United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, NOVEMBER 7, 2017 No. 181

# House of Representatives

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*November 7, 2017.*

I hereby appoint the Honorable RANDY K. WEBER, SR. to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

## PENN STATE TO CELEBRATE MILITARY APPRECIATION WEEK AND HOMECOMING

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week, Penn State University recognizes Military Appreciation Week, which is in conjunction with its homecoming celebration.

The Penn State Homecoming and Military Appreciation game will take place, and appropriately so, on Veterans Day, Saturday, November 11, against the Rutgers Scarlet Knights in Beaver Stadium. This game will celebrate both Penn State and its commitment to alumni and others in the community who have served in our military.

I am so pleased to see the Penn State community honoring servicemembers, veterans, and their families, expressing appreciation to them and recognizing the sacrifices of Gold Star families.

Faculty, staff, and students from around the university and within the community are engaging in planning and recognizing Active-Duty and veteran military personnel and their families.

Mr. Speaker, the State College Borough and Centre County have also joined with University Park to present numerous events for veterans and their families during Military Appreciation Month. Events began on October 2 with the Penn State Veterans Career Fair and will continue through the end of this week.

The Vietnam Veterans Traveling Memorial Wall came to University Park during the month's events. I had the opportunity to participate in both the opening and closing ceremonies for the wall, and it was a moving tribute to all those who served during the Vietnam war.

The theme for the Centre County event was ''Welcome Home.'' We all know that, in many instances, our Vietnam veterans did not receive a warm welcome home when they actually returned home from war. This is a scar on our history and one that we are working to heal. The Traveling Wall served as a reminder of the efforts to promote liberty and freedom that our Vietnam veterans put forth.

Military Appreciation events continue this week in conjunction with homecoming. There will be a Veterans Day ceremony in front of Old Main on Friday, a tailgate before the Military Appreciation football game Saturday, and a Freedom 5K for post-traumatic stress disorder, to benefit those suffering with it, on Sunday.

The 6-week regional celebration culminates Sunday afternoon with Military Appreciation basketball games for both the Penn State men's and women's teams at Bryce Jordan Center.

Mr. Speaker, caring for our veterans and military has been one of my top priorities since beginning my congressional service. It has a special place in my heart, not just because of all our veterans have done, but because I have seen firsthand the magnitude of their sacrifice.

As a military father, I know that wearing the uniform is about service and sacrifice.

I thank all those who serve and have served this great Nation, and I look forward to honoring their service this week at Penn State and in every corner of our country.

May God bless our veterans, the United States of America, and the Nittany Lions for a homecoming win.

## TAX BILL

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

Ms. BONAMICI. Mr. Speaker, I rise today in strong opposition to the dangerous tax plan that is currently being considered by the House Ways and Means Committee. House Republicans wrote this proposal behind closed doors and then presented it to Congress and the public just last week.

This is not the kind of bipartisan tax plan we need to help lift up working families, grow our economy, and lead to a better future for our constituents. In fact, under this proposed plan, about 80 percent of the benefits will go to the wealthiest 1 percent. While helping out wealthy individuals and corporations, the proposal hurts many working families by getting rid of deductions for



Printed on recycled paper.

State and local taxes and medical expenses, for example.

Mr. Speaker, there is another place where this bill will hurt working families. Mr. Speaker, Benjamin Franklin said: ''an investment in knowledge pays the best interest.'' When it comes to education, this plan is an inexcusable lost opportunity.

Education is one of the smartest investments we can make, and tax policy is a place where there is tremendous potential to do great things. Unfortunately, this tax proposal shortchanges America's schools, students, and teachers.

Ninety percent of students attend public schools, yet this tax plan starves public education by making changes to the property tax deduction and reducing funding sources for the bipartisan Every Student Succeeds Act.

On top of that, the plan would turn 529 college savings plans into a Trump-DeVos private school voucher scheme that will primarily aid wealthy families and will further undermine our public education system.

