think about it. They paid hundreds of thousands of dollars in health care costs to get up to their deductible, and then all of a sudden they found out that they had to go to a new plan and they had to start all over again. So it is adding insult to injury. They lost their plan and they had to scramble to find one and then they found out they have all these out-of-pocket expenses again because although they met their deductible under the old plan, they have to start again in the new plan. This is not the way it ought to be. It is just not fair. These families did nothing wrong. All they did was what they were told to do, to sign up for these co-ops.

I think these are just symptoms of the problem. The diagnosis is clear. The Affordable Care Act is a bad law, bad economics, and bad health care policy. It hasn’t worked. I think it is difficult to make the other argument. The President’s health care law hasn’t worked, not because it didn’t have good intentions but because it tried to achieve those good intentions by forcing more people to buy a product they didn’t want after losing a product they did want, including a $2 billion taxpayer-funded Web site that didn’t work. If you recall, they had problems with the Affordable Care Act Web site and unfortunately potentially exposed a lot of personal information of many of these individuals to hackers.

As I talked about, even those who have insurance often have limited access to providers because the deductible is so high that they can’t afford their health care.

With higher costs and fewer choices, the American people, by and large, are dissatisfied with the plan, the Affordable Care Act, just as they were when it was enacted. A CBS poll last month has shown that more people disapprove of the law than approve of it. A Gallup poll in November found that 8 in 10 Americans want the law repealed or significantly changed—8 in 10 Americans. Why? Because they have seen it. By what they are doing is they are cost-shifting onto private plans, onto employer-based plans, and raising the costs for other Americans. This is part of the reason health care costs have gone up generally, not just in the exchanges but all over.

I have certainly seen this firsthand in Ohio. Constituents have been contacting me for the last 6 years to tell me how this health care law has affected them. There is a father of five who wrote to me after the cost of the family’s insurance doubled. Another man saw his $100 deductible soar to $4,000 while his premiums hit $1,000 a month.

I still remember the letter I received from Dean from Sandusky. He lost his job in 2009 as so many other Americans did during the recession. Because he lost his job, he had to go on the individual market and he uninsured. He picked out a plan that would work for him and his family. He liked it and he bought it. Once the President’s health care law went into effect, that plan was discontinued because it didn’t meet the mandates and requirements of the new law. He found himself high and dry. He, too, had to buy another plan that was twice as expensive, and it cost him more than half of his pension—because that is his income. It is his pension. So not only did he lose his job, but then he lost his plan and he didn’t afford a much more expensive cost of living. He didn’t do anything wrong, but because of a failed, mistaken approach that Congress took to health care reform, he has now had to struggle to make ends meet.

Susan from Batavia also wrote to me. She is a single mom. She lost the plan she liked because of the President's health care plan. She wrote and said: I stay in shape. I watch my diet. I exercise regularly. I do all the right things. I watch my diet. I exercise regularly. I do all the right things. I watch my diet. I exercise regularly. I do all the right things.

Another, Susan from Columbus, OH, wrote to me and told me that she works for a small business of 12 employees. When the health care law went into effect, their rates went up nearly 30 percent on all of their businesses, and new businesses cannot afford that. I cannot tell you how many small businesses I have been to where I asked them: What have your premiums done over the last several years, and they tell me: Double digit, Ron. Double digit. If we get an increase in the low double digit, that is a good thing. Again, there is no place for that to come from except for wages and benefits and cutting back on employees—in some cases, again, not expanding a plan that they need and would have because of this health care law.

It doesn’t have to be this way. We can enact real health care reform that uses the market forces that help to increase competition, that requires insurance companies to compete for our business, that allows people to get the plan they want, looking all around the country for what works best for them. This burdensome health care law is standing in the way of real reforms that help these families in Ohio and across the country.

The health care market was far from perfect before this law so I am not arguing that the status quo is acceptable. I think we have to do things not just to repeal ObamaCare but to replace the Affordable Care Act with reforms that make better sense. We had issues before, but it has gone to worse, not better. It accelerated the problems.

I hope that over the next couple of months, as we talk about this, we will be able to come up with a replacement plan that makes sense. Republicans and Democrats alike need to come to the table on this because, again, I have liked that way all the reasons the current law is not working. The status quo is not acceptable. I think it is very hard to argue that it is. That means all of us have a responsibility to say: OK. How do we fix this? How do we come together, Republicans and Democrats alike—not on a partisan basis as was done last time—to figure out a way to do it together? We need to come together to make sure the people we represent have the chance to get the health care they need and can afford and a much more expensive cost of living. He didn’t do anything wrong, but because of a failed, mistaken approach that Congress took to health care reform, he has now had to struggle to make ends meet.

Susan from Batavia also wrote to me. She is a single mom. She lost the plan she liked because of the President’s health care plan. She wrote and said: I stay in shape. I watch my diet. I exercise regularly. I do all the right things. I watch my diet. I exercise regularly. I do all the right things. I watch my diet. I exercise regularly. I do all the right things.

Another, Susan from Columbus, OH, wrote to me and told me that she works for a small business of 12 employees. When the health care law went into effect, their rates went up nearly 30 percent on all of their businesses, and new businesses cannot afford that. I cannot tell you how many small businesses I have been to where I asked them: What have your premiums done over the last several years, and they tell me: Double digit, Ron. Double digit. If we get an increase in the low double digit, that is a good thing. Again, there is no place for that to come from except for wages and benefits and cutting back on employees—in some cases, again, not expanding a plan that they need and would have because of this health care law.

It doesn’t have to be this way. We can enact real health care reform that uses the market forces that help to increase competition, that requires insurance companies to compete for our business, that allows people to get the plan they want, looking all around the country for what works best for them. This burdensome health care law is standing in the way of real reforms that help these families in Ohio and across the country.

The health care market was far from perfect before this law so I am not arguing that the status quo is acceptable. I think we have to do things not just to repeal ObamaCare but to replace the Affordable Care Act with reforms that make better sense. We had issues before, but it has gone to worse, not better. It accelerated the problems.

I hope that over the next couple of months, as we talk about this, we will be able to come up with a replacement plan that makes sense. Republicans and Democrats alike need to come to the table on this because, again, I have liked that way all the reasons the current law is not working. The status quo is not acceptable. I think it is very hard to argue that it is. That means all of us have a responsibility to say: OK. How do we fix this? How do we come together, Republicans and Democrats alike—not on a partisan basis as was done last time—to figure out a way to do it together? We need to come together to make sure the people we represent have the chance to get the health care they need and can afford and a much more expensive cost of living. He didn’t do anything wrong, but because of a failed, mistaken approach that Congress took to health care reform, he has now had to struggle to make ends meet.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ENZI. Mr. President, I ask unanimous consent that at 2:45 p.m. there be 2 minutes of debate, equally divided in the usual form, prior to the vote in relation to Kaine amendment No. 8.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. ENZI. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 8, the next offered by the Senator from Virginia, Mr. KAINES. Mr. KAINES. Mr. President, I have spoken about this previously. The budget that is on the floor really isn’t a budget; it is more of a focused attack on health care for millions of Americans. Amendment No. 8, which I have offered with Senator MURPHY and others, is an attempt to stop the majority from passing a health care repeal without the facts. The amendment does one thing: It creates a budget point of order against any legislation that would either reduce the number of Americans enrolled in public or private health insurance, increase health insurance premiums, or reduce the scope and quality of benefits provided.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The yeas and nays were ordered.
Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

Who yields time? If no one yields time, the time will be charged equally to both sides.

The PRESIDING OFFICER. The Senator from Texas.

MR. CRUZ. Mr. President, in the final days of the Obama administration's second term, with all eyes focused on the President-elect, the temptation to try to take a dramatic action to seal a cherished policy legacy must have been almost irresistible. So it proved for President Obama on December 23, 2016, when he betrayed decades of robust bipartisan American support for Israel at the United Nations by abstaining from a completely biased resolution that condemns our close friend and ally Israel and condemns all the so-called settlements, defined as any construction in any territory won by Israel in the Six-Day War.

U.S. policy for decades has been to stand up for Israel at the United Nations, a hot bed of anti-Semitism that discriminates against Israel more than any country in the world, particularly when resolutions are being offered up that are outrageously biased, that attempt to predetermine the outcome of negotiations, that prejudice the basis for negotiations, or that try to dictate terms to Israel.

We have seen this pattern of appealing to the United Nations from the Obama administration over and over with disastrous deals—the nuclear deal with the Islamic Republic of Iran, as well as the U.N. Convention on Climate Change, two international agreements that significantly threaten the security and prosperity of the United States. Both of them should have been submitted to this body, the Senate, as treaties.

But the President chose instead to try to impose them through the United Nations because he knew that they would never be ratified by the Senate, even when this Senate had a Democratic majority. So the Obama administration's strategy, instead, has been to curb American power by subjugating our national interests to the globalist agenda of the U.N., a policy that he is now attempting to extend to Israel.

Here is an opportunity to confront problems with UNSC Resolution 2334. First, it is an attack on Israeli sovereignty, as it falsely defines as illegal under international law building activity within Israel's own borders, which should be an internal Israeli issue. The historical connection of the Jewish people to the land of Israel did not begin in 1967.

Let us not forget that the Six-Day War was a defensive war fought almost 50 years ago by the Jewish state against the Palestinians and their Arab enablers, who were gathering in a concerted effort to wipe Israel off the map. Against all odds, Israel won quickly and decisively and the map was redrawn to ensure that Israel was not endangered by its own borders, the weakness of which Israel's enemies had attempted to exploit.

Of course, the defeated party, the Palestinians, have not accepted this outcome. Israel has time and again invited them to negotiate a resolution—just one that involves Israel's continued existence as a Jewish state, something that the Palestinian Authority has over and over refused to acknowledge or accept.

Therein lies the bottom line for Israeli security. The pre-1967 lines proved indefensible. So rather than, as the Obama administration tried to do, chart this new course as some sort of gold standard, Israel's security interest has deemed them intolerable and any resolution to this issue should not be dictated by the United States or the United Nations but rather should be negotiated and decided upon directly by the sovereign nation of Israel and by the Palestinians.

Secondly, the resolution falsely claims that Israel's sovereignty over the eastern part of Jerusalem and areas that it controls after the Six-Day War, including Judea and Samaria, are supposedly “occupied Palestinian territory.” This is nothing short of absurd. What that means is that, what the terms of the United Nations resolution that the Obama administration acquiesced to—indeed, there are considerable reports that the Obama administration, President Obama, and John Kerry actively encouraged facilitation it—the Jewish Quarter, the Old City of Jerusalem, is illegal and illegitimate and not justifiably a part of Israel. Under the terms of that resolution, the location of holy sites for the Jewish people, including the most important holy site, the Temple Mount, is illegal and illegitimate to be a part of Israel. Under the terms of the resolution, the Western Wall, where Jews from all over the world go to pray, is deemed “occupied Palestinian territory,” illegal and illegitimate.

It is more than a little ironic that President Obama went to the Western Wall to place a yarmulke there, pretending to show respect to Israel, and yet his administration, in an outgoing act of contempt, declares the Western Wall not part of the nation of Israel.

This couldn't be further from the truth. It was also an affront to Jews around the world when the resolution was adopted on the eve of Hanukkah. For 8 days, Jews light candles all over the world to remember the miracle that happened there, and to commemorate the heroic battle fought by the Macabees that restored their right to worship freely and the rededication of the Temple in Jerusalem. How ironic it is that on the eve of a celebration liberating Jerusalem and rededicating the Temple in Jerusalem, the Obama administration and the United Nations would declare that Jerusalem and the Temple are not legitimately part of Israel.
How disgraceful—the United States should be not be facilitating the adoption of a resolution that at its core attempts to distort and rewrite recent history as well as the historical connection of the Jewish people to the land of Israel that goes back thousands of years.

Third, the resolution will also help fuel the Palestinian diplomatic, economic, and legal warfare campaign against Israel, particularly because of its provision that calls on states to make a distinction in their dealings with Israel between pre-1967 Israel and Israel beyond the 1967 lines, encouraging boycotts, divestments, and sanctions against Israel and potentially leading to Israeli and Americans being brought in front of the International Criminal Court.

Palestinian leaders are already promising to use this resolution to push the International Criminal Court to launch a formal investigation against Israel. That was not an unintended consequence of this action. That was precisely the intent of the United Nations and the Obama administration—to facilitate assaults on the nation of Israel. Yet even after this disgraceful United Nations resolution, it was clear that the administration was not yet done, with Secretary of State John Kerry delivering just days later a truly shameful speech attacking Israel. His speech, very much like Kerry’s 2014 remarks likening Israel to an apartheid state, will only enflame rising anti-Semitism in Europe. It will encourage the mullahs, who hate Israel and hate America, and it will further facilitate “lawfare,” the growing assaults on Israel through transnational legal fora.

President Obama and John Kerry’s actions were designed to secure a legacy, and in that, they have succeeded. History will record and the world will note that Barack Obama and John Kerry are relentless enemies of Israel.

Kerry’s speech drew a stunning moral equivalence between our great friend and ally Israel and the Palestinian Authority, which is currently formed by a “unity” government with the vicious terrorists of Hamas.

Secretary Kerry declared the Hamas regime and Gaza “radical” in the same way that he declared the duly elected Government of Israel “extreme.” That moral equivalence is false, and it is a lie.

The IDF, defending the people of Israel, protecting people, and keeping them safe, is not the same moral equivalent of terrorists who strap bombs to their bodies and seek to murder innocent women like children’s. That moral equivalence is false, and it is a lie.

The IDF, defending the people of Israel, protecting people, and keeping them safe, is not the same moral equivalent of terrorists who strap bombs to their bodies and seek to murder innocent women like children’s. That moral equivalence is false, and it is a lie.

Kerry declared the vicious terrorism sponsored by Hamas equal to the “disaster.” He equated Israel’s celebration of its birth with the Palestinian description of it as the “disaster.”

Unlike Barack Obama and John Kerry, I do not consider the existence and creation of Israel to be a disaster, and the Government of the United States should not be suggesting such a thing.

Kerry’s speech attempted to lay out a historic and seismic shift toward the delegitimization of our ally Israel. It is a sign of the refusal to defend American interests that Obama and Kerry chose to attack the only inclusive democracy in the Middle East—a strong, steadfast ally of America—while simultaneously turning a blind eye to the Islamic terrorism that grows daily.

Unfortunately, President Obama still has 2 weeks left in his Presidency, and he may not yet be done betraying Israel.

Next week, on Sunday, January 15, France is convening a conference with 70 other nations designed to serve as an extension of the U.N. resolution and the Kerry speech—an all-out assault on Israel. I am deeply concerned that what is decided at this conference will be used to try to further impose parameters or even audaciously to recognize a so-called independent Palestinian state through another Security Council Resolution.

The Council is scheduled to meet on January 17—conveniently, 3 days before Obama and Kerry leave office.

Let me speak a moment to our friends and allies across the globe.

When the President of the United States, when the administration of the United States attempts to encourage you to support their positions in the United Nations, that can be highly pernicious. It has been an arena, a forum that Barack Obama has flourished in, even as he has shown condensation and contempt for the Congress of the United States and the people of the United States.

But to our friends and allies, let me remind you: The Obama administration is coming to an end on January 20. If you desire to continue being a friend to America, if you desire a continued close working relationship with America, then I call upon our allies: Do not join in attacking Israel on January 15 in France or on January 17 at the Security Council.

The new administration—President-Elect Trump—has loudly condemned the U.N. resolution and the Obama administration’s complicity in its passage.

I would encourage our friends and allies not even to attend the January 15 conference, or, if they do choose to attend, to oppose and stand up and speak out against any further attempts to attack or undermine or delegitimize America or Israel.

I want to commend my colleagues on both sides of the aisle for offering resolutions to repudiate this administration for their actions of the last few weeks. It says something when you see Republicans and Democrats in Congress coming together, united to say: This action by the Obama administration is beyond the pale.

Let me underscore again to our friends and allies, to our Ambassadors, to heads of state, to friendships and relationships that we value so much: Listen to the bipartisan consensus of Congress, and do not go along with the bitter, clinging radicalism of the Obama administration, attempting to lash out and strike out at Israel with their last breath in office.

As commendable as these resolutions are, I believe the Senate and the Congress need to go further—that we need to take concrete steps so that there will be repercussions and consequences for the United Nations and the Palestinians for their behavior. That is why I am working with my colleague Senator LINDSEY GRAHAM on introducing legislation, along with other Members of this body, designed to cut the funding to the United Nations—designed to cut U.S. taxpayer funding going to the U.N.—unless and until they repeal this disgraceful anti-Israel resolution.

We know, previously, that one way to get the U.N.’s attention is to cut off their money. We know from the failure of other U.N. organizations to recognize so-called Palestine as a member-state after American tax dollars were withheld from UNESCO for doing so in 2011 that the U.N. over and over values its pocketbook over its leftist values.

However unintentionally, President Obama’s misguided foreign policy has led to an unprecedented rapprochement between Israel and America’s Arab allies, such as Egypt, Jordan, and the UAE. We have also seen hopeful signs of shifting positions at the United Nations, as countries such as Brazil, Mexico, Italy, and Australia have recently signaled that they may no longer vote reflexively in favor of the Palestinians. Great Britain, although it voted for the resolution, has recently demonstrated an unprecedented degree of support for the Jewish state.

These changes represent a significant opportunity for the United States to bolster one of our most important allies, an opportunity we can preserve for the President-elect by not letting Mr. Obama squander it on the way out the door.

America should be leading the charge at the United Nations and around the world to rally burgeoning support for Israel, not trying to stab the Jewish state in the back.

Just over a week ago, I spoke with Israeli Prime Minister Netanyahu. I told the Prime Minister that, despite the disgraceful actions of the United Nations, America stands resolutely with the nation of Israel, that the American people stand with Israel, and that I believe there is a very real possibility that the extreme and radical actions of Obama and Kerry will, in fact, backfire.

It is not accidental that they waited until after the election to do this. They could have tried to do this sum-
They waited until they were on their way out the door.

Kerry, in his speech, said Israel cannot be both democratic and Jewish—one or the other, but not both. That is a decision deemed profound only in Marxist faculty lounges.

Israel is Jewish, it is democratic, and it is and should remain both. I believe that by revealing just how extreme they are, by removing the fake mask of support for the United States, Obama and Kerry have chosen to do in the last several weeks, it will help to galvanize support in this body and across the world for our friend and ally, the nation of Israel.

Israel is not only our friend and ally, but it is a partner of the United States. That alliance benefits the vital national security interest of America. Israel’s military benefits the national security of the United States of America. The Israeli intelligence services benefit the United States of America. Israel’s steadfastness against radical Islamic terrorism, which has declared war on both Israel and America, benefits the national security interests of this country.

It is Israel—the thriving, one and only Jewish state—that stands on the frontlines for America and, more broadly, Western civilization against the global threats we face. Our commitment to Israel must be restored and strengthened. I look forward to taking action with my colleagues—I hope on both sides of the aisle—in the near future to repudiate Obama’s shameful attack on Israel, to repudiate the United Nations’ efforts to undermine Israel, and to reaffirm America’s strong and unshakable friendship and support for the nation of Israel.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 1

(Purpose: In the nature of a substitute)

Mr. ENZI. Mr. President, I call up amendment No. 1 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. Enzi], for Mr. Paul, proposes an amendment numbered 1.

The amendment is in the Record of January 4, 2017, under “Text of Amendments.”

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, with the permission of the chairman, I would like to ask unanimous consent to speak as in morning business for up to 20 minutes.

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

Mr. ENZI. Mr. President, would the Senator mind if it comes off of the resolution time?

Mr. WHITEHOUSE. I have no objection to that.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is the 152nd time I have come to the floor for my “Time to Wake Up” speech, warning about the perilous effects of climate change. I am going to continue this in the new Congress, continuing to present the latest and most compelling scientific evidence of the changes that are coming our way driven by carbon pollution.

Nobody should take my word for it. I urge my colleagues to listen to their own state’s climatologists, their own home state’s university researchers, their own home state’s public health officials, and their own constituencies who are out there fighting to protect their communities from the changes that are already happening right before their eyes.

In Rhode Island, we have a lot of fishermen, just as Louisiana has. Mr. President. The president of the Rhode Island Commercial Fishermen’s Association, just this past week, he was the subject of a New York Times article, “Climate change is going to make it hard on some of those species that are not particularly fond of warm or warming waters,” he told the Times. “Come right here”—where he was on his boat, The Proud Mary—“and catch two, three, four thousand pounds a day, sometimes 10.” But the whiting, the fish he was after, have moved north to cooler waters.

The Times reports that two-thirds of marine species off the northeast coast have moved from their traditional ranges into deeper and cooler water.

John Manderson is a biologist at NOAA’s northeast fisheries science center, and he told the Times in that article that public policy needs to keep pace with the rapidly changing oceans, where species are shifting northward in response to warming 10 times as quickly as the climate change that is described by the IPCC.

Mr. President, I am going to read this entire article in the New York Times to you here on the floor of the Senate.


John Manderson is a biologist at NOAA’s northeast fisheries science center, and he told the Times in that article that public policy needs to keep pace with the rapidly changing oceans, where species are shifting northward in response to warming 10 times as quickly as the climate change that is described by the IPCC. “Some are moving poleward at rates as high as 18 kilometers per year,” he noted, “a distance that is longer than the entire coastline of the United States.”

By 2100, the weather patterns will be very different from today, and the political pressure to do nothing is immense. If we do nothing, our $4 trillion in annual economic losses will increase another 50%.

In 2020, we have a special opportunity to codify the principles of the Paris accord, the world’s first global climate agreement, into US law.

First, the ocean is a major part of the way the climate system works.

The ocean holds 90% of the world’s heat, more than 90% of the world’s carbon, 90% of the evidence of the past 50 years that the climate is changing.

And the ocean is the future of life on Earth, providing 30% of our food and the livelihoods of nearly 3 billion people.

Please read the article here on the floor of the Senate.

