

designed to provide the President of the United States with diplomatic, military, intelligence, and economic information to coordinate, to plan, and to implement national security, and to make sound decisions affecting national security with input from professionals and not from political operatives. And the National Security Council has done that for seven decades.

Yet, last week, the President issued an ill-conceived, dangerous, and unconstitutional executive order that bans Muslims. It puts Americans abroad, American communities at home, and American soldiers around the world at risk; and I believe that Steve Bannon, who might become a member of the National Security Council, was the architect of that executive order.

Mr. Speaker, I ask President Trump, if he is not willing to remove Mr. Bannon from the White House, at least, for the safety of this country, remove him from the National Security Council.

WHAT IS HAPPENING IN OUR COUNTRY

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

Ms. ESHOO. Mr. Speaker, I rise this afternoon really with a very, very sad and heavy heart. I don't know anyone in our country who watched what took place across the country who wasn't dismayed, who wasn't heartbroken, who wasn't confused. And as my constituents said: What is happening in our country?

Now, there are some that say this must be done. This executive order must be done in the name of national security.

I am a veteran of the House Intelligence Committee, but it doesn't take a veteran of the House Intelligence Committee to understand that this harms our national security.

We need to have more voices in the House. We need Republicans and Democrats standing up together, because historians will replace your surname, and those that don't raise their voices will be called coward because this is ripping at the fabric and the soul of our Nation. It is appalling. It is unlawful. I believe it is unconstitutional.

If you stood up for history and what was done to others, it is taking place right now in our country.

PROVIDING FOR CONSIDERATION OF H.J. RES. 38, DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 70 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 70

Resolved, That upon adoption of this resolution it shall be in order to consider in the

House the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) One hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Monday, just yesterday, the House Rules Committee met and reported a rule, House Resolution 70, providing for the consideration of H.J. Res. 38, legislation utilizing the Congressional Review Act to overturn the final stream protection rule promulgated by the Office of Surface Mining Reclamation and Enforcement, or the OSMRE, which is at the Department of the Interior. The rule provides for consideration of the joint resolution under a closed rule, as is customary with these CRA measures.

Mr. Speaker, this rule provides for consideration of a critical measure that will help protect American businesses and families from the Obama administration's rampant regulatory overreach. H.J. Res. 38 disapproves of the final stream protection rule which was released by the Department of the Interior on December 19, 2016, representing yet another last-minute, midnight regulation from the previous administration.

This burdensome rule seeks to govern the interaction between surface mining operations and streams by establishing a buffer-zone rule that blocks mining within 100 feet of those streams. This was done, despite the Department of the Interior's own reports, which shows that virtually all coal mines in this country have no offsite impacts, they are being operated safely, and that lands are being restored successfully under existing Federal and State regulation.

During the rulemaking process, OSMRE and the Department of the In-

terior ignored existing regulatory success at the Federal and the State level and shut out the cooperating agencies, the States who are responsible for enforcing Federal mining regulations.

In 2015, 9 of the 10 cooperating States withdrew as cooperating agencies in the rulemaking and development process, due to OSMRE's exclusionary tactics, failure to provide for meaningful participation, and continual limiting of the States' involvement over the past several years.

The National Environmental Policy Act or, as we know it as, NEPA, requires OSMRE, as the lead rulemaking agency, to involve States in the drafting of the regulation and requires them to involve States. These failures, and the restrictive tactics that were employed by OSMRE, led the House Natural Resources Committee chairman, Mr. ROB BISHOP of Utah, to send a letter in 2015 to the GAO, the Government Accountability Office, requesting a review of OSMRE's compliance with NEPA in the agencies' development and drafting of the proposed stream protection rule. Ample evidence exists that OSMRE excluded these States from the NEPA process, in contradiction of both NEPA regulations and the memoranda of understanding between OSMRE and the States.

Mr. Speaker, the stream protection rule unilaterally rewrites over 400 existing rules and regulations. It threatens over one-third of the Nation's coal mining workforce and will send repercussions throughout the broader U.S. economy. The final rule is the definition of a one-size-fits-all solution due to OSMRE's failure to conduct the 7-year rewrite in a transparent process consistent with their statutory requirements to engage State and local stakeholders.

An economic analysis conducted by the National Mining Association found that the total number of jobs at risk of loss is somewhere between 112,000 and 280,000 people, approximately 30 to 75 percent of the current industry employment levels.

Further, the misguided regulation would jeopardize 40,000 to 77,000 jobs in both surface and underground mining operations, industries that are still reeling from 8 years of overregulation from the previous administration.

And while the Obama administration never seemed to mind the consequences of its actions on hardworking Americans, I can assure you that the new, unified Republican government is opposed to ineffective regulations like this one which unnecessarily put people out of work, raise energy costs on consumers, and do nothing to improve the environment.

By passing this rule, we have the opportunity to consider a resolution that will prevent this regulation from removing over one-half of the total U.S. coal reserves available for extraction, while also reducing oppressive barriers to responsible coal production.

The Congressional Review Act of 1996 was enacted to be a powerful tool to