This tax plan doesn't just hurt our students, it also hurts teachers. Right now, across the country, teachers pay an average of $500 a year out of their pockets to help stock their classrooms with supplies like pencils, notebooks, and materials to enhance learning, and that has been offset by a $250 classroom supplies deduction, which is the least we could do to help those hardworking, underpaid teachers, but this bill eliminates that deduction for classroom supplies.

We should all also be deeply concerned about the consequences of this GOP tax plan for families who invest in higher education. The bill eliminates the student loan interest deduction, making it harder, rather than easier, for millions of Americans who are working to pay off their student loans.

On top of that, the bill repeals the lifetime learning credit and the Hope scholarship credit, has major reductions in tax credits for tuition, and will make employer-paid tuition count as income.

That is the wrong direction. We need a tax proposal that helps, not hurts, students and working families.

This proposal takes away important investments in education, and at the same time will add about $1.5 trillion to the deficit, leaving our children and grandchildren to pay the bill.

Mr. Speaker, this plan will limit opportunities for people to get ahead. That is wrong. We should come back to the table and craft a plan that works for all Americans, not a plan that strongly and wrongly favors those at the top.

## AN OUTSTANDING REFUGEE

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

Mr. EMMER. Mr. Speaker, I rise today to celebrate an outstanding educator in my district.

Ayan Omar of St. Cloud recently was honored as one of seven recipients of the Outstanding Refugee award from the Minnesota Department of Human Services. This award honors refugees or their children who are making innovative contributions to their community, and Ayan is well deserving of this commendation. She earned this honor as the result of her civic leadership efforts as a language arts teacher at St. Cloud Technical High School.

But for Ayan, her work extends beyond the classroom and into the community. She often speaks on panels or at events, and she was recently a featured speaker at St. Cloud's TEDx event, where she spoke about interpersonal communication.

We are lucky to have educators like Ayan who take their work into the communities they serve. Thank you, Ayan, for your commitment to education, and congratulations on this well-deserved award.

### A COMMITMENT TO SAFETY AND CUSTOMERS

Mr. EMMER. Mr. Speaker, I rise today to recognize an outstanding constituent from my district, Andy Thiele of Monticello.

Andy recently competed in the 2017 International Foodservice Distributors Association Truck Driving Championship in Orlando, Florida. This competition highlights the best drivers in the food industry. This competition honors drivers from all over the country and their commitment to safety and excellent customer service.

Andy's devotion to safety is clear, as he has been accident free for 11 years and counting.

IFDA members, like the Twin Cities division of Reinhart Foodservice where Andy is employed, supply food to professional kitchens, hospitals, care facilities, colleges, and hotels.

We need truck drivers like Andy who deliver our Nation's food efficiently and safely across the country every day. I commend Andy and all those who competed in the competition this year for their dedication to professionalism and safety. I am glad my district, the State of Minnesota, and our Nation have dedicated truck drivers like Andy Thiele.

### LIFESAVERS IN ST. CLOUD

Mr. EMMER. Mr. Speaker, I rise today to recognize five outstanding constituents in my district for an act of heroism that saved a fellow Minnesotan.

Police officer Curt Grosz, firefighters Adam Imholte and Dennis Ertl, and high school students Abigail Trelfa and Madison DeMarais worked hand in hand to save the life of Daniel Fleigle.

Daniel was on a bridge in Sartell, Minnesota, this summer when he accidentally touched a live wire and was electrocuted, sending him to the ground. Thankfully, his friends Abigail and Madison reacted immediately, calling 911 and beginning CPR. First responders Curt, Adam, and Dennis all responded to this scene shortly thereafter, and together they saved Daniel's life.

The quick response of these heroes ensured Daniel's full recovery. Without them, Daniel would likely not be with us today. I am lucky to represent such selfless and heroic people who run to their fellow citizens in times of need.