As the ocean warms, it also becomes acidified, which means that it becomes less able to buffer the effects of carbon pollution. The ocean is vital to the survival of the human race.

Senator Whitehouse is continuing his speech about climate change. He is sharing an article titled “Climate Change Is Gone Fishin’” that was published in The New York Times on December 20, 2016.

The article discusses the impact of climate change on marine species and the need for public policy to keep pace with the rapidly changing oceans. It cites a biologist who notes that species are shifting northward in response to warming 10 times as quickly as the climate change that is described by the IPCC.

John Manderson, a biologist at NOAA’s northeast fisheries science center, told The New York Times in that article that public policy needs to keep pace with the rapidly changing oceans, where species are shifting northward in response to warming 10 times as quickly as the climate change that is described by the IPCC.

Some species are moving poleward at rates as high as 18 kilometers per year, a distance that is longer than the entire coastline of the United States. By 2100, the weather patterns will be very different from today, and the political pressure to do nothing is immense.

If we do nothing, our $4 trillion in annual economic losses will increase another 50%.

In 2020, we have a special opportunity to codify the principles of the Paris accord, the world’s first global climate agreement, into US law.

First, the ocean is a major part of the way the climate system works. The ocean holds 90% of the world’s heat, more than 90% of the world’s carbon, and 90% of the evidence of the past 50 years that the climate is changing.

And the ocean is the future of life on Earth, providing 30% of our food and the livelihoods of nearly 3 billion people.

As the ocean warms, it also becomes acidified, which means that it becomes less able to buffer the effects of carbon pollution. The ocean is vital to the survival of the human race.
wildlife biologist with the Rhode Island Department of Environmental Management, which has to tear up roads and parking lots along the Sakonnet River as the sea rises. The Journal writes:

As the barrier beach just south of Sapowet Point has narrowed—losing nearly 100 feet since 1939—the salt marsh on the other side has become more susceptible to flooding.

The Independent made Rhode Island’s case for climate action in a December editorial. It was written:

The signs are clear, if not immediately visible to most. There are the well-documented, widely publicized shifts with global import, such as the loss of the groynes and the frequency of extreme weather events. Locally, there are changes in the ecology of Narragansett Bay, and locations at which the effects of a rising sea level—sometimes subtle, sometimes less so—may be plainly seen. . . .

But we encourage all Rhode Islanders, from coastal communities and beyond, to remain attuned to the situation—in terms of both what the sea is telling us and what we are being prepared to propose for coming changes. The stakes are very high, and the possible effort required to meet the challenge.

That is the message to me from Rhode Island. That is why I give these speeches.

As I continue to push for honest debate on this issue in Congress, I also tour around the country to see folks on the ground in other States. I have now been to 15 States. In the closing months of 2016, I hit Texas and Pennsylvania.

In Texas, I joined Representative Eliot Ness Stalfact, the advocacy group Public Citizen Texas, and Texas environmental advocates at a public event in Austin to call out Congressman LAMAR SMITH, Republican chairman of the House Science, Space, and Technology Committee, for his abuse of congressional power to harass public officials and climate scientists, including subpoenaes demanding that States allow general divestiture of their investigatory materials relating to their inquiries into ExxonMobil’s potentially fraudulent climate misinformation. The committee is also harassing the Union of Concerned Scientists, 350.org, Greenpeace, and various university scientists because they are exposing Exxon for years of misleading the public on its understanding of climate change. Texans are taking notice. The San Antonio Express-News, which had previously always endorsed Congressman SMITH for reelection, decided not to endorse him in this latest election cycle. The paper cited his “bullying on the issue of climate change” as behavior that “should concern all Americans.”

I joined a panel discussion with leading scientists from Texas universities to discuss their research into climate change in Texas. The panel included Dr. John Anderson from Rice University, Dr. Andrew Dessler from Texas A&M University, Charles Jackson of the Eagle Ford, and Kerry Cook from the University of Texas at Austin, and Dr. Katherine Hayhoe from Texas Tech University. They had a unified voice on the dangers of climate change.

Dr. Hayhoe said Texans are seeing changes all around them. We get hit by drought. We get hit by heat. We get hit by storms. We get hit by sea level rise. And we’re starting to see those impacts today. . . . Texas is really at the forefront of this problem.

Dr. Anderson of Rice agreed that the Texas climate is already changing. He said:

Accelerated sea-level rise is real, not a prediction. Its causes are known—thermal expansion of the oceans and melting of glaciers and ice sheets—and it is causing unprecedented impacts here in Texas. Dr. Dessler from Texas A&M laid out what he called “the fundamental and rock-solid aspects of climate science: humans are loading the atmosphere with carbon, this is warming the climate, and this future warming is a huge risk to our society and the environment. We should insist that our elected representatives rely on this sound science when formulating policy.”

I returned to Austin in November to speak to the Association of Public and Land-grant Universities. President David Dooley of the University of Rhode Island had invited me to join a panel that he moderated with, among others, Dr. John Nielsen-Gammon, Texas State climatologist and professor at Texas A&M. The bottom line was simple: Climate change is real, and the scientists at our universities will be increasingly forced to defend good science, academic freedom, and climate action. University leadership will have to defend their scientists against the onslaught of FOIA requests and personal attacks that are the modus operandi for climate deniers and against the phony science fronts propped up by the fossil fuel industry to spread calculated misinformation. The American scientific community faces a real threat from that operation.

On to Pennsylvania, I had the opportunity to spend a day traveling with my friend and colleague Bob Casey around southeastern Pennsylvania getting a firsthand look at the effects of climate change and hearing about the work Pennsylvanians are doing to address it. At the University of Pennsylvania’s Morris Arboretum, leaders from Children’s Hospital of Philadelphia Prevention Program, Moms Clean Air Force, Physicians for Social Responsibility, and other groups talked about kids with asthma and other conditions that worsen when temperatures and pollution levels are high.

In Malvern, we toured the LEED platinum North American headquarters of Saint-Gobain, the world’s largest building materials company. The company is demonstrating that green building materials and technologies can be stylish design to produce stunning results. With operations in Rhode Island, Pennsylvania, and around the globe, Saint-Gobain is developing innovative technologies to reduce pollution, generate clean energy, and improve air quality for millions of people.

From there, we visited the John Heinz National Wildlife Refuge, which is Pennsylvania’s largest freshwater tidal wetland. Lamar Gore, the refuge manager, showed us how the refuge is at risk from the saltwater pushed in by rising sea levels. The refuge is adjacent to the Philadelphia International Airport, along the Delaware River.

As you can see from these graphics reproduced from the New York Times, at 5 feet of sea level rise, some of the city goes underwater and the refuge is in real trouble. Water encroaches upon the Philadelphia airport. At 12 feet of sea level rise, 6 percent of the city—including the refuge, airport, and parts of downtown Philly—is underwater. Projections that parts of Philadelphia will one day be uninhabitable due to sea level rise are one of the major drivers for forward-looking climate mitigation and adaptation policies. Senator CASEY and I met with them too.

Being in Pennsylvania gave me a chance to connect with Dr. Robert Brulle of Drexel University. He is the scholar who documented the intricate propaganda web of fossil fuel industry-funded climate denial, connecting over 100 organizations, from trade associations, to conservative think tanks, to phony consumer groups, to Facebook, to the phony science fronts as Smitty and known for his signature straw hat, over his career he has testified more than 1,000 times before the Texas Legislature and Congress—Mr. Uphill Smith, indeed. He was a very successful, though, and central in creating the Texas Emissions Reduction Program, which led to wide-scale deployment of solar and wind across Texas. A true environmental champion, Smitty retires this year.

I asked unanimous consent to have printed in the RECORD a recent tribute from the Texas Tribune entitled: “Analysis: ‘Smitty,’ a Texas Lobbyist for the Small Fry, Retiring after 31 Years.”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Texas Tribune, Sept. 21, 2016]

ASHLEY: “SMITTY,” A TEXAS LOBBYIST FOR THE SMALL FRY, RETIRING AFTER 31 YEARS

(BY ROSS RAMSEY)

Tom “Smitty” Smith, a colorful lobbyist and liberal activist who turned Public Citizen’s attention into a powerful lobbying firm, is stepping down from his leadership of the environmental, utility, consumer and ethics areas, is hanging up his spurs after 31 years.
In the early 90s—the heyday of consumer rights legislation and regulation in Texas—Robert Cullick, then a reporter at the Houston Chronicle, gave Tom “Smitty” Smith of Public Citizen an unofficial title: Everybody’s Third Paragraph.

Smith, 66, announced his retirement Tuesday from his official post after 31 years, ending an era of reporting and lobbying on behalf of consumers and citizens on a range of issues like utilities, insurance and political ethics. He was often the voice of the opposition in legislative fights and in the media, which earned him that reporter’s epithet.

He’s from that part of the Austin lobby that doesn’t wear fancy suits, doesn’t drive the latest luxury cars and doesn’t spend its time fawning over and feeding elected officials. Smitty has a beard, an omnipresent media, which earned him that reporter’s epithet.

He’s from that part of the Austin lobby that doesn’t wear fancy suits, doesn’t drive the latest luxury cars and doesn’t spend its time fawning over and feeding elected officials. Smitty has a beard, an omnipresent media, which earned him that reporter’s epithet.

“From that point forward, he’s been a leading voice for government intervention and regulation of big industries and interests in the capital of a state with conservative, business-friendly politics. Reformer parties who parleyed themselves on light regulation, low taxes and a Wild West approach to money in politics.

For the most part, Smith seems to have disagreed strongly, vociferously, but agreeably. He doesn’t wear his wins or his losses on his sleeve.

“Thank you, Smitty.

Mr. WHITEHOUSE. Mr. President, in the article, he is quoted as saying: ‘The thing that I learned time after time, story after story, is that people standing up do make a difference.’ Smith says. ‘It does change policy.’

‘Citizen activism does matter, and it’s the only known antidote to organized political corruption and political money,’ he says.

His years have included food security, decommissioning costs of the nuclear reactors owned by various Texas utilities, insurance regulations, ethics and campaign finance laws. He’s lobbied on environmental issues and product safety.

He counts the ethics reforms of 1991 as one of his big wins. As unregulated as Texas political ethics and campaign finance might seem today, things were a lot looser before reformers used a flurry of scandals and attendant media coverage to force changes. Smith, a medical bill of sorts that gave consumers some leverage with their doctors and their health insurers.

Public Citizen was a key player in the creation of the Office of Administrative Hearings, which took administrative courts out of several regulatory agencies and put them in a central office, farther from the reach of regulated industries and elected officials. Smith now points to the Texas Railroad Commission, which still has its own administrative hearings, as an example of a too-close-too-healthy relationship between regulators, the companies they regulate and the judges supposed to referee their differences.

He was an early and noisy advocate for renewable energy, urging regulators and lawmakers to promote wind and solar generation—and transmission lines to carry their power—as an alternative to coal plants and other generating sources. That looks easier from a 2016 vantage point than it did in 1989, when an appointed utilities regulator derided alternative energy in an open meeting by saying that he hadn’t smoked enough dope to move the state in that direction.

That regulator is gone now, and Texas leads the nation in wind energy. Chalk one up for the environmental advocates.

Smitty is leaving with unfilled wishes. He’d like to have made more progress on Texas climate change, on campaign finance reforms and conflict-of-interest laws.

The ethics reforms of 1991 included creation of the Texas Ethics Commission and a number of significant regulations on the behavior of the Texans contending for and holding elected offices. More, of course. Smith had a list of 13 reforms that year, and eight made it into law. Some of the remaining items remain undone 25 years later.

“All the time I’ve been working here, Texas politics has been largely controlled by organized businesses pooling their money together and making significant contributions to key legislators,” Smith says. “Legislators are more concerned about injuring their donors than are about injuring their constituents.”

He illustrates that with stories, like one about a legislator asking, during a House debate, if his colleagues knew the difference between a campaign contribution and a bribe. “You have to report the campaign contribution.” And another, when a member—former state Rep. Eddie Cavazos, D-Corpus Christi, who went on to become a lobbyist—was making a plea for cutting the influence of big donors. Cavazos recalls telling a story about two representatives calling him from a big donor and from someone who wasn’t a political friend. He says he told his colleagues, “You know which one you’re going to answer.”

“I’m sorry to see Smitty go,” Cavazos said Tuesday. “He provided a large voice in the Legislature that was needed—a balancing voice.”

Good words, and the speech by Thank you, Smitty.

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

Mr. WHITEHOUSE. Mr. President, in the article, he is quoted as saying: ‘The thing that I learned time after time, story after story, is that people standing up do make a difference. It does change policy.’ Good words, and the speech by Thank you, Smitty.

Mr. President, in the article, he is quoted as saying: ‘The thing that I learned time after time, story after story, is that people standing up do make a difference. It does change policy.’

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerks will call the roll.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. BOOKER. 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. BOOKER. Mr. President, I am really proud to stand here, having represented New Jersey now a little bit over 3 years in the U.S. Senate. I have to say that I have developed a great respect for the process getting through both sides of the aisle. I have a deep belief that this is a body that can do good things for the American people. We don’t always agree, and too many things are not getting done, but I have seen this body at its best. I have seen our ability to rise to the occasion, get the job done, and that I have made friendships and found respect for people and my colleagues across the aisle, as well as fellow Democrats.

I have witnessed occasions where Members of both parties have put principle before politics and evidenced a willingness to actually embrace personal political risk to stand up for what they believe is right and honorable and in the best interest of our country. Given this, this is a day in which I rise with painful disappointment. Frankly, I feel a deep sense of astonishment and even a sense of crisis. Thus, I feel a deepened determination to fight with everything I have against the efforts of my Republican colleagues that I believe will harm our country as a whole but particularly the most vulnerable people in our country.

This is about the Republican push, really the race—what I believe is a real race—to repeal the Affordable Care Act without putting forth any legislation, any proposal, any plan on how they intend to replace it. This is fundamentally dangerous, and it will hurt millions of Americans. I have heard over the past month people rightfully saying: Well, this is how the Affordable Care Act was implemented. I understand the frustrations that have resulted from that, and people think this was jammed through along party lines and using similar legislative tactics. The truth is, that is simply not the case. The Affordable Care Act went through a long and arduous process and received input from doctors, nurses, patient groups, medical professionals of all types.

The Affordable Care Act started with listening sessions, then hearings, then the advice and counsel of policy experts, businesses, market experts, insurance companies, health insurers, hospitals—literally thousands and thousands of people over thousands of hours, often through public discourse, putting forth ideas that actually shaped and changed legislation. I wasn’t in the body then. I was a mayor in Newark, NJ, but I know this occupied months of debate.

Years later, Republicans are seeking to undo this work with a kind of plan to move forward. They are saying that they have a plan, but I believe that is not the Affordable Care Act without putting forth any reasonable plan. This is about the Republican push, really the race—what I believe is a real race—to repeal the Affordable Care Act, things that they want to maintain, things they believe make a real difference. Those are things I have heard Republicans praise and even say again they want to protect. These things are making a lifesaving difference for millions of people.

Let’s be clear. The overwhelming majority of Americans believe that we should not give the power back to insurance companies to deny people health insurance in a pre-existing condition. Let’s be clear. The overwhelming majority of Americans believe that we should not give the power back to insurance companies to deny people health insurance in a pre-existing condition. Let’s be clear.
We also believe that requiring health plans cover preventive services is a profoundly important thing to do for individuals in this country, but it actually saves Americans money by pushing people to do preventive care—mammograms, birth control, and mental health services, to name a few. These are logical things that the majority of Americans believe in, such as closing the prescription drug coverage gap, which too many seniors on Medicare and people with disabilities have had to face, known as that doughnut hole. We believe in prohibiting insurance companies from charging women more money simply because of their gender. The overwhelming majority of Americans believe in requiring the insurance companies to spend more on patient care and less on administrative costs, and the insurance companies shouldn’t be allowed to gouge the American people while making massive profits at the same time.

There is the illusion that people believe in and want to have preserved, and these are tremendous things for America. There are bank account savings; there are lifesaving policies, all of which are popular with Democrats, Republicans and Independents. They are popular with people on both sides of the aisle in this body.

Some Republicans have said that what they are doing will not threaten these accomplishments, but this couldn’t be any further from the truth. The way they are going about this puts the health care system in a perilous position. The health care system is complicated in nuance, and to think you can repeal something without replacing it right away shows a lack of understanding of what is going to happen and what the consequences will be.

What the Republicans are doing now is quite contrary to what the Democrats did before the ACA passed in 2010. Republicans are not putting forth a proposal. They are not speaking to the health care needs of all Americans. They are not inviting professionals from all different backgrounds to help shape a plan for America. They are not even fulfilling what I heard countless Republicans on the campaign trail, including our President-elect, say: They would repeal and then replace. They are not replacing.

The replace part put forth by the majority Republicans has not materialized. It doesn’t exist. There is no plan to replace, no statement of principles, no outline of features, no framework for a plan, no explanation of how they would pay for the things they claim they like. There is no specification of what a plan might materialize or even any substantive hint of what many Republican colleagues plan on doing to address the crisis—the crisis that will surely come as a result of repealing the Affordable Care Act without giving forth any replacement.

I say time and again: Show us the plan before you repeal this legislation.

If you do not do that, you will be responsible for pain, suffering, chaotic markets, and for many Americans’ health care problems. There are many people who don’t understand this. They listen to the political rhetoric, and they think: Hey, you might be that one, but not me. But if you are not sure enough, if you are a Member of this body, in fact, this concept of repealing and maybe figuring out a replacement down the road might sound good. But if you are one illusory and memory to remember the challenges of having a child with a preexisting condition, if you know that one injury, one unexpected fall could place your family in peril but for the insurance you have, if you are one of the 20 million Americans who used to be uninsured and now you have insurance, you know how perilous this moment is.

You know that you can’t afford the recklessness of any politician—a Republican move that equates to jumping off a cliff and then packing your parachute on the way down.

Repealing without replacing is simply irresponsible, it is dangerous, and it is threatening to our country’s well-being. Our families, children, the elderly—will suffer.

This is a moment where we need Republican leaders to tell the truth and say: We want to improve our health care system. We may not believe in ObamaCare, but we can’t tear it down unless we do the responsible thing and put forth a replacement.

Right now, what we have is political rhetoric that is not just rhetoric. It is perilous. It is dangerous. It is threatening to our Nation. This will inflict immediate catastrophe upon families, causing millions to lose their health insurance, and it will unleash chaos with market uncertainty and cost spikes.

There is no defense for what is being done. I don’t understand it. There is no logic here whatsoever. Elections were won. You now have the floor and the ability to put forth your great vision for health care in America, but doing it backward and repealing something and not offering up a plan is truly putting politics before people. This is a move of grand political theater that comes with profound public consequences affecting millions.

As a Democratic Senator, some people will say that this is just political rhetoric, but these are not just partisan words. This is the truth and don’t take my word for it. Look at the words of other more thoughtful—other very thoughtful people. Democrats and Republicans, businesspeople and nonprofit leaders, conservative think tanks and nonpartisan groups, speaking with a chorus to the point I am making. Experts across sectors, across industries, and across the country are taking a ‘rush to put forth a plan and just replace. Will Republicans listen to these experts? What about the president of America’s leading cancer group, the American Cancer Society? Will they listen to them? They urge Congress to ‘consider the future of the Affordable Care Act. It is critically important that cancer patients, survivors and those at risk of the disease don’t face any gap in coverage of prevention or treatment. . . . Delaying enactment of a replacement for 2 or 3 years could lead to the collapse of the individual health market with long-term consequences.’ There are also Greyhounds from across the country urging American hospitals made it clear. The American Hospital Association warned that Republican action of repealing without a plan would result in an ‘unprecedented health care crisis.’

Are Republicans listening to doctors and hospitals or are they rushing forth, willing to risk a crisis for our country, and for what? They are a President for 4 years, a Congress for 2. What is the rush to put forth a plan and just repeal? Will they listen to these experts? What about the president of America’s leading cancer group, the American Cancer Society? Will they listen to them? They urge Congress to ‘consider the future of the Affordable Care Act. It is critically important that cancer patients, survivors and those at risk of the disease don’t face any gap in coverage of prevention or treatment. . . . Delaying enactment of a replacement for 2 or 3 years could lead to the collapse of the individual health market with long-term consequences.’

This organization is respected by people on both sides of the aisle and is not a time for partisan games. They are calling out the truth; that it is a reckless Republican move to repeal without replacing. Will Republicans listen to the American Diabetes Association? Folks with diabetes are Independents, Republicans, and Democrats, and this is an organization respected by people on both sides of the aisle. They say:

The Association strongly opposes going back to a time when . . . treatment for pre-existing conditions like diabetes could be excluded from coverage when people could find that their insurance coverage was no longer available just when they needed it most.

What is the Republican plan to address these concerns and to pay for the elections? Will they listen to private businesspeople? They, too, join in the chorus of Americans urging that Republicans not endanger the lives and livelihoods of millions.

The Main Street Alliance. We all have main streets in our States and our communities that are the mainstays of our small businesses. These small businesses embody the character of America. They are the backbone of our communities, and they urge lawmakers to consider the devastating effect a repeal without
replace would have on small businesses:

Small business owners depend on healthy and vibrant communities to keep us profitable in the engines of economic growth. Changes to our health care system are needed, but not in the form of cuts to critical programs or through taking away our health coverage.

There are some Senators who are speaking out. It is not the entire Repub-lican caucus. The great majority of Senators are saying exactly what I am saying. Yet we are still rushing toward a vote, even with Republican Senators having the courage to stand up. Just yesterday Republican Senator RAND PAUL of Ken- tucky, before voting to proceed to this measure, said: “It is imperative that Republicans do a replacement simultaneous to a repeal.” I respect my Repub-lican colleague for saying what is common sense and speaking up against the reckless actions being taken by the Repub-lican Party as a whole, and some fellow Republican Senators have joined him in similar statements, including LAMAR ALEXANDER, the chair of the Health, Education, Labor, and Pen-sions Committee. The Republican from Tennessee noted in an interview in November 2016 that when it comes to the ACA, “we need to focus on first”—Senator ALEXANDER said—“is what would we replace it with and what are the steps that it would take to do that?”

Republican Senator SUSAN COLLINS of Maine shared in an interview last month that she was “concerned about the speed in which this is occurring” and expressed concern over what would happen to her constituents in Maine who had signed up for insurance through the ACA, saying: “You just can’t drop insurance for 84,000 people in my State.”

I not only talk about Republicans in this country that are conserva-tive thinkers focused on our country that are speaking out now as well. The American Enterprise Institute said in a 2015 report that “repealing the law without a plausible plan for replacing it would be a mistake.”

So here we have it from all over the country, people across the political spectrum, experts, market analysts, insur-ance executives, doctors, nurses, hospital leaders, patient groups; these people in our country who are beyond politics, beyond the scope of the Affordable Care Act when it was enacted are now speaking in a chorus of conviction in one voice: Don’t repeal the Affordable Care Act without a clear plan to preserve the things that are making America healthier and more financially strong and secure. Don’t recklessly rush into a politically moti-vated move that would endanger the health care of millions of Americans, increase the costs for millions of Americans, throw insurance markets into chaos, put hospitals’ financial stability, and put our most vulner-able Americans into crisis: our seniors, people in nursing homes, retired coal miners, people recovering from drug addiction, the poor and other under-served communities.

We are America, and this is a time that we must call, not to party rhet-oric but to who we are and what we stand for. The small risk of the repeal without replacement happen. We must know what the Republican plan is so experts, market analysts, insurance folks, doctors, everyone understands what will happen. We must know what will Americans will be hurt. It is time to put our country and the people first. There is no rush. The voters gave this body 2 years. It gave the Presidency 4 years. We must now fight these efforts. We must resist. We must call the conscience of neighbors and appeal to the moral compasses of our Republican leaders to do what they said they would do—put forth your plan. Let the American people know what they are going to do and do not thrust millions of your fellow country men and women off a cliff and shout promises to them as they fall: “Hey, don’t worry. We will figure something out before you hit the ground.” Where is the honor in that?”

Conversely, the majority leadership of the Senate is today to offer my warmest wishes to Judge Rossiter on her confirmation to the bench. The Presiding Officer, Mrs. Ernst, without objection, it is so ordered.

Mrs. FISCHER. Madam President, I rise today to offer my warmest wishes to Judge Rossiter on her confirmation to the bench.

Judge Rossiter is a professional. Her service is a labor of love for our country and this institution in particular.

Judge Rossiter has worked in the Senate longer than all but nine of its current Members, serving this Chamber for 23 years. For Stephen Higgins, the truth has always mattered. He is a man of high character and great personal integrity. These attributes made him exceptionally well-suited for work in another critical realm of the Senate: judicial nominations. “Judges hold people’s lives in their hands,” Stephen said. “Their decisions have life-altering consequences.”

Most recently, Stephen played a key role in the nomination of Omaha attorney Bob Rossiter to serve as U.S. district court judge for the District of Nebraska, and last year, the Senate confirmed Judge Rossiter unanimously. This was a beautiful capstone to Stephen’s Senate career.

He leaves the Senate now for a new position: managing director of the
Human Ecology Institute at the Catholic University of America. This is an interdisciplinary research institute that will apply the rich intellectual tradition of the Catholic Church to contemporary problems in our society. As Stephen said in his essay: "The Church is the institution I love more than the Catholic Church." Sounds like a match made in Heaven. As he takes his new post, I know Stephen will work like it all depends upon him and pray like it all depends upon God.

I took my oath of office on August 15, 1997. I was sworn in by President Clinton, a wife of 18 years, Lauren, and their two children, James and Elizabeth.

So, Stephen, thank you so much for all you have done for my office, for the Senate, and for the people of this country. Good luck. God bless.

Madam President, I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be divided equally.

The Senator from Utah.

BEARS EARS NATIONAL MONUMENT

Mr. LEE. Madam President, on January 20 of this year, change is coming to the White House. But until that day, it appears that President Obama will desperately cling to the status quo and continue to do what he has done on far too many occasions: abuse his Executive power in place of the Constitution and its supporters is that virtually all of this tribal support came from Native Americans residing outside of Utah, not inside Utah, and certainly not within San Juan County where this 1.35 million-acre designation occurred.

In fact, the most prominent Native American group that advocated for a national monument in Utah is actually an alliance called the Bears Ears Inter-Tribal Coalition, which is made up of several tribes, and most of its members reside outside of the State of Utah.

Yet, national monument advocates routinely invoke the Inter-Tribal Coalition as the authoritative mouthpiece of all Native Americans in the Southwestern United States. So how did a coalition of Native American tribes from Colorado, Arizona, and New Mexico rise to such a position of prominence in a debate over a national monument in a remote corner of Utah?

Mr. LEE. Madam President, I do not know how this happened. Yet, national monument advocates in fact have been successful in globalizing their cause, with millions of dollars from wealthy environmental organizations, channeled into their campaign. The objective of the Navajo Nation was the only way they could achieve their longstanding goal of creating a national monument in Southwestern Utah.

The ability of uber-rich environmentalists to essentially buy a national monument in Bears Ears exemplifies why the people of San Juan County—including the Navajo residents, whose lives and livelihoods are intricately linked to the Bears Ears region—oppose some 1.35 million acres to be carved into stone. As one White House official recently told the Washington Post: "We do not see that the Trump administration has authority to undo this.''

But they say this only because they are not looking hard enough. The truth is what can be done through unilateral
Executive action can also be undone the same way. Such is the impermanence of Executive power in our constitutional republic, where major policy changes require broad consensus, forged through legislative compromise, to ensure the durability of these decisions. In a recent Wall Street Journal article, two prominent constitutional scholars, Todd Gaziano and John Yoo, explain this point as it relates specifically to President Obama’s use of the Antiquities Act to designate the Bears Ears National Monument. The Antiquities Act of 1906, as they explain, does not create an irreversible monument. When a President uses it, its use is not necessarily indelible.

In other words, starting on January 20, 2017, President-Elect Trump can use his Executive powers to rescind President Obama’s designation of the Bears Ears National Monument. I have asked the future Trump administration to do precisely that.

I have also recently cosponsored Senator Menendez’s bill, the Improved National Monument Designation Process Act, which would require all future Presidents to obtain congressional and State approval prior to designating a national monument. I have done these things and more, because I believe the preponderance of evidence proves that President Obama abused his powers—the powers granted to him under the Antiquities Act—in designating the Bears Ears National Monument.

This isn’t just my opinion. It is the opinion of most of my fellow Utahns, including those patriots who assembled on the county courthouse steps in the rural town of Monticello on December 29. These are the people who were ignored by the Obama administration. These are the people who were cut out of the decisionmaking process that produced this particular national monument designation. These are the voices that were stifled by the wealthy, out-of-State, well-connected environmental groups that spent millions of dollars to lock up our land for their exclusive use.

So it is fitting to let one of them—one of the residents of San Juan County—have the last word today. I think Suzy Johnson put it best when she said:

Mr. Obama, you have failed the grassroots native. A true leader listens and finds common ground. The fight for our land is not over. Your name will blow away in the wind.

I yield the floor.

The PRESIDENT PRO Tempore Mr. Sasse. The Senator from Maryland. Mr. VAN HOLLEN. Mr. President, I ask that the time I use be charged against the resolution.

The PRESIDENT OFFICER. The Senator is recognized.

Mr. VAN HOLLEN. Mr. President, this is the first time I have risen to speak on this Senate floor. I want to start by thanking my fellow Marylanders for joining them in this great United States Senate. I want to thank my colleague Mr. CARDIN, the senior Senator from Maryland, for joining us. I thank the new Senator from California, Ms. HARRIS, for joining the Senate. My fellow Marylanders that I look forward to working every day for their benefit and for the benefit of our Nation. I want to say to my new colleagues in the Senate—Republicans and Democrats alike—I look forward to working with all of you in the years to come for the good of our Nation.

I understand it is somewhat unusual for a new Member to speak so soon on the Senate floor, but what we are witnessing today in the Senate is not business as usual. What we are witnessing are extraordinary times. Having served as the lead Democrat on the House Budget Committee, I know that never before has the Senate rushed out of the gate so quickly to enact a budget procedure to avoid any trigger by extending, hundreds of millions of Americans—their rights in this United States Senate. Yet here we are, speeding to use the budget process to fast-track a so-called reconciliation bill that will destroy the Affordable Care Act and, in doing so, wipe out affordable care for over 30 million Americans and create total chaos throughout the American health care system. That is reckless. It is irresponsible, and it violates the traditions of this institution.

I may be new to the Senate, but I am not new to the way this Senate has operated. I may be new to the Senate, but I am proud to be a part of one of the most powerful branches of government. No other branch can claim the same historical role. Our country is founded on the principle that the powers of government are inherent in the people and that it is the duty of government to protect those rights.

This Senate is supposed to be different, but at least for now it seems very much like the House I just left. As a result of the fast-track process in the Senate, we will be overriding and roughshod over the will of a majority of the American population, and Americans are just now waking up to learn about the bait-and-switch scheme that has been perpetrated on them. For more than 6 years, Republicans in this Senate and in the House of Representatives have said repeatedly that they would not be able to take the kind of coverage and service of the Affordable Care Act and the consequences of that failure are going to be devastating for the country.

Let us take a moment to look at the human toll. First, there are the 22 million Americans who previously had no health insurance before the Affordable Care Act but are now covered through the health care exchanges and through expanded Medicaid. These are people who have been denied access to coverage because they had preexisting conditions or their preexisting conditions—whether it was asthma, diabetes, heart conditions—so they were either outright denied by insurance companies or priced out of the market. That 22 million may be a big number, but it comprehends the fact that there are many families like Carlos and Isabelle Martin, who live not far from where I live in Silver Spring, MD. They could no longer afford health insurance through their employer. Shortly after the Affordable Care Act was enacted, Carlos was told he needed a liver transplant to survive. His wife Isabelle said that without the Affordable Care Act, he would never have received that lifesaving treatment.

There is the case of Diane Bonciori, who now lives in Hyattsville, MD. She previously had open-heart surgery. When her Cobra expired, it was only because of the Affordable Care Act that she was able to get coverage and not be denied coverage because of a preexisting condition. Days after she was on the Affordable Care Act, a cardiologist told her one of her heart valves was failing and she would need another surgery immediately, and she has told us that she “would have died” had she not had that coverage.

In addition to Diane and Carlos and the other 22 million Americans who would have been denied affordable health care before the Affordable Care Act and Medicaid, there are an additional 7 million Americans on the health care exchanges today who are projected to totally lose that coverage if Republicans pull the plug on the Affordable Care Act. That is over 30 million Americans who will lose access to affordable care directly.

There is no doubt that in those health care exchanges, we have seen increases in premiums and some of the copays, and we need to do something about it, which is why I and many of my colleagues have put forward ideas to address the increases we are seeing in the health care exchanges in terms of costs. We put those ideas on the
table, and we would welcome our Republican colleagues to join us to improve the Affordable Care Act. You don’t fix a health care system, you don’t fix those problems by blowing up the entire Affordable Care Act. That is not a solution. I also want to focus for a moment on the tens of millions of Americans who are not included in that 30 million who benefit directly from the Affordable Care Act but who are benefiting right now from ObamaCare. They may not realize it now, but mark my word they are going to face very unpleasant and unexpected consequences if the Affordable Care Act is ripped apart.

First, let us take a look at the overwhelming number of Americans who get their health care not on the health care exchanges but through their private employer—most Members of this body, most Americans. The premiums in those plans have actually risen much more slowly since the Affordable Care Act was enacted than before. The overwhelming number of Americans who are on those plans have benefited dramatically from the reduction of costs. Why did that happen? Because all those who had been previously denied access to health care who are in the ObamaCare exchanges, they used to show up in the hospital as their primary care provider or, since they weren’t getting any care at all because they couldn’t afford the bill, they were showing up at those hospitals when there was an emergency, when cost was most expensive. We don’t deny people care in an emergency, and then they get the bill and they can’t pay the bill. That is why so many people were going bankrupt in America before the Affordable Care Act. But somebody pays. Who pays? Well, everybody else in the system pays. Everybody else who has private insurance through their employer pays or taxpayers who make up for uncompensated care that hospitals would otherwise have to carry. In the end, people’s premiums were going up really fast, but by providing the health care system through ObamaCare for those exchanges, however imperfect, it has helped those other tens of millions of Americans. Let us look at Medicare beneficiaries, millions of seniors. Watch out. Their costs are going to rise in three and maybe four ways right away.

First of all, their Part B premiums that every senior on Medicare pays are going to go up. Why is that? Because as part of the Affordable Care Act, we got rid of some of the overpayments, the excessive subsidies that were being paid to certain providers, including some of the managed care providers who were paid, on average, 115 percent more than for service. We said that makes no sense. That is a waste of Medicare beneficiaries’ money. So we reforming the Medicare system. We also save the Medicare beneficiaries money in their premiums because those premiums are set partly to the overall cost of Medicare. If you reduce the cost of Medicare in a smart way, you reduce those premiums. That is why seniors have seen such slow increases in their Part B premiums since the enactment of the Affordable Care Act. Those will go right back up.

Second, seniors on Medicare no longer have to pay for preventive health screenings, cancer screenings, diabetes screenings, other kinds of preventive care because we wanted to encourage them to identify the problems early and solve them for their own health care purposes but also because it saves money in the system. You get rid of the Affordable Care Act, those seniors are going to be paying premium copays for those preventive health services.

Prescription drug costs. Seniors—and there are millions and millions of them who face high prescription drug costs—are benefiting today from the fact that we arelessness in the process of closing the prescription drug doughnut hole. We had an absolute crisis in this country where so many seniors were faced with the difficult choices of getting the medications they needed to live day by day and putting a roof over their head. That is why we are closing the prescription drug doughnut hole. You get rid of the Affordable Care Act, all those seniors who, on average, have saved thousands of dollars with the Affordable Care Act are going to see their costs go up.

Finally, if you enact the plan that has been put forward by the Speaker of the House, Paul Ryan, and by the person who President-Elect Trump has nominated to be his Secretary of Health and Human Services, Tom Price— I encourage every American to monitor the health market, subsidize or otherwise. It was an idea long promoted by Republicans, including many Republican Senators, some of them still here today. It is an idea rooted in the concept of personal responsibility, the idea that every American, if they want to do their part and help pay for their health insurance, otherwise, if they don’t pay, they are going to force other people to pay when they go seek that care in the emergency room or wherever it may be. In order for that idea to work, the idea that was put forward by the Heritage Foundation, the idea in ObamaCare, everyone needs to have coverage because it would not make a lot of sense for us to be paying out all the time if we were able to wait until we got sick and then pay. That is the idea of having everyone in the pool have insurance. The idea is, you don’t want to use it, but you buy that protection. If other people don’t buy the protection, then the rest of the folks feel like they are being taken advantage of, which is why everyone has to be in the pool, which is why it was an idea that came out of the Heritage Foundation.

In fact, I have the Heritage official report right here: Critical issues—a national health care system. This was back in 1989.

I want to read the three elements in the Republican plan. Element No. 1, every resident in the United States must by law be enrolled in an adequate health care plan that covers major health care costs. No. 2, for working Americans, obtaining health care protection must be a family responsibility. No. 3, the government’s proper role is to monitor the health market, subsidize needy individuals to allow them
to obtain sufficient services, and encourage competition.

That sounds like a description of ObamaCare. It is— which is why, of course, it was dubbed “RomneyCare” when they adopted this model for the State of Massachusetts. He adopted it based on the Republican’s Heritage model.

So here is the problem: Republicans can’t come up with an alternative. That is why it has not happened for 6 years. If we are going to come up with an alternative, you have to go to either one of two models. One is Medicare for all. The other is the idea that every American has to be in the system and the idea based on personal responsibility, which at its start was a Republican idea. When President Obama adopted it, for many months, some Republican Senators were willing to go along, but then the politics took over and since then, we have had the Republicans opposing their own proposals providing health care. So rather than repeal and replace, since there is no replace, it is repeal and run.

Here is the problem for our colleagues politically, but more importantly, the problem for all Americans and all our constituents: No one is going to be able to hide from the devastating consequences of undoing the Affordable Care Act, which is going to hurt not just the 30 million Americans who are directly benefiting through the exchanges and the Medicaid expansion, the Medicare expansion, but also all those seniors on Medicare and the others getting health care through their private employers.

As I said at the outset, it is truly sad to see the Senate at this point and in this state, especially because of the terrible consequences it is going to have on the American people.

You know, the very first time I was ever in the Senate was in 1985. I was not thinking of running for office myself at that time. It was the farthest thing from my mind. I was actually working—it was in the middle of the Cold War. I was working on national security and foreign policy issues for a moderate Republican Senator by the name of “Mac” Mathias from the State of Maryland.

I talked about the desks of the Senators at the outset of my remarks. Senator Mathias sat right there, one seat behind the desk Senator Booker is sitting in right now.

Great to see you.

That is where Senator Mathias sat.

The reason I happened to be sitting next to him that day is he was working with Senator Kennedy that day. Senator Kennedy was at a desk back there. I believe it was the second from the aisle. It had been his brother Jack Kennedy’s desk in the Senate before him. Even though there were many desks between the desk of Senator Kennedy and the desk of Senator Mathias and the center aisle between them, they were able to work together for the good of the country, just as many Senators from both parties have done since. That is the way the Senate is supposed to work. That is the way the Senate was described in the Robert Caro book that Republicans and Democrats alike told us to read as new Members before we came here.

I am really glad to be here. I am excited to get to work on behalf of Marylanders and work for the good of our State and the country. I wish it could have happened when the Senate was not hellbent on breaking the very traditions that have made it great, the tradition of being a deliberative body and not using right out of the gate, the very first thing, a process to short-circuit the will of the minority party. That is not what any of us were taught the Senate was about.

It is particularly troubling that the Senate is engaged in breaking that tradition in order to undermine affordable health care for millions of Americans and generate chaos in our health care system. I will fight every day to prevent that from happening.

I will also fight every day to do try to live up to the standards of the Senate, which is people trying to work together for the good of the country. It is disappointing to be here at a time when the Senate is embarked on violating that tradition in order to strip America’s of their health care. I hope we will not let that happen. I will fight every day to prevent that from happening and then work with my colleagues to try to make sure we address the real priorities and concerns of the American people.

I thank my colleagues for joining me on the floor.

Mr. CARDIN. Mr. President, may I ask my colleague to yield for just one moment?

Mr. GRASSLEY. Yes, for one moment.

Mr. CARDIN. Thank you. I appreciate the courtesy. I just wanted to take this time to welcome Senator Van Hollen to the Senate. Senator Van Hollen gave his maiden speech from the desk that was held by Senator Mikulski. I think Senator Mikulski would be very proud of what he said here on the floor and very proud of Senator Van Hollen being here in the Senate. I look forward to working with him and I want to tell the people of Maryland and the people of this Nation that what you heard tonight, you heard a person who is committed to making our system work, who is committed to working with every Member of the Senate. But he will stand up for the principles and will stand up on behalf of the people of Maryland.

Again, welcome. It is wonderful to have him here in the Senate.

Mr. CARDIN. Mr. President, may I ask my colleague to yield for just one moment?

Mr. GRASSLEY. Mr. President, it is because of ObamaCare that the health insurance markets in this country are badly damaged. They have gotten worse each year. They are now near collapse.

You were told 8 years ago that if you like your health insurance, you can keep it. Millions can’t. If you like your doctor, you can keep your doctor. Millions of Americans were not able to keep their doctor. You were told that your health insurance premiums would go down $2,500. They have actually gone up probably $3,500. Some people don’t have a choice in plans. Some counties don’t even have a plan in the insurance marketplace. If you could get a plan, you might not be able to afford it. If you could afford the plan, you might not be able to use it because of the high copayments you have to have. So it is not a very good situation.

It took 6 years for the health insurance market to get as bad as I just described. It will take time for those markets to be restored. The next few years in health care will be challenging if ObamaCare is repealed or even if it is not repealed. If ObamaCare is not repealed, it will be even longer before Americans have access to a functioning health insurance market and the insurance plans they want.

When it comes to health care every second counts. We owe it to the American people who are sick or who could get sick, as well as families and businesses trying to plan for the future, to start fixing that problem right now. That is the result of the election. That is what the Senate—

The Affordable Care Act, which could more appropriately be called the Unaffordable Care Act, has been a case of over-promise and under-delivery. People were told that their premiums would go down and that if they liked their doctor, their hospital, or their health care plan, they could keep all of it. The reality is much different. More than half of the country had two or fewer insurance plans from which to choose this year. Some regions had no insurance plans at all. Even those who were strong supporters of the health care law, like the Minnesota Governor whom I like to quote, have
said the Affordable Care Act “is no longer affordable to many Americans.”

In my State of Iowa, the Affordable Care Act premium increases this year were over 40 percent for many individuals. Few people, of course, can afford that. Families that did manage to purchase Affordable Care Act insurance found that they could no longer afford to use it.

One Iowan recently called my office and told me that his premiums have increased 400 percent in 3 years. He also said that his deductible went up to—you believe it—$14,000. Last year, one of his children had a major medical problem, and they had to pay for all of that care out of their pocket—not from the insurance. The family paid $12,000 for the Affordable Care Act insurance, which did not pay for any health care. Of course, that just doesn’t make any sense whatsoever.

The problem is that the Affordable Care Act did nothing to address the underlying causes of the high cost of health care; that is, it costs for a hospital or a doctor to purchase or maintain medical equipment, purchase medicines, carry malpractice insurance, and a lot of other costs they have.

Rather than address the actual cost to care, President Obama and his colleagues chose to bypass real health care reform for an unsustainable entitlement and bureaucratic mandates that have priced people out of the health insurance market, rather than provide those same people with affordable and quality coverage.