Thank you Curt, Adam, Dennis, Abigail, and Madison for saving Daniel's life and showing our community what a true hero looks like.

### ELK RIVER'S OUTSTANDING VOLUNTEERS

Mr. EMMER. Mr. Speaker, I rise today to honor the incredible members of the Elk River Chamber of Commerce. Communities in my district like Elk River are successful because the members support and encourage one another.

Recently, the Elk River Chamber of Commerce, which represents 360 local businesses, honored some of its most active members as this year's outstanding volunteers. One was Pam Artmann of Edina Realty Elk River. In just 2 years with the chamber, she was named Ambassador of the Year for bringing positivity to her role.

The chamber also honored Tamara Ackerman of Avalon Salon for her work chairing and growing the Shiver Elk River 5K/10K Run. For this, she received the PACEsetter award, which highlights her dedication to service on the chamber board.

Finally, the chamber recognized Mark and Deb Urista of Edina Realty Elk River with the Keystone award, which recognizes their longstanding commitment and work with and on behalf of the chamber.

I am honored to represent servant leaders and entrepreneurs like Mark, Deb, Pam, and Tamara.

Congratulations to all of you on your well-deserved awards.

## 100 PERCENT OPPOSED TO THE GOP TAX PLAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes,

Ms. KELLY of Illinois. Mr. Speaker, I rise today to say what many in this body have said: we should simplify our Tax Code. However, I am 100 percent opposed to you and your caucus's efforts to write this bill in secret, hidden away from the public eye.

I am 100 percent opposed to your plan to give massive tax breaks to a superrich few and leave middle class and working families to pay the bill. As written, the richest 1 percent of Americans will receive one-third of the overall benefits from your so-called tax reform plan in 2018, but by 2027, this lucky superrich handful of Americans will receive half of its benefits.

Mr. Speaker, that is just wrong. Hardworking moms and dads deserve a tax break, not the wealthiest.

So, yes, I am 100 percent opposed to limiting the State and local tax deduction, a provision in the Republican tax plan that would hike taxes on more than 40 percent of my constituents.

I am 100 percent opposed to limiting the student loan deduction, especially

at a time when student debt totals more than a trillion dollars. Nearly two-thirds of Illinois college graduates have debt, and their average debt totals more than $28,000.

Mr. Speaker, I am 100 percent opposed to repealing the elder tax credit, which helps families keep loved ones at home as they age.

I am 100 percent opposed to denying teachers, hardworking men and women who have dedicated their lives to teaching the next generation, a deduction when they dip into their own pockets to purchase school supplies their students need.

I am 100 percent opposed to repealing the work opportunity tax credit that helps businesses hire our brave veterans and young people starting their careers.

I am 100 percent opposed to repealing the orphan drug expense credit that helps find cures for terrible diseases like sickle cell anemia, pancreatic cancer, and cerebral palsy.

I am 100 percent opposed to saddling my children and grandchildren with an additional $1.5 trillion in national debt just so Republicans can give a tax break to their donor base.

This is a scam. Mr. Speaker, I stand with the National Farmers Union, AARP, the National American Council on Adoptable Children, the National Federation of Independent Businesses, Fix the Debt, the American Society of Civil Engineers, the National Association of Realtors, the Mortgage Bankers Association, the Chicago Sun-Times, and the majority of Americans in opposing your so-called tax reform that is, frankly, nothing more than another attempt by the GOP to steal from the middle class and give to the rich.

Instead of packaging tax breaks for millionaires and billionaires, let's work together on a plan for all Americans.

□ 1015

Let's stop allowing one side of the aisle the ability to write legislation affecting more than 300 million people, in secret, behind closed doors, and away from the public eye. I am 100 percent in favor of bringing in some sunlight and letting the American people know exactly what we are doing.

I am 100 percent in favor of doing what we were elected to do: fix problems by working together.

I am 100 percent in favor of real tax reform.

I am 100 percent in favor of giving hardworking moms and dads what they need and deserve: a tax break.

I am 100 percent in favor of growing the earned income tax credit so families get bigger paychecks.

I am 100 percent in favor of creating tax initiatives for businesses that hire and train at-risk young people and underemployed people.

And I am 100 percent in favor of a child care tax credit that actually reflects the true cost of childcare in America.

Let's put the politics aside and give the American people real tax reform that supports working families and our small businesses.

On other note, one more thing I am 100 percent against is more thoughts, prayers, and moments of silence and no action toward gun violence prevention. Shame on us, Mr. Speaker.

## THE REAL COST OF WAR

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

Mr. JONES. Mr. Speaker, approximately 5 weeks ago, we tragically lost four soldiers in Niger: Staff Sergeant Bryan Black, Sergeant La David Johnson, Staff Sergeant Dustin Wright, and Staff Sergeant Jeremy Johnson. As recently as this past week, we lost a soldier in Afghanistan, Sergeant First Class Stephen B. Cribben.

To honor those I have just named, and their families, I would like to close by reading a September 26, 2010, editorial by Bob Schieffer, the host of ''Face the Nation.'' The title of his editorial was: ''The Real Cost of War.''

''I was in an airport lounge the other day when I saw a woman across the way. Why I kept staring, I don't know. Maybe it was just that she seemed so sad. And then I understood. And I looked away, hoping she had not seen me stare.

''Because in her lap was an American flag, neatly folded into a triangle and placed in a clear plastic case—a flag folded the way it always is when it is given to a soldier's family as the soldier's coffin is lowered into the grave.

''I figured her to be a soldier's mother, and I couldn't help but wonder what memories that flag evoked as she held it there.

''Did it remind her of the first time she had seen her child in the delivery room, or was it the memory of seeing him go off to school that first day, or when he brought home the prize from the science fair, or maybe made the touchdown, or gave her the first Valentine when he wrote out, 'Mommy, I love you.'

''I keep thinking about all the talk in Washington about the high costs of defense and how we have to cut the Pentagon budget before it bankrupts the country.

''But as I watched the woman, budgets seemed to be such a small part of all of it.

''No, the real cost of war is not what we pay in dollars and cents.

''The real cost is what we take from a mother who is left with just a memory—and a neatly-folded flag in a clear plastic case.''

Mr. Speaker, I share that with the House because I do not understand why, after 16 years in Afghanistan, we cannot have a debate on the floor of the House by all the Members here, of both parties, of whether we should continue to stay in Afghanistan or not.

After 16 years, we have spent over $1 trillion, 2,300 Americans have been killed, and over 20,000 wounded, but the House does not have a debate.

I call on Mr. RYAN to please, as Speaker of the House, initiate the committees of jurisdiction to mark up a new AUMF and bring it to the floor and let the 435 Members of the House have a debate, no matter whether they want to stay or come home. But by not debating, we are not meeting our constitutional responsibility.

## REPUBLICAN TAX PROPOSAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise to alert the American people to the tax scam that is the Republican tax reform proposal, unveiled last week. It is reported that President Trump wanted to call this bill ''cut, cut, cut.'' That would have been apropos.

The first cut is for him and his family members, the second cut is for his wealthy friends and acquaintances, and the third cut is for large corporations classified as LLCs. It certainly does not cut taxes for middle-income families or most small businesses. In fact, it does just the opposite. It is crystal clear who gets the cuts and who gets to pay more.

First and foremost, the GOP tax plan eliminates inheritance taxes that only apply to two-tenths of 1 percent of families who wish to pass along their wealth, unearned and untaxed.

Why are Republicans doing this? Because it is a huge priority for some of their biggest donors, and the middle-income families will be asked to pay for this $172 billion giveaway to the superrich.

The GOP pretend not to be cutting taxes for the superrich by maintaining the top rate of 39.6 percent. However, their plan increases the income levels that the 39.6 percent applies to from $470,000 a year to $1 million. These proposed rate changes will cost over $1 trillion.