So we are at it now. It is time for real health care reform, not the misguided policies that we were promised 8 years ago that now have turned out to be what I describe as misguided policies. It is time to deliver to Americans what we were promised. It is time to provide accessible, affordable health care to all Americans. But my colleagues on the other side of the aisle need to work with us. They know that the Affordable Care Act is falling apart. They know it is unaffordable.

As we have heard in speeches this week, the other side is trying to distract attention from the Affordable Care Act collapse by using scare tactics, like you recently heard. It is time for the Democrats to step up, instead of doubling down. It is time for statesmanship, not gamesmanship. It is time for the Democrats to stop defending the “Affordable Care Act” and deliver Americans what was promised.

I look forward to working with my colleagues and the Trump administration to deliver affordable health care to all Americans in the tradition of the Senate, which is what has happened in 2009. It was strictly a one-party program put before the Congress to pass. That is why it has failed—because so many of the people who could have made a good bill pass in 2009 were left out of the process because this body had 60 Democratic Members and they didn’t have to pay any attention to Republicans.

They spent maybe 8 or 9 months trying to work with the Republicans to negotiate a bipartisan deal. But before that was completed, they said: Take it or leave it. The Republican minority at that time was not going to be dictated to, and we were pushed out of the room.

Then what ended up being the Affordable Care Act was written in the big black hole of Senate Majority Leader Reid’s office, without the bipartisan input which has made so many social programs in America successful. I would name the Social Security Act. I would name civil rights legislation, Medicare legislation, and Medicaid legislation, which all had broad bipartisan support to get them passed. In the case of the Civil Rights Act, a higher proportion of Republicans voted for it than Democrats voted for it—just one example.

That is the tradition of the Senate when you have major social legislation that has to be successful, and that is why the Affordable Care Act was not successful—because it was strictly a partisan approach that was used to have it become law.

I yield the Floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerks will call the roll.

The 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. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, January 9, the Senate vote in relation to the Paul amendment No. 1; further, that the Senate vote in relation to the Sanders amendment No. 19 at 2:30 p.m. on Tuesday, January 10.

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

Mr. McCONNELL. Mr. President, it is my understanding that we will have a side-by-side amendment to the Sanders amendment, and we will consider that amendment as soon as possible.

TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

The resolution is printed in today’s RECORD under “Submitted Resolutions.”

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 8) was agreed to.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be considered made and laid upon the table with no intervening action or debate.
will be required to respond fully to Russia’s interference need to be a wide-ranging endeavor that can only be done by a select committee. I have spoken with Leader McConnell. I have told him that we will let the committee organizing resolution go forward, but I did put the majority leader on notice that if the work of the Intelligence and Armed Services Committees is deemed insufficient or incomplete or taking too long, this matter may well need to be revisited before the committee funding resolution comes up in February.

Also, I understand additional information with respect to Russia’s interference in our election will be released in the coming days, and that could also change our view as to the way we ought to proceed.

I have spoken to the majority leader about these concerns. He carefully listened, and we will keep a careful eye on how things are going in the Intelligence and Armed Services Committees with regard to Russia’s interference in the election.

The PRESIDING OFFICER. The majority leader.

Mr. McConnell. Mr. President, I ask unanimous consent to engage in a colloquy with the Democratic leader. The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE FUNDING

Mr. McConnell. Mr. President, in the 112th Congress the Senate adopted a new funding allocation for Senate committees. This approach has served the Senate well for the past three Congresses. I believe this approach will continue to serve the interests of the Senate and the public, regardless of which party is in the majority, by helping to retain core committee staff with institutional knowledge. This funding allocation is based on the party division of the Senate, with 10 percent of the total majority and minority salary baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, the minority share of the majority and minority salary baseline will never be less than 40 percent, and the majority share will not exceed 60 percent. It is my intent that this approach will continue to serve the Senate for this Congress and future Congresses.

Mr. Schumer. Mr. President, this approach met our needs for the last three Congresses, and I too would like to see it continue. In addition, special reserves have been restored to its historic purpose. We should continue to fund special reserves to the extent possible in order to be able to assist committees that face urgent, unanticipated, non-recurring needs. Recognizing the tight budgets we will face for the foreseeable future, it is necessary for this committee to continue to bring funding authorizations more in line with our actual resources while ensuring that committees are able to fulfill their responsibilities. I look forward to continuing to work with the majority leader to accomplish this.

Mr. McConnel. Mr. President, I ask unanimous consent that a joint leadership letter be printed in the Record.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT LEADERSHIP LETTER

We mutually commit to the following for the 115th Congress:

The Rules Committee is to determine the budgets of the committees of the Senate. The budgets of the committees, including joint and special committees, and all other subcommittees, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) from the majority and minority salary baseline to be allocated to the chairman for administrative expenses.

Special Reserves has been restored to its historic purpose. Requests for funding will only be considered when submitted by a committee chairman and ranking member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the chairman and ranking member of the Rules Committee.

Funds for committee expenses shall be available to each chairman consistent with the Senate rules and practices of the 114th Congress.

The division of committee office space shall be commensurate with this funding agreement.

The chairman and ranking member of any committee may, by mutual agreement, modify the apportionment of committee funding and office space.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 19

Mr. Sanders. Mr. President, I call up amendment No. 19, which is at the desk.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment? Without objection, it is so ordered. The clerk will report. The bill clerk read as follows:

The Senator from Vermont [Mr. Sanders] proposes an amendment numbered 19.

Mr. Sanders. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. Without objection, it is so ordered.

The amendment as follows:

(Purpose: To protect the Medicare and Medicaid programs)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(i) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(ii) increase either the early or full retirement age for the benefits described in paragraph (i);

(iii) privatize Social Security;

(iv) result in a reduction of guaranteed benefits for individuals enrolled for, benefits under the Medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.);

(v) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.);

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 20

Mr. Sanders. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 20.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report. The bill clerk read as follows:

The Senator from Vermont [Mr. Sanders], for Mr. Hirono, proposes an amendment numbered 20.

Mr. Sanders. I ask unanimous consent that the reading of the amendment be dispensed with. Without objection, it is so ordered. The amendment as follows:

(Purpose: To protect the Medicare and Medicaid programs)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(i) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act (42 U.S.C. 401 et seq.);

(ii) increase either the early or full retirement age for the benefits described in paragraph (i);

(iii) privatize Social Security;

(iv) result in a reduction of guaranteed benefits for individuals enrolled for, benefits under the Medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.);

(v) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.);

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

MORNING BUSINESS

Mr. McConnell. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.
The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION BILL

Mr. HATCH. Mr. President, in the final hour of our legislative business early last December 10, we passed a remarkable bill. It had no ideological division, did not cost the taxpayers a dime, and will benefit Americans in every part of the country. And, like the House did, we passed it unanimously.

This bill had the somewhat unwieldy title of the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act. While not lending itself to a catchy acronym, it is accurately descriptive. For more than 50 years, a Federal law has provided legal protection for art loaned by foreign governments for exhibition in the United States. Confidence in that protection is an essential piece of the complex arrangements that can take years to complete in order to bring wonderful exhibits to American museums for everyone to enjoy.

America has hundreds of museums of all sorts. The art museum at Brigham Young University, for example, is one of the largest and best attended in the Mountain West. When it began working on a major exhibition of art from Islamic countries, one of its loan requests was unexpectedly denied. It turns out that a 2007 Federal court decision had made such loans risky, rather than secure. After that court decision, the act of lending, even after State Department review and approval, could actually lead to a new category of lawsuits against the foreign lenders.

This legislation, now signed into law, reverses that court decision and clarifies that lending art after State Department review does not raise the possibility of new litigation. Foreign governments can once again have confidence that lending art for exhibition will improve cultural understanding and enrich people’s lives without the threat of new lawsuits.

The bill has two narrow exceptions. I want to thank Dr. Wesley Fisher, director of government affairs Anita Difanis, and their special counsel Josh Kneryl. They have been committed to this goal from the start, and their effort began with educating many of us about this unique area of law and policy. They made that hundreds of art institutions and associations to support this bill. And they were flexible about many things while staying focused on the essentials.

I gratefully acknowledge the consistent support for this legislation from the BYU Museum of Art, the Utah Fine Arts Museum, and the Utah Museums Association. We have a vibrant art community in Utah, and this legislation means that these fine institutions have additional flexibility to bring new experiences to the people in our great State.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter from James S. Snyder, director of The Israel Museum in Jerusalem. He writes that the risk of new lawsuits has been “a disincentive to lend works to American museums,” but that this legislation “will ensure that museums worldwide can continue to lend to American museums in the precise spirit of international cultural cooperation that U.S. Immunity from Seizure protection was intended to provide.” That, in a nutshell, is the problem and the solution we are enacting today.

This legislation restores the confidence that foreign governments need to lend art for exhibitions that Americans across the country can enjoy. That is something we can all be proud of.

There being no objection, the material was ordered to be printed in the RECORD, as follows:


Hon. Orrin Hatch, U.S. Senate,
Hart Office Building, Washington, DC.

Dear Senator Hatch: I am Director of The Israel Museum, Jerusalem, an encyclopedic museum embracing the history of material world culture from pre-historic archaeology of the ancient Holy Land through the rise of Judaism, Christianity, and Islam; Jewish world culture; and the fine arts of the Western and non-Western traditions. Our collections comprise over 500,000 objects, and our 600,000 sq. ft. campus sits on a signature 20-acre site in Jerusalem. We are an international center for producing exhibitions in Jerusalem and internationally and as major borrowers and lenders from sister institutions worldwide.

Our international museum community, which enjoys a close and collegial relationship with our American counterparts, is concerned about the trend toward a weakening of the Immunity from Seizure protection customarily offered by U.S. museums when they request loans from foreign museums. These concerns are twofold.

First, that foreign museums risk being sued in connection with works loaned to an American exhibition if there is a question that works on loan are held by their lending institutions in violation of international law. The act of lending can therefore be used to seek damages in a U.S. court, which is counter to the premise that Immunity from Seizure protects works on loan from legal action while they are on loan; and

Secondly, foreign museums fear that works with clear provenance to an American exhibition will be subjected to a legal action in a U.S. court, which could actually lead to a new category of lawsuits against the foreign lenders.

We are enacting today.

Sincerely,

James S. Snyder,
Director.

TRIBUTE TO SARAH R. SALDANA

Mr. CORNYN. Mr. President, today I would like to pay tribute to a dedicated public servant and Texan, Sarah R. Saldana. Ms. Saldana is stepping down as Director of U.S. Immigration and Customs Enforcement, ICE, and retiring after many years of Federal service.

Born as the youngest of seven children to working-class parents in Corpus Christi, TX, Director Saldana learned the importance of hard work and education at an early age. After she graduated from W.B. Ray High School in 1970, Director Saldana attended Del Mar Junior College and graduated with the first college degree from Texas A&M, formerly Texas A&I, University in 1973. Shortly thereafter, she began her career as an 8th grade language arts teacher at D.A. Hulcy Middle School in Dallas. Later, she worked as a technician for the Equal Employment Opportunity Commission, EEOC, and as an investigator and management intern for the Department of Housing and Urban Development, HUD. Additionally, she worked as a Federal Representative for the Department of Labor Employment and Training Administration until 1981.

Ms. Saldana then decided to pursue a legal education at Southern Methodist University, SMU, in Dallas, TX, where she earned her J.D. in 1984. Following graduation, she clerked for the Honorable U.S. District Judge Barefoot Sanders. As a trial attorney, Director Saldana was a partner at firms of Haynes and Boone, and then Baker Botts, where she became partner in their trial department.
In 2004, she returned to public service and became an assistant U.S. attorney for the Northern District of Texas, where she prosecuted a variety of criminal cases. She also served as the deputy criminal chief in charge of the district’s major fraud and public corruption section.

In 2011, Ms. Saldaná was nominated and confirmed to become the first Latina United States attorney in the history of Texas and only the second woman to hold that position in the 135-year history of Texas’ Northern District—a region that includes the Dallas-Fort Worth Metroplex and spans 100 counties and stretches across 95,000 square miles.

In 2014, Ms. Saldaná was confirmed to lead the U.S. Immigration and Customs Enforcement. As ICE’s Director, she helped to oversee the largest investigative agency within the Department of Homeland Security and to protect the safety and security of the United States.

Throughout her career, she has served with integrity and character. Ms. Saldaná has served the people of Texas and the United States with honor—fighting illegal immigration, public corruption, organized crime, sexual predators, and other dangerous criminals.

Her legacy will continue to benefit the American people and I join with her family, friends, and coworkers in saying that her experience and dedication to public service will be missed. I offer my appreciation to Sarah R. Saldaná for her service to our Nation and send my best wishes for the years ahead.

TRIBUTE TO DR. BETH BELL

Mrs. MURRAY. Mr. President, today I wish to recognize an exceptional public servant, Dr. Beth Bell, who is retiring from the directorship of the National Center for Emerging and Zoonotic Infectious Diseases, NCEZID, at the Centers for Disease Control and Prevention, CDC.

Dr. Bell began her career with the CDC in 1992, in my home State, as an epidemic intelligence service, EIS, officer assigned to the Washington State Department of Health, where she led a seminal investigation into E. coli infections. After completing her EIS training, she was assigned to CDC’s Arbovirus Program to join the hepatitis branch in the division of viral and rickettsial diseases, later serving as chief of the epidemiology branch in the division of viral hepatitis. During her 13 years working on viral hepatitis, she led important efforts to better understand the epidemiology of hepatitis A in the United States, applying this knowledge to the development and implementation of hepatitis A vaccination policy. These extraordinary efforts contributed to reducing hepatitis A incidence of more than 95 percent. She also worked on implementation of global infant hepatitis A and B vaccination programs during the early days of the Global Alliance for Vaccines Initiative.

She later served as the acting deputy director of the National Center for Immunization and Respiratory Diseases during the H1N1 influenza pandemic before being appointed to lead the newly formed Center for Emerging and Zoonotic Infectious Diseases, NCEZID, in 2010.

In that role, Dr. Bell has been at the forefront of the agency’s critical and complex emerging; response efforts. In 2014–2015, Dr. Bell was called upon to lead the center through the largest Ebola epidemic in history. After reaching a near breaking point where, according to CDC Director Dr. Tom Frieden, it was “spiraling out of control” in late 2014, the epidemic was contained through the aggressive use of proven outbreak-control measures such as patient isolation and contact tracing.

In 2016, Dr. Bell found herself leading the response to yet another pandemic as Zika exploded in South and Central America, Puerto Rico and the Caribbean, and Florida. The impact of Zika on women and children through microcephaly, a life-threatening condition in which children are born with unusually small heads, was heart-breaking and historically significant—never before has a mosquito-borne infection caused such devastating birth defects. CDC’s early alert—which Dr. Bell’s leadership—to people traveling to countries with Zika likely prevented an untold number of infections among women of child-bearing age; and, continuing through her very last day of Federal service, Dr. Bell was critical in CDC’s support for U.S. territories, cities, and States—as well as other impacted countries.

In addition, Dr. Bell oversaw the Center’s response to chikungunya spreading throughout the Americas in 2013–14, the second-largest outbreak of West Nile virus disease in the United States in 2012, and hundreds of outbreaks of foodborne disease. Her leadership of the Center during each of these outbreaks has been remarkable, and all Americans have benefited from her steady hand and commitment to service. Dr. Bell also held leadership roles during CDC responses to the 2001 anthrax attacks and Hurricane Katrina in 2005. Her outstanding leadership, scientific judgment, and expertise have been critical to the success of the Center in these endeavors.

In 2012, she was called upon to lead the Center’s response to the fungal meningitis outbreak associated with contaminated steroid products—America’s largest healthcare related outbreak ever. The New York Times called it “one of the most shocking outbreaks in the annals of American medicine.” Following her testimony before the Senate Health Committee, Dr. Bell was named CDC’s ‘Hero’ for her decisive role in the response, which likely prevented many hundreds of infections and deaths among patients who would otherwise have received injections of fungus-contaminated medication.

She also directed two new cross-cutting infectious disease initiatives that have already shown benefits to the field of public health: the Advanced Molecular Detection, AMD; and, the Antibiotic Resistance Solutions Initiatives. Together, these initiatives are helping scientists better understand how infections spread and transforming our national capacity to detect, respond, contain, and prevent drug-resistant infections. Because of Dr. Bell’s leadership, our Nation will be better equipped to address the growing threat of antibiotic resistance, as well as a myriad of other public health threats.

Dr. Bell exemplifies steadfastness and courage in protecting the Nation’s health. She has demonstrated an unwavering level of dedication and passion for public health at all levels, recognizing the important roles of State, local, county, tribal, and Federal partners.

Dr. Bell has been a true public servant. I ask that we honor Dr. Bell today for her invaluable leadership to the CDC and America’s public health efforts.

TRIBUTE TO RAY MABUS

Ms. COLLINS. Mr. President, today I wish to congratulate Secretary Ray Mabus on his retirement as the 75th Secretary of the Navy. It has been a great pleasure to work with Secretary Mabus during his impressive and storied tenure as the longest serving Secretary of the Navy since World War I. Since his confirmation in 2009, Secretary Mabus has continually reaffirmed his commitment to ensuring America’s naval forces are second to none. During his more than 7 years of service, Secretary Mabus has also demonstrated an unwavering commitment to building and supporting America’s shipbuilding industrial base. He has put 84 ships under contract across the country, more than the last three Navy secretaries combined, and invested significantly in our aging shipbuilding infrastructure.

Secretary Mabus’s focus on increasing shipbuilding has allowed the men and women at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our combat fleet. To allow our Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps’ fuel expenses by 30 percent.

In Maine, Portsmouth Naval Shipyard (PSY), which is the Navy’s oldest active military installation, has already shown benefits to the man and woman at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our combat fleet. To allow our Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps’ fuel expenses by 30 percent.

In Maine, Portsmouth Naval Shipyard (PSY), which is the Navy’s oldest active military installation, has already shown benefits to the man and woman at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our combat fleet. To allow our Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps’ fuel expenses by 30 percent.

In Maine, Portsmouth Naval Shipyard (PSY), which is the Navy’s oldest active military installation, has already shown benefits to the man and woman at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our combat fleet. To allow our Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps’ fuel expenses by 30 percent.
honing its efficiency and effectiveness in submarine repair.

While advancing these reforms, Secretary Mabus visited Navy and Marine Corps installations across the globe, traveling over 1.3 million miles to over 150 countries and territories and all 50 States. When measured in distance, Secretary Mabus has traveled to the moon and back almost three times. In 2009, he and I visited the hard-working men and women at B&W and PNSY together. Since that first visit, Secretary Mabus has worked tirelessly to support our shipbuilding industrial base and ensure our Navy and Marine Corps have the tools they need to succeed.

In addition, Secretary Mabus’s leadership in 2010 on the Gulf Coast’s long-term recovery plan following the Deepwater Horizon oil spill was critical. His work securing the future of the Gulf Coast made Americans and certainly his home State of Mississippi proud.

Finally, his emphasis on platforms, power, and partnerships allowed our Navy to grow in strength, but Secretary Mabus never forgot those who make the system work: the people.

Secretary Mabus was instrumental in advancing the repeal of don’t ask, don’t tell in 2011, a harmful policy that barred Americans from serving their country simply because of their sexual orientation. His efforts helped to ensure that all patriots who willingly answer the call to arms may proudly serve their Nation.

Similarly, as discussions on military integration have evolved with a focus on women in combat, Secretary Mabus again stepped up to become a leader on gender equality in the military. His support for integration of women into the Navy and Marine Corps, in all occupations and specialties, and his expansion of maternity leave have ensured that women can serve in the military jobs they love.

Secretary Mabus has also taken steps to support career flexibility, continuing education, and family wellbeing for all members of the Navy and Marine Corps. He worked to ensure that all those who serve in uniform are provided the mental health care they need and deserve. By supporting and empowering a dedicated, intelligent, and committed personnel base, Secretary Mabus has enabled our Navy to remain the powerful fighting force that it is today.

With his retirement, we lose a true patriot who served his country as a civilian, as well as in uniform, and we lose a visionary leader who saw how our Armed Forces could be better—and did everything in his power to make it happen. It has been a personal and professional pleasure to work with Secretary Mabus, and I wish him fair winds and following seas.

**ADDITIONAL STATEMENTS**

**TRIBUTE TO JOHN AND STEPHANIE HEKKEL**

- Mr. DAINES, Mr. President, today I have the honor of recognizing John and Stephanie Hekkel of Anaconda in celebration of the rebuilding of Club Moderne.

The bar had been considered an area landmark since its founding in 1937 and was truly a sight to behold. With its rounded front facade and Carrara glass panels, it reflected the Art Deco style of the time of its founding. It was designed by Bozeman-based architect Fred Willson and built by local carpenters and craftspeople under the direction of the first owner, John “Skinny” Francisco.

Until recently, the Club Moderne had changed very little since its opening day, and in 1986, it was added to the National Register of Historic Places.

In 1997, this amazing public bar, and Anaconda native John Hekkel who continued its legacy as a flagship watering hole, especially for area law enforcement and firefighters, while maintaining its retro atmosphere. A recent Yelp review described taking a step inside “like walking inside a time capsule”!

Last April, it also won the top award in The Big Tap: 2016 Housse Tournament Championship, an online contest sponsored by the National Trust for Historic Preservation.

Unfortunately, Club Moderne was destroyed in a fire in October, a tragic loss to the Anaconda community.

The night the fire happened, I understand John Hekkel stayed at the bar until 4:00 in the morning and, after the fire was extinguished, grabbed a shovel and physically helped with the cleanup. Just this week, I was thrilled to hear the Hekkels announce plans to rebuild the bar and restore this historic establishment.

This is a true Montana story. Montanans pull themselves up by their bootstraps, even in times of hardship or loss. I invite fellow Montanans to stop by The Big Tap: 2016 Housse Tournament Championship, an online contest sponsored by the National Trust for Historic Preservation. As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees. (The messages received today are printed at the end of the Senate proceedings.)