The GOP tax plan also features a special rate for the owners of passthrough businesses that will cost $448 billion. These are LLCs and partnerships that pay zero corporate taxes and whose owners' income is treated the same as everybody else's.

LLCs and other types of passthroughs make up 95 percent of all the businesses in the country. Some of the largest businesses, like Koch Industries, Chrysler, and, of course, most of the entities owned by the Trump organization are LLCs.

Passthroughs that are truly small businesses are not currently subject to the highest individual rates and already pay 25 percent or lower. The National Federation of Independent Businesses opposes this provision for this very reason.

Mr. Speaker, most of us, especially those who have worked in State governments, view our States as the best

laboratories for the development of good ideas and best practices. This passthrough idea was the centerpiece of Governor Sam Brownback's tax overhaul in Kansas 5 years ago. The Governor promised it would yield massive economic growth.

And what happened? Kansas was plunged into a massive budget deficit and forced to make draconian cuts to education, infrastructure, and the rest of the State's operations. This year, the Kansas Legislature overrode Governor Brownback's shortsighted experiment.

I urge my colleagues not to make the same mistake here. This scam will subject the good people of this country to a second great recession in a single decade. Middle-income families will pay more because the GOP plan eliminates deductions for State and local taxes. This includes millions of Americans and over 500,000 South Carolinians.

Middle-income families who itemize deductions will pay more because the elimination of the personal exemption will cost their households $4,000 per member.

Middle-income families who utilize mortgage interest deductions will pay more because the GOP plan lowers the cap.

Middle-income families with children in college, or recent graduates, will pay more because the GOP plan eliminates the deductions for interest on student loans.

Middle-income families that are victims of natural disasters will pay more because the GOP plan eliminates the casualty loss deduction.

Mr. Speaker, I rise to alert the American people to the tax scam that is the Republican "tax reform" proposal, unveiled last week. It is reported that President Trump wanted to call this bill, "cut, cut, cut." That would have been apropos. The first cut is for him and his family members, the second cut is for his wealthy friends and acquaintances, and the third cut is for large corporations classified as LLCs. It certainly does not cut taxes for middle income families or most small businesses. In fact, it does just the opposite. It is crystal clear who gets the cuts and who gets to pay more.

First and foremost, the GOP tax plan eliminates inheritance taxes. This tax only applies to estates of over $11 million and only affects two tenths of one percent of families in America, those who wish to pass along their wealth, unearned and untaxed.

Why are Republicans doing this? Because it's a huge priority for some of their biggest donors. In fact, this cut is not even about the 0.2 percent—it's really about two families—the Mercers and the Kochs.

The bottom line is that America's hard-working low, moderate and middle-income families will be asked to pay for this $172 billion dollar give away to the super rich.

At the heart of this scam is the GOP pretense not to be cutting taxes for the super-rich by maintaining the top rate of 39.6 percent. However, it increases the income level that the 39.6 percent applies to; from $470,000 to $1 million. These proposed rate changes will cost over $1 trillion.

This cut also goes to those who make far more than $1 million as well. Whether your income is $1 million, $10 million, or $100 million, this provision alone gives you an extra $25,000 a year. Mr. Speaker, many South Carolinians I represent do not make $25,000 in a year.

The GOP tax plan also features a special rate for the owners of "pass-through" businesses at a cost of $448 billion. These are LLCs and partnerships, who pay zero corporate tax, and whose owners' income is treated the same as anybody else's.

The Republicans claim that giving these owners a special lower rate will help small businesses, but nothing could be further from the truth. LLCs and other types of passthroughs make up 95 percent of all the businesses in the country. In fact, some of the largest businesses like Koch Industries, Chrysler, and of course, most of the entities owned by the Trump Organization, are LLCs.