**MESSAGE FROM THE HOUSE**

At 10:29 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

- H.R. 21. An act to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes.
- H.R. 69. An act to authorize the Office of Special Counsel, to amend title 5, United States Code, to provide modifications to authorities relating to the Office of Special Counsel, and for other purposes.
- H.R. 70. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes.
- H.R. 71. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.
- H.R. 72. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 73. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.
- H.R. 74. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 75. An act to authorize the Office of the Inspector General, and for other purposes.
- H.R. 76. An act to provide for consideration in resolutions of disapproval for “midnight rules”, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 77. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 78. An act to reauthorize the Office of the Inspector General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 79. An act to authorize the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 80. An act to ensure the Government Accountability Office has adequate access to information.

**MEASURES REFERRED**

The following bills and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

- H.R. 21. An act to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 69. An act to reauthorize the Office of Special Counsel, and to amend title 5, United States Code, to provide for consideration in resolutions of disapproval for “midnight rules”, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 70. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 71. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 72. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 73. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 74. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 75. An act to authorize the Office of the Inspector General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 76. An act to provide for consideration in resolutions of disapproval for “midnight rules”, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 77. An act to ensure the Government Accountability Office has adequate access to information.
- H.R. 78. An act to reauthorize the Office of the Inspector General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 79. An act to authorize the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
- H.R. 80. An act to ensure the Government Accountability Office has adequate access to information.

**MESSAGES FROM THE PRESIDENT**

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.
United States Senate, to the Committee on Homeland Security and Governmental Affairs.

H.R. 73. An act to amend title 44, United States Code, to require information on contributions to governmental fundraising organizations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.J. Res. 3. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served in support of Operation Desert Storm or Operation Desert Shield; to the Committee on Energy and Natural Resources.

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–1. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the President of the United States and the United States Congress to review the changes to the Federal floodplain management regulations to assess whether exceptions should be made for potential building projects; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 421
Whereas, Blight is a growing problem in many communities in this Commonwealth; and
Whereas, Changes made to the Federal floodplain management regulations issued by executive order in January 2015; and
Whereas, Flood insurance is now required under the executive order, making the redevelopment and revitalization of older, blighted properties financially straining; and
Whereas, Federal agencies are obligated to apply these standards to all Federal actions, including federally approved permits, federally backed home loans and flood insurance regulations and many Housing and Urban Development programs, including the Low-Income Housing Tax Credit (LIHTC) program; and
Whereas, While these changes were intended to enhance the safety and security of citizens during floods and to diminish the risk of future damages, the modifications to the Federal floodplain management regulations have hindered the ability of our older communities to develop creative, nonprohibitive ways to recognize abandoned buildings: Now, therefore, be it
Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President and the Congress of the United States to review the changes to the Federal floodplain management regulations to assess whether exceptions should be made for potential building projects so that applications can be submitted to the Pennsylvania Housing Finance Agency for review and consideration under the Low-Income Housing Tax Credit program, and to make the recommendations at an economic disadvantage; 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 and to each member of Congress from Pennsylvania.

POM–2. A resolution adopted by the Legislature of the State of Florida urging the United States Congress to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL 601
Whereas, The Commonwealth of Puerto Rico and the State of Florida share a strong cultural bond and are important trade partners; and
Whereas, The Commonwealth of Puerto Rico has experienced a prolonged and difficult economic recession that has led to mass unemployment in Puerto Rico and decreased trade opportunities with the State of Florida; and
Whereas, the Commonwealth of Puerto Rico has public debts in excess of $72 billion, which continue to cripple Puerto Rico’s ability to improve and sustain economic growth, and
Whereas, the 1984 amendments to the United States Bankruptcy Code prohibit the Commonwealth of Puerto Rico from authorizing its municipalities and public utilities to file for bankruptcy relief under Chapter 9 of the code, and
Whereas, the United States Bankruptcy Code amendments require Puerto Rico’s municipalities and public utilities to engage in piecemeal negotiations with each of their creditors, thereby consolidating debt and developing a comprehensive plan for repayment, and
Whereas, the citizens of Puerto Rico are suffering greatly due to their government’s inability to renegotiate the terms of this debt under a comprehensive plan, and
Whereas, the Government of Puerto Rico has an obligation to promote and assist the economic prosperity of the Commonwealth of Puerto Rico in an important territory of our nation, and
Whereas, the United States Congress eliminated a tax exemption for manufacturers from Section 936 of the Internal Revenue Code, greatly harming Puerto Rico in their efforts to reduce unemployment in the Commonwealth of Puerto Rico, and
Whereas, the Commonwealth of Puerto Rico would greatly benefit from new ideas and programs that promote economic development to bring high paying jobs back to Puerto Rico, and
Whereas, the Commonwealth of Puerto Rico and the State of Florida would both benefit from Puerto Rico’s renewed economic prosperity, and
Whereas, the national debt of the United States is currently more than $19 trillion; Now, therefore, be it
Resolved by the Legislature of the State of Florida: That the Congress of the United States is urged to enact legislation to promote economic recovery in the Commonwealth of Puerto Rico consistent with sound fiscal principles necessary to reduce the national debt, and be it further
Resolved, That copies of this memorial be dispatched to the President of the United States, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM–3. A resolution adopted by the Senate of the Michigan congressional delegation, and the Michigan congressional delegation, and the House of Representatives, and to each member of Congress from Michigan urging the United States Congress to enact legislation that clarifies the Department of Education’s role and authority as it pertains to “supplement not supplant” provisions of the Every Student Succeeds Act; and be it further
Resolved, That we memorialize Congress to enact legislation that clarifies the Department of Education’s role and authority as it pertains to “supplement not supplant” provisions; and be it further
Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the Senate, the Speaker of the United States House of Representatives, and the Michigan congressional delegation, and the United States Department of Education as public comment on proposed rules.


SENATE RESOLUTION NO. 204
Whereas, The ADA was enacted in 1990 to improve access and equality for disabled Americans. After 25 years in effect, the integrity of the ADA is in question because of the growth of lawsuits against small businesses due to minor and correctable infractions; and
Whereas, Small businesses provide goods and services that are vital to our economy and it is important that every effort is made to ensure disabled Americans have access to those goods and services. When there are minor, easily correctable ADA infractions, small businesses are increasingly being faced with lawsuits by individuals; and
Whereas, The threat or actual occurrence of any lawsuit places ESOP business in the dilemma of choosing whether to settle the suit or face the potentially exorbitant cost of litigation in terms of both time and money.
Accordingly, plaintiff claims made under the ADA system often file multiple cases, many with businesses and properties; and

Whereas, To enforce this provision, the U.S. Department of Education has proposed burdensome regulations to require school districts to show that average per-pupil state and local spending in Title I is at least equal to the average spending in non-Title I schools. The rules allow several different options for districts to calculate spending and compliance with “supplement not supplant”; and
Whereas, The proposed regulations exceed the legal authority of the department and high example of applying Title I statutory prohibitions. Specific prohibitions in the “supplement not supplant” provisions include subdivision 1118(b)(4), which says, “Nothing in this section shall authorize or permit the Secretary to prescribe the specific methodology a local educational agency use to allocate state and local funds to each school receiving assistance under this part”; and
Whereas, School district personnel have complained that the proposed regulations would be unworkable. The School Super-intendents Association (AASA) stated that the proposed regulation “glosses over the realities of school finance, the reality of how aid and funds are allocated, the extent to which districts do or do not have complete flexibility, the patterns of teacher sorting and hiring, and the likelihood that many districts would experience the rule as drafted, in a way that undermines true efforts aimed at increasing education equity”. Now, therefore, be it
Resolved by the Senate, That we urge the President of the United States to direct the U.S. Department of Education to stop its federal overreach aimed at “supplement not supplant” provisions of the Every Student Succeeds Act; and be it further
Resolved, That we memorialize Congress to enact legislation that clarifies the Department of Education’s role and authority as it pertains to “supplement not supplant” provisions; and be it further
Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the U.S. Department of Education as public comment on proposed rules.
Whereas, The ADA Education and Reform Act of 2015 proposes to provide business owners an opportunity to remedy alleged ADA violations before facing the cost of legal fees. The act would provide businesses a 120-day window within which to make the public accommodation corrections that they were cited for under the ADA. It restores the ADA to its intended purpose of ensuring accommodation to disabled Americans. Now, therefore, be it

Resolved, That we, the Senators of the 98th Legislature of the State of New Jersey and throughout the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation,

POM-5. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to enact legislation to require the State of New Jersey and throughout the United States have access to debt-free higher education at public colleges and universities. To the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY RESOLUTION NO. 183

Resolved by the Legislature of the State of New Jersey:

1. The Legislature urges Congress and the President of the United States to enact legislation to ensure that students from the State of New Jersey and throughout the United States have access to debt-free higher education at public colleges and universities.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM-6. A memorial adopted by the Legislature of the State of Florida applying to the United States Congress to call a convention under Article V of the United States Constitution with the sole agenda of proposing an amendment to the United States Constitution to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

Whereas, A national goal of establishing a debt-free public higher education system to ensure that students from the State of New Jersey and throughout the United States have access to debt-free higher education at public colleges and universities; to the Committee on Health, Education, Labor, and Pensions.

POM-7. A resolution adopted by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, relative to the Refugee Resettlement Program; to the Committee on the Judiciary.

José H. Luis Varela

Mr. HELLER, Mr. FLAKE, Mr. LEE, Mr. McCaul, Mr. BILIRIKI, Mr. LEE, Mr. McCAIN, Mr. Risch, Mr. GRAVESLEY, Mr. TILLIS, Mr. McCONNELL, Mr.
S. 33. A bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish for the defense of the United States after being removed and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON:

S. 34. A bill to amend chapter 8 of title 5, United States Code, to provide for the en bloc disapproval of “omnibus” national monuments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ (for himself, Mr. ROUNDS, and Mr. ENZI):

S. 35. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. COTTON, and Mr. BOOZMAN):

S. 36. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

By Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. Sasse, Mrs. Fischer, Mr. THUNE, Mr. ROBERTS, Mr. MORAAN, Mr. CRUZ, Mr. INHOFE, Mr. COTTON, Mr. WICKER, and Mr. CASSIDY):

S. 37. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. DAINES):

S. 38. A bill to decrease the cost of hiring, and increase the take-home pay of, Puerto Rican workers; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. DAINES):

S. 39. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. HELLER:

S. 40. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mrs. SHAHRES, Ms. BURGAULT, Mr. KING, Mr. BROWN, Mr. LEAHY, Mr. FRANKEN, and Mr. KAINE):

S. 41. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Finance.

By Mr. HELLER:

S. 42. A bill to inspire women to enter the technology, engineering, and mathematics, through mentorship and outreach; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 43. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indigent Health Plan assistance to qualify for health savings accounts; to the Committee on Finance.

By Mr. HELLER:

S. 44. A bill to amend the Fair Labor Standards Act of 1938 to improve nonretaliation provisions relating to equal pay requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. PERDUE, Mr. ROBINSON, Mr. RUBIO, Mr. INHOFE, Mr. SASSER, Mr. WICKER, Mr. BOOZMAN, and Mr. COTTON):

S. 45. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER (for himself, Mr. BLUNT, and Mr. BENNETT):

S. 46. A bill to amend title XVII of the Social Security Act to strengthen intensive cardiac rehabilitation programs under the Medicare program; to the Committee on Finance.

By Mr. RUBIO (for himself, Mrs. FISCHER, and Mr. MORAN):

S. 47. A bill to propose regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Finance.

By Mr. HELLER (for himself, Ms. KLOUCHAR, and Mr. LEAHY):

S. 48. A bill, or until the Internal Revenue Code of 1986 to allow a credit against income tax for the purchasing of hearing aids; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 49. A bill to provide a leasing program within the Coastal Plain, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 50. A bill to amend the Internal Revenue Code of 1986 to allow refunds for Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. MCCONNELL, Mr. LEE, Mr. CRUZ, Mr. MORAAN, Mr. ROBERTS, Mr. SHELLY, Mr. INHOFE, Mr. WICKER, Mr. HATCH, and Mr. COTTON):

S. 51. A bill to make habitual drunk drivers inadmissable and removable and to require the detention of any alien who is unlawfully present in the United States and has been charged with driving under the influence of drugs or alcohol; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. TILLEY, Mr. CRUZ, Mr. INHOFE, Mr. BOOZMAN, and Mr. COTTON):

S. 52. A bill to make aliens associated with a criminal gang inadmissable, deportable, and ineligible for various forms of relief; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. SCHUMER, and Mr. NLEMCHER):

S. 53. A bill to strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. WARREN, Mr. SCHLATZ, Mr. MARKES, Mr. MURRAY, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Ms. HIRONO, and Mr. WYDEN):

S. 54. A bill to prohibit the creation of an immigration-related registry program that classifies people on the basis of religion, race, national origin, nationality, or citizenship; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 55. A bill to authorize the Secretary of the Interior to conduct a special resource study of Port Ontario in the State of New York; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:

S. 56. A bill to require each agency to repeal, amend, or disapprove 2 or more rules before issuing or amending a rule; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Mr. CRAPO, Mr. GRASSLEY, Mr. DAINES, Mr. FLAKE, and Mr. JOHNSON):

S. 57. A bill to require the Secretary of Veterans Affairs to repay to employees involved in electronic wait list manipulations, and for other purposes; to the Committee on Veterans’ Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

S. Res. 7. A resolution to constitute the majority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. SCHUMER:

S. Res. 8. A resolution to constitute the minority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 16, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 18

At the request of Mr. MORAN, the names of the Senators from Mississippi (Mr. WICKER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 18, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 21

At the request of Mr. PAUL, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 21, a bill to establish an independent commission
to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

At the request of Mrs. FEINSTEIN, the name of the Senator from Utah (Mr. HATCH) was added as a co-sponsor of S. 30, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

At the request of Mr. BURROUGHS, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN) and the Senator from West Virginia (Mrs. CAPITO) were added as co-sponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

At the request of Mr. BOOZMAN, the names of the Senator from New York (Mrs. GILLIBRAND) was added as a co-sponsor of S. Con. Res. 4, a concurrent resolution recognizing the 30th anniversary of the Emoluments Clause, and calling on President-elect Donald Trump to divest his interests, and sever his relationship to the Trump Organization.

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. BINTON) was added as a co-sponsor of S. Res. 1, a resolution expressing the sense of the Senate in support of Israel.

At the request of Mr. RUBIO, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Montana (Mr. DAINES), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. HOEVEN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH), the Senator from Idaho (Mr. COTTON) and the Senator from South Dakota (Mr. ROUSDORF) were added as co-sponsors of S. Res. 5, a resolution expressing the sense of the Senate in support of Israel.

Mrs. FEINSTEIN, Mr. President, today I am proud to introduce the Desert Protection and Recreation Act of 2017.

This bill, a decade in the making, charts a commonsense path forward for the California desert. The goal is simple: to manage California’s fragile desert resources in a sustainable and comprehensive manner.

This bill provides something for everyone that appreciates the national treasure that is the California desert. That this bill provides something for everyone is a result of the painstaking effort to build consensus among the array of groups that use the desert, including: environmental groups; Federal, State, and local governments; the off-road community; cattle ranchers; mining interests; and energy companies and California’s public utility companies.

As I will further describe later, the bill preserves 230,000 acres of wilderness and another 44,000 acres of national park land, each unrivaled for their unique natural landscapes. The bill also safeguards 77 miles of free-flowing rivers and the abundant life and rich biodiversity these rivers and streams support.

Importantly, the bill provides certainty to off-road enthusiasts, establishing 142,000 acres of permanent off-highway recreation areas—a first for the Nation. I made a commitment to off-roaders to enact the entire bill, not just parts of the bill. I hope to fulfill that promise.

The efforts to protect the desert are a long time coming. This effort first began with the original California Desert Protection Act, signed into law more than twenty years ago.

Picking up where my predecessors left off, I introduced that bill only three months after I was sworn in as a senator. Through hard work and perseverance, and thanks to the law that I signed on the last day of the 103rd Congress, and President Clinton signed the bill into law in October 1994.

The original Desert Protection Act was a crowning achievement for desert conservation, establishing 69 new Wilderness areas, creating the Mojave National Preserve, and converting Death Valley and Joshua Tree National Monuments into National Parks.

All told, we were able to protect, or increase protections for, about 9.6 million acres.

It continues to attract millions of tourists to southern California, which is a boon for the economy.

It has ensured that these enduring landscapes will be preserved for future generations.

Since we passed the 1994 desert conservation bill, we’ve tried to build on this legacy of conservation. After years of collaboration with an array of stakeholders, we introduced new legislation in 2009.

The goal of that bill was simple: to help manage California’s desert resources through a comprehensive approach that balanced conservation, recreation, energy production, among other needs.

After years of work, including two hearings in the Senate, we reached a major milestone this past February, when President Obama designated three new national monuments in the California desert: Castle Mountains, Mojave Trails, and Sand to Snow.

Those monuments, based on the legislation I had introduced, one of the world’s largest desert reserves, encompassing nearly 1.8 million acres of America’s public lands.

Those monuments connect vital wildlife corridors and habitats, preserve cultural resources, and establish an important buffer to the inevitable changes climate change will usher in for these fragile desert ecosystems.

While the newly-designated desert monuments formed a cornerstone for future desert protection, our work is not complete. That is why I am introducing this legislation today.

While I supported President Obama’s decision to create three national monuments in the Mojave, the authority under the Antiquities Act did not allow him to include the many other valuable provisions in the original legislation.

Our intention has always been to balance the many uses of the desert through legislation, and that remains the case today. That is why I reintroduced that legislation immediately following the President’s designation, and that is why I am introducing a bill today: to make the rest of the provisions a reality.

The legislation I am introducing today therefore includes all of the provisions the President was not able to enact through executive action under the Antiquities Act.

These negotiated provisions—which represent our best attempt to achieve consensus among desert stakeholders—do not, as some have claimed, diminish the Antiquities Act.

That legislation includes many additional conservation areas and provides permanent protection for five Off-Highway Recreation Areas covering approximately 142,000 acres. Off-roaders were a vital part of the coalition we put together, and unfortunately those lands could not be designated under executive action. Off-roaders deserve certainty about their future use of the land, just as there is now certainty for conservation purposes. I gave them my word that I would fight for them, and I intend to do so again in this new Congress.

This bill would also expand wilderness areas in the desert, by designating five additional wilderness areas that encompass nearly 230,000 acres of land near Fort Irwin.

The bill would ensure clean and free-flowing rivers, through the designation of 77 miles of rivers as Wild and Scenic Rivers; add to our national parks, by converting the Mojave National Park Wilderness by 39,000 acres and Joshua Tree National Park by 4,500 acres; expand National Scenic Areas, by adding...
18,610 acres to the Alabama Hills National Scenic Area in Inyo County; and protect 81,000 acres of land in San Bernardino and Imperial County, and requires the Department of the Interior to protect petroglyphs and other cultural resources important to the surrounding communities.

Lastly, the bill will facilitate renewable energy development in a way that protects delicate habitat. I want to highlight some of the key provisions of this legislation.

By designating five new wilderness areas, this bill protects fragile desert ecosystems across 230,000 acres of wilderness near Fort Irwin. This includes 88,000 acres of Avawatz Mountains, 8,000-acre Great Falls Basin Wilderness, the 80,000-acre Soda Mountains Wilderness, and the 32,500-acre Death Valley Wilderness.

The desert’s sweeping desert vistas and rugged mountain terrain not only provide for a truly remarkable backcountry experience, but also provide vital refuge for everything from bighorn sheep and desert tortoises to Joshua Trees and Native American art facts. This bill is more than just wilderness; however. It also designates four new Wild and Scenic Rivers, totaling 77 miles in length. These beautiful waterways, carved through the heart of the arid desert, are Deep Creek and the Whitewater River in and near the San Bernadino National Forest, as well as the Amargosa River and Surprise Canyon near Death Valley National Park.

The bill also releases 126,000 acres of land from their existing wilderness study area designation in response to requests from local government and recreation users. This will allow the land to be made available for other purposes, including recreational off-highway vehicle use on designated routes.

We must also take into account another use of the desert land: renewable energy. I believe that we can honor our commitment to conservation while fulfilling California’s pledge to develop a clean energy portfolio.

Balancing conservation, development and other uses is possible, we just need to come up with the right solutions. Thankfully, some of these compromises are already in place.

By solar and wind companies had proposed 26 projects to be included in the Mojave Trails National Monument, including sites on former Catellus lands intended for permanent conservation. I visited some of those sites at the time, including one particularly beautiful area known as the Broadwell Valley, where thousands of acres of pristine lands were proposed for development. Seeing it first hand, I quickly came to the conclusion that those lands were simply not the right place for renewable energy development.

Since then, 26 of the 28 applications have been withdrawn. This is due in part to the state and federal government’s efforts to develop and finalize the Desert Renewable Energy Conservation Plan—an ambitious effort to comprehensively manage renewable energy, conservation, and recreation on 22.5 million acres of California desert.

By designating the coastal plain that could potentially provide the State with viable sites for renewable energy development, of-highway vehicle recreation, or other commercial purposes.

This blueprint will help identify pristine lands that warrant protection and direct energy projects elsewhere. This is a good example of what this bill will accomplish.

I strongly urge my colleagues to take a good look at this legislation. I hope they understand that the many stakeholders involved have made their voices heard. As you can see, there are many diverse interests in California’s desert lands, an it is not easy to bring them all into agreement. But after years of painstaking efforts, they have reached agreement on this bill.

Desert conservation has never been a partisan issue. Over the years, legislators have come together across party lines to preserve this great piece of land.

Given our past success, I am hopeful this Congress will take this legislation up and move it forward. Most importantly, I hope this body recognizes the simple fact that desert conservation has never been a partisan issue. Over the years, legislators have come together across party lines to preserve this great piece of land. It’s the right thing to do.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 49. A bill to provide a leasing program within the Coastal Plain, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to once again open a small portion of the Arctic coastal plain, in my home State of Alaska, to oil and gas development. I am introducing the bill because, now more than ever, new production in northern Alaska is vital not only to my state’s future, but also to our Nation’s energy and economic security.

It has been known for more than nearly 4 decades that the 1.5 million acres of the Arctic coastal plain that lie inside the northern one-eleventh of the Arctic National Wildlife Refuge are the most prospective lands in North America for a major conventional oil and gas discovery. The U.S. Geological Survey continues to estimate that this part of the coastal plain—which represents just 3 percent of the coastal plain in all of northern Alaska—has a mean likelihood of containing 10.4 billion barrels of oil and 8.6 trillion cubic feet of natural gas, as well as a reasonable chance of economically producing 16 billion barrels of oil. Even the relatively recent major finds in North Dakota’s Bakken field and the recent estimates of shale oil in Texas’ Wolfcamp formation pale in comparison to ANWR, which is likely to hold over three times more conventional oil than any other offshore energy deposit in North America.

In the 1990s, opponents dismissed ANWR’s potential and argued that the nearby National Petroleum Reserve-Alaska was forecast to contain almost as much oil. However, early this decade the U.S. Geological Survey significantly reduced its estimate of the 23 million acre reserve. Instead of containing somewhere between the 6.7 to 15 billion barrels as forecast in 2002, the USGS now forecasts a mean of 896 million barrels—a dramatic downward revision. While I still believe oil production must be allowed to proceed in ANWR and that development of satellite fields must be allowed to occur, the revised forecast means that opening a small area on shore to the east on the coastal plain is now more vital than ever for America’s economic and national security interests.

That is especially the case given that President Obama late last year closed almost all of Alaska’s outer continental shelf oil and gas deposits to future exploration and development. That makes production of onshore deposits even more vital for Alaska’s economic future, and for the Nation’s long-term energy security.

America once consumed more than 10 percent of its daily domestic oil production from fields in Alaska. You heard correctly, production already occurs in Arctic Alaska, and has for nearly 40 years. We have successfully balanced resource development with environmental protection. Alaskans have proven, over and over again, that those endeavors are not mutually exclusive.

Today, however, we face a tipping point. Alaska’s North Slope production has declined for years and now accounts for just 5 percent of the Nation’s daily production. It is now forecast to decline further to levels next decade that will threaten the continued operation of the Alaska Pipeline System. A closure of TAPS would shut down all northern Alaska oil production. This would devastate Alaska’s economy, drag global oil prices even higher, and deepen our energy dependence on unstable petrostates throughout the world, especially once oil shale production peaks in the Lower 48 States.
Mr. BOOKER. Mr. President, today, I introduced the Protect American Families from Unnecessary Registration and Deportation Act of 2017, or the Protect American Families Act. This critical bill would advance civil and human rights by ensuring we protect American immigrants from being wrongfully targeted by our Federal Government because of who they are or how they worship. I thank Senators ELIZABETH WARREN, BRIAN SCHATZ, ED MARKEY, PATTY MURRAY, BERNIE SANDERS, PATRICK LEAHY, JEFF MERRICK, MARK HARKIN, and RON WYDEN, my colleagues, for their joint support of this important legislation.

Enshrined in the Constitution are the ideas that all people are free to practice the religion of their choice and that we will not discriminate because of your faith or national origin. Creating a Federal immigration program that requires people to register their status with the Federal Government on the basis of their religion, race, ethnicity, gender, age, nationality, national origin, or citizenship is contrary to our values. The United States is the world’s beacon of democracy, and we must lead by example and live the values we preach.

Yet, in troubling times we have not always stayed true to our values. During World War II, Imperial Japan attacked United States Naval Base Pearl Harbor, President Franklin Roosevelt issued Executive Order 9066. That order authorized the Secretary of War to designate particular areas as military zones, which allowed for the removal of Japanese Americans from certain parts of the United States. Subsequently, more than 110,000 Japanese Americans were relocated to internment camps.

Similarly, in 2002, the year following the tragic terrorist attacks on September 11, the Federal Government created the National Security Entry-Exit Registration System, NSEERS. This Federal program required non-citizen visa holders from certain countries to register with the Federal Government. The registration process included fingerprinting, photographs, and interrogation. Once an individual registered, NSEERS required the person to regularly check in with immigration officials. Finally, NSEERS monitored people who registered with the program to ensure that no one remained in the country longer than the law permitted them.

Inconsistent with the American values of religious freedom and nondiscrimination, the NSEERS program wrongly targeted males over 16 years old from the following countries: Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen, and North Korea. Thus, 24 out of 25 countries listed in the NSEERS program were Arab and Muslim countries. This was another moment in our nation’s history where our leaders succumbed to the politics of
fear and adopted a program that tore at the very fabric of our country.

Immigration-registry programs do not make the public more safe. The purpose of NSEERS was to identify and capture terrorists. Yet, despite registering over 83,000 people, the program yielded zero terrorism convictions. Without proof of a single terrorist related conviction, the NSEERS program did not do its job of keeping the homeland safe.

But immigration-registry programs do result in discrimination. The fact that NSEERS led to the forced registry, interrogation, and deportations of immigrants from predominantly Muslim countries under a broadly defined enforcement programs often result in racial and religious profiling. That is why the United Nations and major American civil rights groups condemned NSEERS for unfairly singling out Muslims. By targeting Muslims, NSEERS sent the wrong message that America does not welcome immigrants from certain lands.

While the Obama administration dismantled the NSEERS program, this alone will not prevent the incoming administration from attempting to follow through on its threats to create a registry based on religion or national origin. On the campaign trail President-elect Trump called for a “total and complete shutdown” of Muslim immigrants entering the United States. Additionally, he has called for “extreme vetting” of immigrants reminiscent of NSEERS. It is incumbent upon congressional leaders to ensure that the United States does not sacrifice its values in the face of fear.

Today, I introduce the Protect American Families Act to ensure that America upholds the rights and liberties of American immigrants from overly broad, ineffective, and discriminatory registry programs. This bill would prohibit the Federal Government from registering or check in with the Federal Government simply because of their religion, race, ethnicity, age, gender, national origin, nationality, or citizenship. Banning the creation of a discriminatory registration program is not only consistent with our democratic values, but it allows law enforcement to focus resources on the real threats to our safety.

The bill has commonsense exemptions. Data collection is critical in our fight against terrorists, and the bill allows the government to collect routine data on the entry and exit of noncitizens. The bill would also protect important immigration programs like Temporary Protected Status, Deferred Depature, the Visa Waiver Program, and Deferred Action for Childhood Arrivals. This provision makes clear that legitimate Federal programs that confer immigration benefits are not to be penalized by programs that target immigrants and other vulnerable Americans.

In his First Inaugural Address, President Roosevelt said that “the only thing we have to fear is fear itself.” Unfortunately, he failed to live up to that statement when he issued Executive Order 9066. But we have a chance to stand up against a threat that is true to our American values in the face of hardship. I am proud to introduce the Protect American Families Act today, and I urge my colleagues to support its speedy passage through the Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 7—TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 7

Resolved, That the following shall constitute the Majority Party’s membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Roberts (Chairman), Mr. Cochran, Mr. McConnell, Mr. Boozman, Mr. Hoeven, Mrs. Ernst, Mr. Graley, Mr. Sessions, Mr. Thune, Mr. Daines, Mr. Perdue.

COMMITTEE ON APPROPRIATIONS: Mr. McCaul (Chairman), Mr. Cook, Mr. Nick Rahall, Mr. Thompson, Mrs. Hanab Nit, Mr. Johnson, Mr. Cole, Mr. Issa, Mr. McCarthy, Mr. Hagedorn, Mr. Ron Johnson, Mr. Sisco, Mr. Lamborn, Mr. McMorris, Mr. Rooney, Mr. Spanberger, Mr. Taylor, Mr. Crenshaw, Mr. Smith, Mr. McLaughlin, Mr. Hagedorn, Mr. McMorris, Mr. Rooney, Mr. Spanberger.

COMMITTEE ON ARMED SERVICES: Mr. Johnson (Chairman), Mr. Crapo, Mr. Johnson, Mr. Young, Mr. Enzi, Mr. Alexander, Mr. Ernst, Mr. Young, Mr. Kit Bond, Mr. Massie, Mr. McFadden, Mr. Scott, Mr. Wamp.

COMMITTEE ON BANKING, HUMANITIES, AND COMMERCIAL AFFAIRS: Mr. Crapo (Chairman), Mr. Kaufman, Mr. Johnson, Mr. Paul, Mr. Scott, Mrs. Ernst, Mr. Toomey, Mr. Johnson, Mr. King, Mrs. Capito, Mr. Graley, Mr. Sessions, Mr. Boozman.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo (Chairman), Mr. Shelby, Mr. Coburn, Mr. Barrasso, Mr. Rounds, Mr. Johnson, Mr. Enzi, Mr. Toomey, Mr. Johnson, Mr. King, Mrs. Capito, Mr. Graley, Mr. Sessions, Mr. Boozman, Mr. Rounds, Mr. Perdue, Ms. Tills, Mr. Kennedy.

COMMITTEE ON WIFE, ECONOMY, AND TRANSPORTATION: Mr. Thune (Chairman), Mr. Wicker, Mr. Blunt, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Heller, Mr. Inhofe, Mr. Lee, Mr. Johnson, Mrs. Capito, Mr. Gardner, Mr. Young.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Murkowski (Chairman), Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Gardner, Mr. Sessions, Mr. Alexander, Mr. Hoeven, Mr. Cassidy, Mr. Portman.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Barrasso (Chairman), Mr. Inhofe, Mr. Capito, Mr. Boozman, Mr. Wicker, Mrs. Fischer, Mr. Sessions, Mr. Moran, Mr. Rounds, Mr. Ernst, Mr. Sullivan.

COMMITTEE ON FINANCE: Mr. Hatch (Chairman), Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Heller, Mr. Scott, Mr. Cassidy.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker (Chairman), Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. Gardner, Mr. Young, Mr. Barrasso, Mr. Isakson, Mr. Portman, Mr. Paul.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander (Chairman), Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Mr. Cassidy, Mr. Young, Mr. Hatch, Mr. Roberts, Ms. Murkowski, Mr. Scott.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Johnson (Chairman), Mr. McCain, Mr. Portman, Mr. Paul, Mr. Lankford, Mr. Enzi, Mr. Hoeven, Mr. Daines.

COMMITTEE ON THE JUDICIARY: Mr. Grassley (Chairman), Mr. Hatch, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Sasse, Mr. Flake, Mr. Crapo, Mr. Tillis, Mr. Kennedy.

COMMITTEE ON INTELLIGENCE: Mr. Burr (Chairman), Mr. Risch, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Lankford, Mr. Cotton, Mr. Cornyn.

COMMITTEE ON VETERANS’ AFFAIRS: Ms. Collins (Chairman), Mr. Hatch, Mr. Flake, Mr. Scott, Mr. Tillis, Mr. Corker, Mr. Burr, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

COMMITTEE ON INDIAN AFFAIRS: Mr. Hoeven (Chairman), Mr. Barrasso, Mr. Johnson, Mr. Manchin, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Blunt (Chairman), Mr. McColl, Mr. Cochran, Mr. Alexander, Mr. Roberts, Mr. Shelby, Mr. Cruz, Mrs. Capito, Mr. Wicker, Mrs. Fischer.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch (Chairman), Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Ernst, Mr. Inhofe, Mr. Young, Mr. Enzi, Mr. Rounds, and Mr. Kennedy.

COMMITTEE ON VETERANS’ AFFAIRS: Ms. Isakson (Chairman), Mr. Moran, Mr. Boozman, Mr. Heller, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

SELECT COMMITTEE ON ETHICS: Ms. Isakson (Chairman), Mr. Roberts, Mr. Risch.

SENATE RESOLUTION 8—TO CONSTITUTE THE MINORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 8

Resolved, That the following shall constitute the Minority Party’s membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow, Mr. Leahy, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Ms. Gillibrand, Mr. Donnelly, Ms. Heitkamp, Mr. Casey, Mr. Van Hollen.

COMMITTEE ON APPROPRIATIONS: Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Udall, Mrs. Shaheen, Mr. Merkely, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy, Mr. Manchin, Mr. Van Hollen.

COMMITTEE ON BANKING, ENVIRONMENT, AND COMMERCIAL AFFAIRS: Mr. Reed, Mr. Nelson, Mrs. McCaskill, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr.
AMENDMENTS SUBMITTED AND PROPOSED

SA 8. Mr. Kaine (for himself, Mr. Murphy, Mr. Durbin, Mr. Carper, Mr. Udall, Mr. Booker, Mr. Leahy, Mr. Blumenthal, Mr. Brown, Mrs. Shaheen, Mr. Markay, Ms. Baldwin, Mrs. Blackburn, Mr. Mark, Mr. Cardin, Mr. Casey, Ms. Stabenow, Mrs. Warren, Mr. Klobuchar, Mr. Franken, Mrs. Murray, Mrs. Feinstein, Mr. Whitehouse, Mr. Coons, Ms. Hirono, Mr. King, Mr. Heinrich, Mr. Wyden, and Mr. Merkley) proposed an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 9. Ms. Sasse (for herself, Mr. Franken, Mr. Blumenthal, Mr. Leahy, Mr. Udall, Mr. Stabenow, Mr. Van Hollen, Mr. Whitehouse, Mr. King, Mr. Brown, Ms. Baldwin, and Mrs. Shaheen) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 10. Mr. Menendez submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 11. Mr. Menendez (for himself and Mr. Van Hollen) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 12. Mr. Menendez (for himself and Mr. Carper, Mr. Casey, Mr. Stabenow, Mr. Blumenthal, Mr. Markay, Mrs. Hassan, Mr. Durbin, Mr. Booker, Mr. Brown, Mr. Coons, Mrs. Gillibrand, Mr. Heinrich, Ms. Klobuchar, Mr. Murray, Mr. Reed, Mr. Whitehouse, Mrs. Feinstein, Ms. Duckworth, and Mr. Franken) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 13. Mr. Nelson (for himself, Mr. Blumenthal, Mr. Van Hollen, Mr. Udall, Mr. Whitehouse, Mr. Menendez, Mr. Casey, Mr. Leahy, Mr. King, and Ms. Klobuchar) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 14. Mr. Van Hollen (for himself, Mr. Warner, and Mr. Bennet) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 15. Mr. Van Hollen (for himself and Mr. Blumenthal) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 16. Mr. Van Hollen submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 17. Mr. Blumenthal (for himself, Mr. Udall, Mr. Coons, Mr. Markay, Mr. Van Hollen, Mrs. Gillibrand, Mrs. Murray, Mrs. Feinstein, Ms. Klobuchar, and Ms. Warren) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 18. Ms. Baldwin (for herself, Mr. Warner, Mr. Whitehouse, Mr. Kaine, Mr. Coons, Mrs. McCaskill, Mr. Van Hollen, Mr. King, Mr. Durbin, Mr. Reed, and Mrs. Hirono) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 19. Mr. Brown (for himself, Mr. Booker, Mrs. Gillibrand, Ms. Stabenow, Mrs. Shaheen, Mr. Udall, Mr. Whitehouse, Ms. Baldwin, Mr. Markay, Ms. Leahy, Mr. Van Hollen, Mr. Menendez, Mr. Reed, Mr. Blumenthal, Mr. Merkley, Mr. Cardin, Mr. Casey, Mrs. Feinstein, Mrs. Hassan, Mr. Coons, and Ms. Shaheen) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 20. Ms. Hirono (for herself, Mr. Donnelly, Mr. Blumenthal, Mr. Cardin, and Mr. Van Hollen) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 21. Mr. Peters submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 8. Mr. Kaine (for himself, Mr. Murphy, Mr. Durbin, Mr. Carper, Mr. Udall, Mr. Booker, Mr. Leahy, Mr. Blumenthal, Mr. Brown, Mrs. Shaheen, Mr. Markay, Ms. Baldwin, Mrs. Blackburn, and Mrs. Shaheen) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 9. Ms. Klobuchar (for herself, Mr. Franken, Mr. Blumenthal, Mr. Leahy, Mr. Van Hollen, Mr. Stabenow, and Mrs. Shaheen) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 10. Mr. Menendez submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 11. Mr. Menendez (for himself and Mr. Van Hollen) submitted an amendment intended to be proposed by them to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 12. Mr. Menendez (for himself and Mr. Carper, Mr. Casey, Mr. Stabenow, Mr. Blumenthal, Mr. Markay, Mrs. Hassan, Mr. Durbin, Mr. Booker, Mr. Brown, Mr. Coons, Mrs. Gillibrand, Mr. Heinrich, Ms. Klobuchar, Mr. Murray, Mr. Reed, Mr. Whitehouse, Mrs. Feinstein, Ms. Duckworth, and Mr. Franken) submitted an amendment intended to be proposed by them to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 13. Mr. Nelson (for himself, Mr. Blumenthal, Mr. Van Hollen, Mr. Udall, Mr. Whitehouse, Mr. Menendez, Mr. Casey, Mr. Leahy, Mr. King, and Ms. Klobuchar) submitted an amendment intended to be proposed by them to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 14. Mr. Van Hollen (for himself, Mr. Warner, and Mr. Bennet) submitted an amendment intended to be proposed by them to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 15. Mr. Van Hollen (for himself and Mr. Blumenthal) submitted an amendment intended to be proposed by them to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 16. Mr. Van Hollen submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 17. Mr. Blumenthal (for himself, Mr. Udall, Mr. Coons, Mr. Markay, Mr. Van Hollen, Mrs. Gillibrand, Mrs. Murray, Mrs. Feinstein, Ms. Klobuchar, and Ms. Warren) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 18. Ms. Baldwin (for herself, Mr. Warner, Mr. Whitehouse, Mr. Kaine, Mr. Coons, Mrs. McCaskill, Mr. Van Hollen, Mr. King, Mr. Durbin, Mr. Reed, and Mrs. Hirono) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 19. Mr. Brown (for himself, Mr. Booker, Mrs. Gillibrand, Ms. Stabenow, Mrs. Shaheen, Mr. Udall, Mr. Whitehouse, Ms. Baldwin, Mr. Markay, Ms. Leahy, Mr. Van Hollen, Mr. Menendez, Mr. Reed, Mr. Blumenthal, Mr. Merkley, Mr. Cardin, Mr. Casey, Mrs. Feinstein, Mrs. Hassan, Mr. Coons, and Ms. Shaheen) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 20. Ms. Hirono (for herself, Mr. Donnelly, Mr. Blumenthal, Mr. Cardin, and Mr. Van Hollen) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

SA 21. Mr. Peters submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, supra; which was ordered to lie on the table.

(continued...
by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE REPEAL OF THE MEDICAID PART D NONINTERFERENCE CLAUSE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations in the Committees of Appropriations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, amendments between the Houses, or conference reports relating to the repeal of the noninterference clause under the Medicare part D prescription drug program in order to allow the Secretary of Health and Human Services to negotiate for the best possible price for prescription drugs by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2017 through 2021 or the period of the total of fiscal years 2017 through 2026.

SA 10. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD AFFECT MEDICAID ENROLLMENT, BENEFITS, OR STATE SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office and the Chief Actuary of the Centers for Medicare & Medicaid Services that the legislation would not result in a reduction of the benefits provided under such program, including benefits that are offered by a State as an additional service.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 12. Mr. MENENDEZ (for himself, Mr. CARPER, Mr. CASEY, Ms. STABENOW, Mr. BLUMENTHAL, Mr. MARKET, Ms. HASSAN, Mr. DUBBIN, Mr. BOCKER, Mr. BROWN, Mr. COONS, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. KLOBUCAR, Mr. LEAHY, Mr. MURPHY, Mr. REED, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Ms. DUCKWORTH, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD PENALIZE MEDICAID EXPANSION STATES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office and the Chief Actuary of the Centers for Medicare & Medicaid Services that the legislation would not result in—

(1) a decrease in enrollment in such program;

(2) a reduction in the benefits offered under such program for benefits offered by States as optional additional services; or

(3) an increase in State spending under such program.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 11. Mr. MENENDEZ (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE MEDICAID BENEFITS, OR STATE SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would affect the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) unless such legislation receives certification from the Congressional Budget Office and the Chief Actuary of the Centers for Medicare & Medicaid Services that the legislation would not result in—

(1) decreased enrollment in such States;

(2) a reduction in the benefits offered under such program in States which have expanded eligibility for medical assistance under such program for low-income, non-elderly individuals under the eligibility option established by the Patient Protection and Affordable Care Act under section 1902(a)(10)(A)(x)(VIII) of the Social Security Act (42 U.S.C. 1396 et seq.); or

(3) increased State spending on such program in such States.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 13. Mr. NELSON (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. UDALL, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. CASEY, Mr. LEAHY, Mr. KING, and Ms. KLOBUCAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REPEAL THE PRESCRIPTION DRUG COVERAGE GAP UNDER MEDICARE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would repeal health reform legislation that closes the coverage gap in the Medicare prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w–101 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 14. Mr. VAN HOLLEN (for himself, Mr. WARNER, and Mr. BENNET) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

On page 49, strike lines 4 through 11.

SA 15. Mr. VAN HOLLEN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE THE PREMIUM TAX CREDITS PROVIDED BY THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the premium tax credits provided by the Patient Protection and Affordable Care Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).
of the Chair on a point of order raised under subsection (a).

SA 16. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

Strike title II.

SA 17. Mr. BLUMENTHAL (for himself, Mr. UDALL, Mr. COONS, Mr. MARKY, Mr. VAN HOLLEN, Mrs. GILL-BRAND, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Ms. WARREN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST RECURRING FUNDING FOR DISEASE PREVENTION EFFORTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, withdrawal in the Senate or conference report that would—

(1) result in a reduction of funding for a program, project, or activity that is intended primarily to prevent or reduce the incidence of a disease, illness, disorder, condition, or injury;

(2) increase the prevalence of disease among children;

(3) increase the prevalence of disease amongst adults.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of deficit increases and reductions in a surplus shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

SA 19. Mr. SANDERS (for himself, Mr. BROWN, Mr. BOOKER, Mrs. GILL-BRAND, Ms. STABENOW, Mrs. SHAHEEN, Mr. UDALL, Mr. WHITEHOUSE, Ms. BERNSTEIN, Mr. MURPHY, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. REED, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. CARDIN, Mr. CASEY, Mrs. FEINSTEIN, Ms. HASSAN, Mr. COONS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE SOCIAL SECURITY, MEDICARE, OR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the houses or conference report that would—

(1) result in a reduction of guaranteed benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.); or

(2) increase either the early or full retirement age for the benefits described in paragraph (1);

(3) privatize Social Security;

(4) result in a reduction of guaranteed benefits for individuals entitled to, or enrolled for, benefits under the Medicare program under title XVII of the Social Security Act (42 U.S.C. 1395 et seq.); or

(5) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act (42 U.S.C. 1396 et seq.).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 20. Ms. HIRONO (for herself, Mr. DONNELLY, Mr. BLUMENTHAL, Mr. CARDIN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE MEDICARE OR LIMIT FEDERAL FUNDING FOR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the houses, or conference report that would—

(1) privatize the Medicare program under title X VIII of the Social Security Act (42 U.S.C. 1395 et seq.) or turn the program into a voucher system;

(2) increase the eligibility age under the Medicare program; or

(3) block grant the Medicaid program under title X IX of the Social Security Act (42 U.S.C. 1396 et seq.), impose per capita spending caps on State Medicaid programs, or decrease coverage under such program from current levels.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 21. Mr. PETERS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST LEGISLATION THAT WOULD PRIVATIZE VETERANS AND THEIR DEPENDENTS TO LOSE HEALTH CARE COVERAGE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the houses, or conference report that would repeal any provision in the Patient Protection and Affordable Care Act (Public Law 111-148) prior to the enactment of a law to ensure that no veteran or dependent that gained health care coverage through such Act’s Exchanges or Medicaid expansion will lose coverage.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AUTHORITY OR COMMITTEES TO MEET

Mr. BLUNT. Mr. President, I have five requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.
Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 5, 2017, at 9:30 a.m.

COMMITTEE ON FOREIGN RELATIONS

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 5, 2017 at 3 p.m., to conduct a classified briefing entitled “Recent Administration Actions in Response to Russian Hacking and Harassment of U.S. Diplomats.”

SELECT COMMITTEE ON INTELLIGENCE

Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 5, 2017, at 2 p.m. in room SH–219 of the Hart Senate Office Building.

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that the following legislative fellows in my office be given floor privileges for the remainder of this Congress: Sophia Vogt, Emily Douglas, Kripa Sreepada, Katherine Tsantiris, Chris Jones, and Noah Ben-Aderet.

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

ORDERS FOR FRIDAY, JANUARY 6, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:45 p.m., Friday, January 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following the prayer and pledge, the Senate stand in recess, to then proceed as a body to the Hall of the House of Representatives under the provisions of S. Con. Res. 2, for the counting of the electoral ballots; further, that upon dissolution of the joint session, the Senate stand adjourned until 2 p.m., Monday, January 9; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. Con. Res. 3.

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

ADJOURNMENT UNTIL 12:45 P.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 6:48 p.m., adjourned until Friday, January 6, 2017, at 12:45 p.m.

NOMINATIONS

Executive nominations received by the Senate:

STATE JUSTICE INSTITUTE

MARY ELLEN BARBERA, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018, VICE JONATHAN LIPPMAN, TERM EXPIRED.

DAVID V. BREWER, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019. (REAPPOINTMENT)

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019. (REAPPOINTMENT)

CHASE ROGERS, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2018. (REAPPOINTMENT)

EXPORT-IMPORT BANK OF THE UNITED STATES

CLAUDIA SLACIK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019, VICE PATRICIA M. LOUI, TERM EXPIRED.
HONORING CLAYTON BENTCH
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Clayton Bentch. Clayton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

CHIEF DANIEL KEVIN BAUM COMPLETES FIRE OFFICER PROGRAM
HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. OLSON. Mr. Speaker, I rise today to congratulate Chief Daniel Kevin Baum of Pearland, TX, for successfully completing the Executive Fire Officer Program (EFOP).

HONORING CHRISTIAN CHARLES TORCHIA
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Christian Charles Torchia. Christian is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1351, and earning the most prestigious award of Eagle Scout.

BAY AREA REGIONAL MEDICAL CENTER ACHIEVES CHEST PAIN CENTER ACCREDITATION
HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. OLSON. Mr. Speaker, I rise today to congratulate Bay Area Regional Medical Center in Houston, TX for achieving Chest Pain Center Accreditation with PCI and Resuscitation from the Society of Cardiovascular Patient Care.

OPPOSITION TO H.R. 21
HON. EARL BLUMENAUER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. BLUMENAUER. Mr. Speaker, today, I voted against H.R. 21, a bill that would allow Congress to summarily reject any regulation finalized during the final year of a President’s administration.

Current law, under the Congressional Review Act (CRA), already allows Congress to invalidate rules adopted in the final 60 legislative days of an outgoing Administration on a case-by-case basis, preventing agencies from promulgating that rule or any substantially similar rule.

Today’s bill, however, would allow Republicans to invalidate important regulations protecting public health, consumer rights, and the environment en bloc, without debating each rule individually or providing the transparency and accountability that would come from a rule-by-rule vote.

This means that rules finalized after the thorough and public process set forth by law—or extended by lawsuits—that agencies must follow are invalidated, even if the underlying problems remain, and with no plan to fix those underlying problems. For instance, rules limiting horse soring or strengthening consumer protections regarding organic food could be blocked under this rule.

The voters elected President Obama to a second, full four-year term. This deeply anti-democratic effort by the Republican majority not only undermines the President, it also leaves Americans and our environment holding the bag. H.R. 21 is perhaps more detrimental than the Senate’s refusal to fill the Supreme Court vacancy because this bill would allow Congress to invalidate an entire year of an entire administration’s work.

HONORING JOEL Madden
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017
Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joel Madden. Joel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Joel has been very active with his troop, participating in many scout activities. Over the many years Joel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Joel has led his troop as the Patrol Leader, becoming a Brotherhood member of the Order of the Arrow, and holds the rank of Firebuilder in the tribe of Mic-O-Say. Joel has also contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Clayton Bentch for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.
IN RECOGNITION OF THOMAS WILLIAMS, STATE DIRECTOR OF USDA RURAL DEVELOPMENT—PENNSYLVANIA

HON. MATT CARTWRIGHT OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Thomas Williams, State Director of U.S. Department of Agriculture Rural Development for Pennsylvania. Appointed to the USDA by President Obama in July 2009, Mr. Williams will retire from federal service on January 7, 2017.

As State Director for Pennsylvania, Mr. Williams was responsible for securing loans, grants, loan guarantees and technical assistance offered through 40 Rural Development housing, utility and business programs. Mr. Williams managed 106 employees and 9 regional offices across Pennsylvania, as well as the state office in Harrisburg. During his seven years with the USDA, Rural Development invested over $5 billion in Pennsylvania infrastructure.

Prior to his tenure with the USDA, Mr. Williams served as a congressional aide to former U.S. Congressman Paul Kanjorski. Mr. Williams also worked with several communities in Pennsylvania and New York to assist local development and economic development efforts. Mr. Williams is a graduate of Wilkes University and received his Master’s degree from Bloomsburg University. He currently resides in Mountain Top with his wife, Nancy.

It is an honor to recognize Thomas Williams for his service to our country, and I wish him all the best in his retirement.

KATIE HYDE EARNs GIRL SCOUT GOLD AWARD

HON. PETE OLSON OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Katie Hyde of Sugar Land, TX, for earning her Girl Scout Gold Award.

The Gold Award is the highest achievement a Girl Scout can earn. To earn this distinguished award, Katie had to spend at least 80 hours developing and executing a project that would benefit the community and have a long-term impact on girls as well. Her Gold project included building sets of horse jumps for the therapeutic riding program at Southern Equestrian Center, which will make it easier for those with physical or mental disabilities to ride horses.

On behalf of the Twenty-Second Congressional District of Texas, congrats! I wish Katie Hyde for earning her Girl Scout Gold Award. We are confident she will have continued success in her future endeavors. We are very proud.

HONORING RAYMOND PROBST, JR.

HON. SAM GRAVES OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Raymond Probst, Jr. Raymond is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Raymond has been very active with his troop, participating in many scout activities. Over the many years Raymond has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Raymond contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Raymond Probst, Jr., for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF SHERIFF GLYNN COOPER

HON. SANFORD D. BISHOP, JR. OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to an outstanding leader and exceptional public servant, Chattahoochee County Sheriff Glynn Cooper. Sheriff Cooper will be retiring from his position as Sheriff and City Manager in January 7, 2017 at 2:00 p.m. at the Roscoe Robinson Recreation Center in Cusseta, Georgia.

Glynn Cooper was born in Schley County, Georgia on April 15, 1934 to Wesley and Mozelle Cooper. He, along with his brothers, Fred, Leonard, and Drane, worked on farms in Stewart and Webster counties in Georgia.

He met the love of his life, Estelle, at a dance and they married on December 11, 1954. As a newlywed couple, they lived with his parents until Sheriff Cooper could secure a home in Cusseta, Georgia, where he still lives today. They welcomed a daughter, Glynda, on October 12, 1957. Estelle was Sheriff Coo- per’s partner, supporter, and best friend until she passed away in 1998.

Growing up on a farm taught Sheriff Cooper to be a jack of all trades. He worked at Pres- ton’s Garage in Columbus, Georgia until he opened Cooper’s Garage in Cusseta. He and Estelle, who was Senior Clerk at the Post Of- fice, began purchasing and building Cooper Rental Properties, a business which remains today.

He soon dubbed Estelle as 651½ on the radio. With his family’s support, Sheriff Cooper has been a faithful servant to the people of Chattahoochee County for a remarkable 43 years. He has earned the distinction of being the second-longest-serving Sheriff in the state of Georgia.

Sheriff Cooper is also actively involved in the community. He previously served on the board of the City of Cusseta. He volunteered his time and efforts to serving on numerous civic organizations. Raised in a Chris- tian home, he joined Louvale Missionary Baptist Church at a young age. Today, he is a faithful member of Cusseta Baptist Church.

Dr. Benjamin E. Mays often said: “You make your life by what you make your life by what you give.” Not only has Sher- iff Cooper made his living by keeping watch over the citizens of Chattahoochee County, but he has also made his life by giving back to the County in so many ways. We are all very grateful for his tireless advocacy in keeping our community safe. A man of great integrity, his efforts, his dedication, and his work ethic are unparalleled, but his heart for helping others utilizing these qualities has made his life’s work truly special.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of Georgia’s Second Con- gressional District in honoring Sheriff Glynn Cooper for his dedicated service to the people of Chattahoochee County as he retires from his position as Sheriff.

INTRODUCTION OF CONSTITU- TIONAL AMENDMENT TO ELIMI- NATE THE ELECTORAL COLLEGE AND PROVIDE FOR THE DIRECT ELECTION OF THE PRESIDENT AND VICE PRESIDENT

HON. STEVE COHEN OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. COHEN. Mr. Speaker, I rise today in support of a constitutional amendment I intro- duced today to eliminate the electoral college and provide for the direct election of our na- tion’s President and Vice President.

As Founding Father Thomas Jefferson said, “I am not an advocate for frequent changes in laws and constitutions, but laws and institu- tions must go hand in hand with the progress of the human mind. As that becomes more de- veloped, more enlightened, as new discov- eries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must ad- vance also to keep pace with the times. We must advance as well as require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors.”

For the second time in recent memory, and for the fifth time in our history, the national popular vote winner will not be the President begin- ning with the presidential contest in 2000. This has happened twice to candidates from Ten- nessee: Al Gore and Andrew Jackson.

The reason is because the electoral college, established to prevent an uninformed citizenry from directly electing our nation’s President, no longer fits our nation’s needs.

From directly electing our nation’s President, a constitutional amendment was established to prevent an uninformed citizenry from directly electing our nation’s President.

I rise today to honor Sheriff Glynn Cooper for his dedicated service to the people of Chattahoochee County as he retires from his position as Sheriff.
was premised on a theory that citizens would have a better chance of knowing about electors from their home states than about presidential candidates from out-of-state. Electors were supposed to be people of good judgment who were trusted with picking a qualified President and Vice President on behalf of the people. They held the responsibility of choosing a President because it was believed that the general public could not be properly informed of the candidates and the values each held.

That notion—that citizens should be prevented from directly electing the President—is antithetical to our understanding of democracy today, and our electoral process has not evolved to match our abilities to communicate, collect information, and make informed decisions about candidates. The development of mass media and the internet has made information about presidential candidates easily accessible to U.S. citizens across the country and around the world. The people no longer need the buffer of the electoral college to be knowledgeable about and decide who will be president. Today, citizens have a far better chance of knowing about out-of-state presidential candidates than knowing about presidential electors from their home states. Most people do not even know who their electors are.

While our ability to communicate has evolved so has the electoral college, but not in a positive way. Electors are now little more than rubber stamps who are chosen based on their political parties and who represent the interests of those political parties, rather than representing the people. Most states legally bind their electors to vote for whomever wins that state's popular vote, so electors can no longer exercise individual judgment when selecting a candidate.

In our country, “We the People,” are supposed to determine who represents us in elective office. Yet, we use an anachronistic process for choosing who will hold the highest offices in the land.

It is time for us to fix this, and that is why I have introduced this amendment today.

Since our nation first adopted our Constitution, “We the People,” have amended it repeatedly to expand the opportunity for citizens to directly elect our leaders:

The 15th Amendment guarantees the right of all citizens to vote, regardless of race.

The 19th Amendment guarantees the right of all citizens to vote, regardless of gender.

The 26th Amendment guarantees the right of all citizens 18 years of age and older to vote, regardless of age.

And the 17th Amendment empowers citizens to directly elect U.S. Senators.

We need to amend our Constitution to empower citizens to directly elect the President and the Vice President of the United States.

Working together, I know we can make our electoral college fit the world we live in today, and make our Constitution better reflect the “more perfect Union” to which it aspires.

HONORING AARON JACOB STOCKMAN
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Aaron Jacob Stockman. Aaron is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1394, and earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop, participating in many scout activities. Over the many years Aaron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Aaron contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Aaron Jacob Stockman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF MR. A. WARREN KULP, JR.
HON. THOMAS J. ROONEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. ROONEY of Florida. Mr. Speaker, I rise today to honor the life of A. Warren Kulp, Jr., better known as Sonny, of Riviera Beach, Florida, who passed away on December 31st in West Palm Beach, Florida at the age of 81.

Sonny's life was the American Dream personified; after graduating from Hilltown High School in Pennsylvania in 1953, he worked as a self-employed dairy farmer for his entire life. He also earned his real estate license and worked as the head of the real estate department for eight years in Bucks County, Pennsylvania. After moving to Florida with his wife Judith, he worked at the Palm Beach Kennel Club until his retirement in 2007.

Outside of work, Sonny pursued many different interests. He was a loyal, lifelong Republican and served as an officer and committee chairman for the Pennridge Republican Club. Sonny was a member of Trinity United Methodist Church in West Palm Beach and he was also an avid Steelers fan. We are deeply saddened by the loss of such a prominent and active member of our community.

Sonny is survived by his loving wife Judith, his two sons Steven and Richard, his daughter Patricia, and six grandchildren: Kiamesha, Brianna, Mary, Frances, Patrick III and Anthony.

Mr. Speaker, my thoughts and prayers are with Mr. Kulp's family and loved ones as they mourn his passing. He will be greatly missed.

TRIBUTE TO SAIPAN SHIPPING, INC.
HON. GREGORIO KILILI CAMACHO SABLAN
OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. SABLAN. Mr. Speaker, August 11, 1956 marks a watershed moment in the history of the Northern Mariana Islands. That was the day that Saipan Shipping Incorporated, was established, setting the Marianas on a course for economic resiliency and self-sufficiency that endures today.

Seven years before the founding of Saipan Shipping, in the aftermath of World War II, Jose C. "Joeten" Tenorio started a small grocery store in Chalan Kanoa, Saipan. What started out as a way to help deliver goods to local customers eventually developed into one of the largest businesses in the Marianas.

However, as Joeten’s business grew, he ran into a major obstacle: the Japanese liners from the war were gone, the Trust Territory government ships did not run regularly, and cargo bound for Saipan often sat in port on Guam for days or even weeks. The lack of reliable and affordable shipping service to Saipan increased the costs of goods shipped to a small and struggling island economy.

Not content to accept the status quo, Joeten decided to do something about it. He reached out to family and friends to buy 100 shares in a start-up shipping company, and, on August 11, 1956, they formed Saipan Shipping Company, Incorporated.

The company began with its first vessel, the M/V Hope, which was purchased for $50,000 from Kenneth T. Jones Jr., President of Jones and Guerrero Company, Incorporated, on Guam. The converted minesweeper with twin screws and a wooden hull made weekly runs between Guam and Saipan, as well as occasional trips to the Northern Islands. Often these goods were delivered to Japan directly by the M/V Hope when it sailed there each year to dry-dock.

In May 1962, Saipan Shipping purchased the M/V Four Winds, also a former military and CIA vessel, from Bruan Shipping in Delaware. The Four Winds traveled a regular route between Saipan and Japan.

However, soon after the acquisition of the M/V Four Winds, Saipan Shipping would be challenged by two catastrophes. In November 1965, just months after the acquisition of the Four Winds, the M/V Hope was struck by another vessel, the Guam Bear, which rendered the Hope unserviceable. Days later, on November 11, Super Typhoon Karen hit Guam, sinking the Hope while it was in dry dock on Guam.

Despite these twin calamities, Saipan Shipping bounced back by taking the M/V Four Winds out of the Japan run to handle the local service run between Guam and Saipan, as well as quarterly trips to the Northern Islands. Saipan Shipping continued to evolve in the years that followed. In 1965, the company began chartering the M/V Ran Annm from the Trust Territory government. In 1966, after the
As the 1980s economic boom on Saipan dwindled, Saipan Shipping flourished as it adapted to the changing needs of the island economy. In 1979, the company sold the M/V Normar, ending 23 years of almost continuous vessels at regular intervals. The company then signed a charter contract with Transpac Marine in 1980 for weekly tug and barge service to Guam, Saipan, and Tinian. After Transpac Marine’s barge S-2009 ran aground on Guam in 1986, Marianas Tug & Barge became the charter company on Saipan.

In 1982, Saipan Shipping also negotiated a connecting carrier and agency agreement with American President Lines—a major U.S. shipping company, which supplemented the company’s existing relationship with Sealant Services.

These relationships resulted in Saipan Shipping becoming the primary carrier for American President Lines cargo loading and off-loading on Saipan. Combined with the company’s existing relationship with Kyowa, Saipan Shipping was poised to profit from the 1980s economic boom brought on by the growth of tourism and the garment industry.

In 1983, the first shipment of garments—all sweaters—was delivered from Saipan to New York, marking the beginning of Saipan Shipping’s footprint. However, over time, the industry grew to eleven in 1987, then 23 in 1990. By 1997, there were more than 30 cloth factories on Saipan. By 1999, the value of clothing produced on Saipan had increased to $1 billion, which translated into large profits for Saipan Shipping.

However, the expansion of the garment industry on Saipan also led to more competition in the area as shipping companies emerged to rival Saipan Shipping’s foothold. Over time, though, Saipan Shipping pulled ahead. In 1996, American President Lines was purchased by Matson Navigation Company, a change that Saipan Shipping leveraged to transform its operations even more. By 2000, Saipan was the dominant carrier, handling 80% of the local trade. The company had a charter agreement with Matson to handle the vessel SeaBridge, incorporating, serving inter-island trade between Saipan and Guam. Tragedy struck again in 2015 with Super Typhoon Soudelor, which wreaked more havoc on Saipan’s port than many previous storms. But Saipan Shipping stood strong, rebounding much needed relief supplies.

Today, with construction booming and the budding gaming industry on Saipan, Saipan Shipping is adjusting as it always has to meet the demands of the local economy. And while competition has emerged, yet again, Saipan Shipping has adapted, yet again, to work with competitors to help the island economy prosper, yet again. John C. Tenorio probably could not have imagined the remarkable evolution and many iterations of Saipan Shipping Company, incorporated after its inception in 1956. But he would not have been surprised by Saipan Shipping’s ability to adapt and thrive. Nor should we. Many have been surprised by the vital role that Saipan Shipping has played and continues to play in the local and regional economy.

After all, that is exactly why he helped start the company, to achieve the one purpose spelled out in its Articles of Incorporation in 1956 and to this day: “The purpose of this Corporation is to engage in trade and commerce in and between [Saipan], the Marianas, the Pacific, and, indeed, the world.”

THE HONOR ROLL SCHOOL CELEBRATES 25TH BIRTHDAY

HON. PETE OLSON OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to wish the Honor Roll School in Sugar Land, TX, a happy 25th birthday.

The Honor Roll School is a private school with a focus of developing well-rounded, life-long learners, with the social, emotional and academic skills to excel in the future. The school is made up of students from over 50 countries and every continent in the world. To celebrate their 25th year, the Honor Roll School held an international themed birthday party, which included special guests and speakers, along with booths and tables showcasing various countries.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to the Honor Roll School for teaching and preparing our children for a successful future these past 25 years. We truly appreciate all they have done and look forward to the next generation of Texans to complete the program.

IN RECOGNITION OF JACQUELINE NOONAN

HON. SANDER M. LEVIN OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. LEVIN. Mr. Speaker, I rise today to recognize Jacqueline Noonan, who recently retired as Mayor after 29 years of service and dedication to the city of Utica. On January 8th, friends and family will gather to celebrate her retirement and pay tribute to her many accomplishments.

Jackie graduated from Oakland University with a Bachelor’s Degree in Secondary Education. She found great joy in working with kids as a teacher and later as a volunteer in the Utica Community Schools where her children attended school. In fact, if there was a way to get involved in her community, Jackie found it. A committed and prolific volunteer, Jackie served as a member of the Utica Community Schools Enrollment Advisory Board, volunteered with the Girl Scouts and Boy Scouts, was active in St. Lawrence Catholic Church, and helped new mothers with La Leche League International. While serving as Mayor, she continued to work closely with students as a spokesperson and advocate for the Macomb County Traffic Safety Association’s “Don’t Drink and Drive” alcohol education program. In 1991, she returned to the classroom teaching at Marlwood Junior High and later at Eisenhower High School.

Jackie and her husband Jerry loved being a part of Utica’s small town life where they ran a family business for 21 years. Jerry went to work for the Fire Department and later retired as a Assistant Fire Inspector. Jackie was a founding member of the Friends of Utica Public Library and served on numerous committees throughout the community.

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to wish the Honor Roll School in Sugar Land, TX, a happy 25th birthday.

The Honor Roll School is a private school with a focus of developing well-rounded, life-long learners, with the social, emotional and academic skills to excel in the future. The school is made up of students from over 50 countries and every continent in the world. To celebrate their 25th year, the Honor Roll School held an international themed birthday party, which included special guests and speakers, along with booths and tables showcasing various countries.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to the Honor Roll School for teaching and preparing our children for a successful future these past 25 years. We truly appreciate all they have done and look forward to the next generation of Texans to complete the program.

IN RECOGNITION OF JACQUELINE NOONAN

HON. SANDER M. LEVIN OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. LEVIN. Mr. Speaker, I rise today to recognize Jacqueline Noonan, who recently retired as Mayor after 29 years of service and dedication to the city of Utica. On January 8th, friends and family will gather to celebrate her retirement and pay tribute to her many accomplishments.

Jackie graduated from Oakland University with a Bachelor’s Degree in Secondary Education. She found great joy in working with kids as a teacher and later as a volunteer in the Utica Community Schools where her children attended school. In fact, if there was a way to get involved in her community, Jackie found it. A committed and prolific volunteer, Jackie served as a member of the Utica Community Schools Enrollment Advisory Board, volunteered with the Girl Scouts and Boy Scouts, was active in St. Lawrence Catholic Church, and helped new mothers with La Leche League International. While serving as Mayor, she continued to work closely with students as a spokesperson and advocate for the Macomb County Traffic Safety Association’s “Don’t Drink and Drive” alcohol education program. In 1991, she returned to the classroom teaching at Marlwood Junior High and later at Eisenhower High School.

Jackie and her husband Jerry loved being a part of Utica’s small town life where they ran a family business for 21 years. Jerry went to work for the Fire Department and later retired as a Assistant Fire Inspector. Jackie was a founding member of the Friends of Utica Public Library and served on numerous committees throughout the community.
VerDate Sep 11 2014 05:10 Jan 06, 2017 Jkt 069060 PO 00000 Frm 00005 Fmt 0626 Sfmt 0634 E:\CR\FM\A05JA8.009 E05JAPT1smartinez on DSK3GLQ082PROD with REMARKS

She was elected to City Council in 1981 and was elected Mayor in 1987.

As Mayor, Jackie understood that in addition to serving its residents, the City of Utica also plays a vital role in strengthening the region as a whole. She led the efforts to improve essential city services and responsiveness to constituents and businesses. Jackie spearheaded efforts to improve local roads including the widening of important roadways like M–59 and Van Dyke Avenue. Working closely with her on this project, I saw firsthand her dogged determination. Jackie also saw the value in establishing strong working relationships with her neighboring communities of Shelby Heights and Shelby Township as they shared services and resources. They even held their annual State of the City addresses together.

I ask my colleagues to join me in congratulating Jackie and wishing her and her husband Jerry, and all their children and grandchildren the very best as they begin this next chapter. I am grateful to Jackie for her many years of dedicated public service, as well as for her friendship, and I am so pleased to join with the entire community in paying tribute to her, which is so deeply deserved.

BOND COUNTY BICENTENNIAL

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the bicentennial anniversary of Bond County in my home state of Illinois.

Bond County was created on January 4th, 1817 by an act of the Illinois Territorial Legislature. This event occurred nearly two years before Illinois was admitted into the Union as the 21st State.

The initial dimensions of Bond County were quite unique, as it was only 24 miles wide, but stretched over 600 miles north to include a portion of Michigan’s Upper Peninsula. The county gets its name from Shadrach Bond, who had been an army colonel in the War of 1812, and, given the county’s initial layout, had farmed well north of present-day Bond County. Shadrach Bond also served as the first governor of Illinois.

Over time Bond County gave birth to numerous other counties in the state, and ceded some of its land to Wisconsin and Michigan as well, and today Bond County is one of the smaller counties in Illinois. Yet its rich history, along with the spirit and pride of its people, has outlasted all of these changes.

This year Bond County has planned a grand celebration in recognition of its bicentennial. This celebration began on January 5th with a commemorative program and a special proclamation by the County Board. Later this year, on July 2nd, the main celebration will occur with tours, a parade, food and many other activities, climaxing with a fireworks show.

I ask that we all join in that celebration as we pay tribute to the history and the people that made Bond County one of the pioneering spirit that lives today in all of its citizens.

I stand today to salute Bond County on its 200th anniversary and to wish it the very best in the future.

KATE FOGLEMAN EARS SPOT ON KIDS SWEETS SHOWDOWN

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kate Fogelman of Sugar Land, TX, for earning a spot on the Food Network show, Kids Sweets Showdown.

Kate is a 10-year-old girl who just loves to bake. She fell in love with watching kids baking competitions on the Food Network and was inspired to apply herself. After being turned down for the Kids Baking Championship show, she persevered and succeeded in earning a spot on the Food Network’s new show, Kids Sweets Showdown. The show features talented kids preparing “merry sweet treats” in hopes of staying on the judges’ “nice list.” Kate was featured on two episodes of the show, Santa Express and Snow Day Doughnuts. When she’s not baking, Kate spends her time on her schools yearbook committee and dancing competitively for Dance Works in Missouri City, TX.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kate Fogelman for earning a spot on Kids Sweets Showdown. We are extremely proud of her and look forward to her future success as a baker.

IN RECOGNITION OF GENEVIEVE M. KUZIA

HON. WILLIAM R. KEATING
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 5, 2017

Mr. KEATING. Mr. Speaker, I rise today in recognition of Genevieve M. Kuzia, who is turning 100 years old on January 5, 2017.

Gerry, as she is known to all, was one of seven daughters born to Stephanie and Anthony Kazimierzek in Boston, Massachusetts. As a child Gerry moved with her family down to Delaware for three years as the father could work on the railroad. In 1923, they moved back to the Commonwealth and settled in Hyde Park. After finishing at Hyde Park High School in 1935, Gerry worked for a law firm in Boston for several years.

It was at the wedding of a family friend that Gerry met Francis A. Kuzia, who had just been honorably discharged from the Marine Corps. Francis, or Frank as he was known, and Gerry fell in love and were married on July 13, 1942 and settled in Hyde Park to have three children—Paul, Susan and Robert. After raising three wonderful children and spending her time as a fulltime caring and loving mother, Gerry went back to work for the Hyde Park branch of the Boston Public Library where she worked for 16 years till her retirement in 1982.

After losing the love of her life, Frank, in 1993, Gerry moved to Braintree, Massachusetts before moving to the Cape Cod Senior Residences in 2009 due to failing eyesight. Always armed with a smile and a kind word, Gerry is beloved at Cape Cod Senior Residences.

Mr. Speaker, I am proud to honor Gerry on this joyous occasion. I ask that my colleagues join me in wishing her many more years of good health and continued happiness.
IN RECOGNITION OF MRS. ERICA SARGENT

HON. DAVID G. VALADAO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. VALADAO. Mr. Speaker, I rise today to thank Mrs. Erica Sargent for her service to my office and the people of California’s 21st Congressional District.

Mrs. Sargent was born on May 30, 1990 in Los Banos, California, where she grew up on her family’s dairy farm with her parents, Joey and Charlotte Mello, her sister Trisha, and her brother Michael. As a child, Erica took part in Future Farmers of America, where she showed dairy cows, Holsteins, Jerseys, and swine.

After graduating from Los Banos High School, Mrs. Sargent went on to receive her Bachelor’s Degree in Agriculture Business at California State University, Fresno in 2013. While in college, Erica was a member of Delta Gamma Sorority and worked as a nanny part-time. On September 3, 2016, Erica married her husband Brandon Sargent.

Mrs. Sargent has held several positions with my office, in both Washington, D.C. and California over the past 4 years. She first joined my team as Staff Assistant in my Washington, D.C. office in July 2013. As Staff Assistant, she was instrumental in supporting others in daily tasks and helping the office run smoothly. In December 2013, she was promoted to Scheduler. Mrs. Sargent relocated from Washington, D.C. back to California’s Central Valley, where she remained on my team as a Field Representative in Fresno County. Mrs. Sargent was known for her hard work and excellent community outreach. She was respected by her peers and was able to create and foster connections with constituents, business leaders, and public officials, all of which are integral skills of congressional staffers.

Outside of work, Erica enjoys spending time with her family, especially her husband, sister, and niece, Sofia. She is currently pursuing a Master’s Degree from National University and hopes to become a school counselor.

Mrs. Sargent’s time with my office will come to a close today, January 5, 2017, when she leaves to begin an internship in Laton, California, as a school counselor.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me in commending Mrs. Erica Sargent for her public service to the people of the Central Valley and wishing her well as she embarks on the next chapter of her life.

HOUSTON METHODIST SUGAR LAND HOSPITAL EARNS AN “A”

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Houston Methodist Sugar Land Hospital for earning an “A” for patient safety for the sixth year in a row.

Houston Methodist Sugar Land Hospital prides itself on the dedication of its physicians, nurses, technicians and staff to keep patients as healthy and safe as possible. Twice a year the Hospital Safety Score, part of The Leapfrog Group, grades hospitals based on how well they protect patients from errors, injuries, accidents and infections while in the hospital. Houston Methodist Sugar Land was one of 844 hospitals across the nation to earn an “A” grade in the fall 2016 survey.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Houston Methodist Sugar Land Hospital for earning an “A” for patient safety. We all benefit from their commitment to quality healthcare and we thank them for their hard work to keep Houstonians healthy.

PERSONAL EXPLANATION

HON. LYNN JENKINS
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I was absent on Roll Call Votes 12 through 23 on the evening of January 5, 2017.

I am an original cosponsor of H.R. 26, the Regulations in Need of Scrutiny Act of 2017. I would have voted against all amendments that would weaken the underlying legislation, would have voted in favor of amendments that strengthen the underlying legislation, and would have voted in favor of final passage of this important legislation.
Chamber Action

Routine Proceedings, pages S73–S121

Measures Introduced: Twenty-six bills and two resolutions were introduced, as follows: S. 32–57, and S. Res. 7–8. Page S112–13

Measures Passed:

  Majority party’s committee membership: Senate agreed to S. Res. 7, to constitute the majority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen. Page S106

  Minority party’s committee membership: Senate agreed to S. Res. 8, to constitute the minority party’s membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen. Pages S106–07

Measures Considered:

Budget Resolution—Agreement: Senate continued consideration of S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, taking action on the following amendments proposed thereto: Pages S75–S106, S107

  Pending:

  Enzi (for Paul) Amendment No. 1, in the nature of a substitute. Page S97–S106

  Sanders Amendment No. 19, relative to Social Security, Medicare, and Medicaid. Page S106

  Sanders (for Hirono/Donnelly) Amendment No. 20, to protect the Medicare and Medicaid programs. Page S107

  During consideration of this measure today, Senate also took the following action:

  By 48 yeas to 52 nays (Vote No. 2), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive section 305(b) of the Congressional Budget Act of 1974, with respect to Kaine Amendment No. 8, relating to the Patient Protection and Affordable Care Act. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, was sustained, and the amendment falls. Page S79–95

  A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, January 9, 2017, Senate vote on or in relation to Paul Amendment No. 1 (listed above); and that at 2:30 p.m., on Tuesday, January 10, 2017, Senate vote on or in relation to Sanders Amendment No. 19 (listed above). Page S121

Counting of Electoral Ballots—Agreement: A unanimous-consent agreement was reached providing that at approximately 12:45 p.m., on Friday, January 6, 2017, Senate stand in recess, to then proceed as a body to the hall of the House of Representatives under the provisions of S. Con. Res. 2, to provide for the counting on January 6, 2017, of the electoral votes for President and Vice President of the United States; and that upon the dissolution of the Joint Session, Senate stand adjourned until 2:00 p.m., on Monday, January 9, 2017; and that following Leader remarks, Senate resume consideration of S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026. Page S121

Nominations Received: Senate received the following nominations:

  Mary Ellen Barbera, of Maryland, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2018.

  David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2019.

  Wilfredo Martinez, of Florida, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2019.

  Chase Rogers, of Connecticut, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2018.

  Claudia Slacik, of New York, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2019. Page S121

Messages From the House: Page S110
Measures Referred: Pages S110–11
Petitions and Memorials: Pages S111–12
Additional Cosponsors: Pages S113–14
Statements on Introduced Bills/Resolutions: Page S114
Additional Statements: Pages S110–18
Amendments Submitted: Pages S118–20
Authorities for Committees to Meet: Pages S120–21

Privileges of the Floor: Page S121
Record Votes: One record vote was taken today. (Total—2) Page S95
Adjournment: Senate convened at 10 a.m. and adjourned at 6:48 p.m., until 12:45 p.m. on Friday, January 6, 2017. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S121.)

**Committee Meetings**

(Committees not listed did not meet)

**FOREIGN CYBER THREATS**

*Committee on Armed Services:* Committee concluded a hearing to examine foreign cyber threats to the United States, after receiving testimony from James R. Clapper, Jr., Director of National Intelligence; and Marcel J. Lettre II, Under Secretary of Defense for Intelligence, and Admiral Michael S. Rogers, USN, Commander, Cyber Command, Director, National Security Agency, Chief, Central Security Services, both of the Department of Defense.

**RUSSIAN HACKING AND HARASSMENT OF U.S. DIPLOMATS**

*Committee on Foreign Relations:* Committee received a closed briefing on administration actions in response to Russian hacking and harassment of United States diplomats from Victoria Nuland, Assistant Secretary, Bureau of European and Eurasian Affairs, and Gentry O. Smith, Director, Office of Foreign Missions, both of the Department of State; Danny Toler, Deputy Assistant Secretary of Homeland Security, Cybersecurity and Communications, National Protection and Programs Directorate; and John Smith, Acting Director, Office of Foreign Assets Control, Department of the Treasury.

**BUSINESS MEETING**

*Select Committee on Intelligence:* Committee adopted its rules of procedure for the 115th Congress.

---

**House of Representatives**

**Chamber Action**

*Public Bills and Resolutions Introduced:* 55 public bills, H.R. 294–348; 1 private bill, H.R. 349; and 10 resolutions, H.J. Res. 19–20; H. Con. Res. 6–7; and H. Res. 23–28, were introduced. Pages H179–82

*Additional Cosponsors:* Page H184

*Reports Filed:* There were no reports filed today.

*Reading of the Constitution:* Pursuant to section 5(a) of H. Res. 5, the Chair recognized Representative Goodlatte for the reading of the Constitution. Pages H101–08

*Recess:* The House recessed at 11:15 a.m. and reconvened at 12 noon. Page H108

*Objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace:* The House agreed to H. Res. 11, objecting to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, by a yea-and-nay vote of 342 yeas to 80 nays with 4 answering "present", Roll No. 11. Pages H146–65

H. Res. 22, the rule providing for consideration of the resolution (H. Res. 11) and the bill (H.R. 26) was agreed to by a recorded vote of 231 ayes to 187 noes, Roll No. 10, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 188 nays, Roll No. 9. Pages H113–24

*Regulations from the Executive in Need of Scrutiny Act of 2017:* The House passed H.R. 26, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, by a recorded vote of 237 ayes to 187 noes, Roll No. 23. Pages H124–46, H173–74

Rejected the Murphy (FL) 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 recorded vote of 190 ayes to 235 noes, Roll No. 22. Page H172–73
Agreed to:

Goodlate amendment (No. 1 printed in H. Rept. 115–1) that revises monetary threshold for identification of major rules to imposition on the economy of costs of $100 million or more per year, adjusted for inflation, to conform to monetary threshold in related legislation;

Messer amendment (No. 2 printed in H. Rept. 115–1) that requires each agency promulgating a new rule to identify and repeal or amend an existing rule or rules to completely offset any annual costs of the new rule to the United States economy (by a recorded vote of 235 ayes to 185 noes, Roll No. 12); and

King (IA) amendment (No. 12 printed in H. Rept. 115–1) that creates a process for Congress to review all rules currently in effect over a 10 year period (by a recorded vote of 230 ayes to 193 noes, Roll No. 21).

Rejected:

Johnson (GA) amendment (No. 8 printed in H. Rept. 115–1) that sought to exempt rules that improve the employment, retention, and wages of workforce participants, especially those with significant barriers to employment;

Grijalva amendment (No. 3 printed in H. Rept. 115–1) that sought to require an accounting of the greenhouse gas emission impacts associated with a rule as well as an analysis of the impacts on low-income and rural communities; if the rule increases carbon dioxide by a certain amount or increases the risk of certain health impacts to low-income or rural communities, then the rule is defined as a major rule (by a recorded vote of 193 ayes to 230 noes, Roll No. 13);

Castor (FL) amendment (No. 4 printed in H. Rept. 115–1) that sought to ensure any rule that will result in reduced incidence of cancer, premature mortality, asthma attacks, or respiratory disease in children is not considered a “major rule” under the bill (by a recorded vote of 190 ayes to 233 noes, Roll No. 14);

Cicilline amendment (No. 5 printed in H. Rept. 115–1) that sought to exempt rules pertaining to the protection of the public health or safety from the requirements of the Act (by a recorded vote of 186 ayes to 232 noes, Roll No. 15);

Conyers amendment (No. 6 printed in H. Rept. 115–1) that sought to exempt rules that provide for reduction in the amount of lead in public drinking water (by a recorded vote of 192 ayes to 231 noes, Roll No. 16);

Johnson (GA) amendment (No. 7 printed in H. Rept. 115–1) that sought to expand the term “special rule” to include any safety product rule governing products used or consumed by children under 2 years of age (by a recorded vote of 190 ayes to 234 noes, Roll No. 17); and

Nadler amendment (No. 9 printed in H. Rept. 115–1) that sought to exempt from the bill’s congressional approval requirement any rule pertaining to nuclear reactor safety standards in order to prevent nuclear meltdowns (by a recorded vote of 194 ayes to 231 noes, Roll No. 18); and

McNerney amendment (No. 10 printed in H. Rept. 115–1) that sought to ensure that any rule intended to ensure the safety of natural gas or hazardous materials pipelines or prevent, mitigate, or reduce the impact of spills from such pipelines is not considered a “major rule” under the bill (by a recorded vote of 190 ayes to 235 noes, Roll No. 19);

Scott (VA) amendment (No. 11 printed in H. Rept. 115–1) that sought to exempt from the definition of a “rule” in the REINS Act of 2017 any rule that pertains to workplace health and safety made by the Occupational Safety and Health Administration or the Mine Safety and Health Administration that is necessary to prevent or reduce the incidence of traumatic injury, cancer or irreversible lung disease (by a recorded vote of 193 ayes to 232 noes, Roll No. 20).

H. Res. 22, the rule providing for consideration of the resolution (H. Res. 11) and the bill (H.R. 26) was agreed to by a recorded vote of 231 ayes to 187 noes, Roll No. 10, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 188 nays, Roll No. 9.

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12 noon tomorrow, January 6th and further, when the House adjourns on that day, it adjourn to meet at 12 noon on Monday, January 9th for Morning Hour debate.

Committee Election: The House agreed to H. Res. 25, electing a Member to certain standing committee of the House of Representatives.


Adjournment: The House met at 10 a.m. and adjourned at 8:54 p.m.
Committee Meetings
No hearings were held.

Joint Meetings
No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY,
JANUARY 6, 2017
(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No hearings are scheduled.
Next Meeting of the Senate
12:45 p.m., Friday, January 6

Senate Chamber
Program for Friday: Senate will proceed as a body to the House of Representatives for a joint session to count the electoral ballots.

Next Meeting of the House of Representatives
12 noon, Friday, January 6

House Chamber
Program for Friday: The House will meet in Joint Session with the Senate to count the electoral votes for President and Vice President of the United States.

Extensions of Remarks, as inserted in this issue

HOUSE
Bishop, Sanford D., Jr., Ga., E24
Blumenauer, Earl, Ore., E23
Cartwright, Matt, Pa., E24
Cohen, Steve, Tenn., E24

Graves, Sam, Mo., E23, E23, E24, E25
Grijalva, Raúl M., Ariz., E27
Jenkins, Lynn, Kans., E28
Keating, William R., Mass., E27
Levin, Sander M., Mich., E26
Olson, Pete, Tex., E29, E29, E24, E26, E27, E28

Rooney, Thomas J., Fla., E25
Sablan, Gregorio Kilili Camacho, Northern Mariana Islands, E25
Shimkus, John, Ill., E27
Valadao, David G., Calif., E28

The Congressional Record (USPS 087-390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. Public access to the Congressional Record is available online through the U.S. Government Publishing Office, at www.govinfo.gov, free of charge to the user. The information is updated online each day the Congressional Record is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office, Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, contactcenter@gpo.gov. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.

POSTMASTER: Send address changes to the Superintendent of Documents, Congressional Record, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.