Pass-throughs that are truly small businesses are not currently subject to the highest individual rates, and already pay 25 percent or lower. The National Federation of Independent Businesses opposes this provision for this very reason. It delivers a special low tax rate to wealthy owners and will not help the small businesses they claim that it will.

Mr. Speaker, most of us, especially those who have worked in State governments, view our states as the best laboratories for the development of good ideas and best practices. This pass-through idea was the centerpiece of Governor Sam Brownback's tax overhaul in Kansas just five years ago. The Governor promised it would yield massive economic growth. And what happened? Kansas was plunged into a massive budget deficit and forced to make draconian cuts to education, infrastructure, and the rest of the state's operations.

This year, the Kansas legislature overrode Governor Brownback's short-sighted experiment.

I urge my colleagues not to make the same mistake. This scam will subject the good people of this country into a second great recession in a single decade.

Let's take a look at who pays more while the President and his wealthy friends and acquaintances pay less.

Middle income families will pay more because the GOP plan eliminates deductions on state and local taxes. This includes millions of Americans and over 500,000 South Carolinians.

Middle income families who itemize deductions will pay more because the elimination of the personal exemption will cost their households $4,000 per member.

Middle income families who utilize the mortgage interest deduction will pay more because the GOP plan lowers the cap, costing millions of Americans more.

Middle income families with children in college or recent graduates will pay more because the GOP plan eliminates the deduction for interest on student loans.

Middle income families that are victims of natural disasters will pay more because the GOP plan eliminates the casualty loss deduction.

Middle income families who adopt children will pay more because the GOP plan eliminates the adoption tax credit.

Middle income school teachers will pay more because the GOP plan eliminates their ability for to deduct for supplies they may purchase for their classrooms.

Middle income families struggling to pay costly medical bills will pay more because the GOP plan shamefully eliminates their deductibility.

Mr. Speaker, paying for pass-through gimmicks and tax giveaways to multi-millionaires by raising taxes on moderate and middle-income Americans is reprehensible.

Democrats are ready to do real tax reform on a bipartisan basis. But not once in this process, has the other side attempted to negotiate. In fact, they have publicly made it abundantly clear that they want a bill that only Republicans will support.

Bipartisan tax reform should lower taxes for working people, not raise them.

Bipartisan tax reform should end incentives for offshoring jobs and level the playing field for American corporations.

Bipartisan tax reform should expand the Earned Income Tax Credit for single filers and the Child Tax Credit to help families.

Real bipartisan tax reform would not increase the deficit, add to the debt and pass the bill on to our children and grandchildren.

I know many of my colleagues share these values. Let's set aside this partisan process and do something worthwhile for the American people. Until then, the Democratic Caucus will be resolute in our opposition to ramming through tax increases for middle income Americans and massive giveaways for the rich.

## COMMEMORATING VETERANS DAY AND HONORING SERVICE ANIMALS FOR VETERANS

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

Mr. FARENTHOLD. Mr. Speaker, as the Nation celebrates Veterans Day this week, a day we honor those who served our country, I am happy to report the VA has made great strides in improving and assisting veterans with physical injuries. It struggled, however, to deal with many of the invisible injuries plaguing our veterans, like post-traumatic stress disorder.

These invisible injuries ravage our Nation's veteran population, with an average of more than 20 veterans a day committing suicide. This is entirely unacceptable. We must work harder to look for real solutions to this crisis.

That is why I am here today urging my colleagues to support the Puppies Assisting Wounded Servicemembers Act, also known as the PAWS Act. The PAWS Act will set up a 5-year pilot program in the VA to provide post-9/11 veterans suffering from PTSD with service dogs if other treatments have not been successful.

Individuals suffering from PTSD experience emotional numbness, loneliness, nightmares, hypervigilance, and anxiety. However, traditional VA treatments are symptoms-based and often have side effects or fail to address the root of these issues.

Service dogs, however, have no side effects. They can be used in tandem with other treatments. They can be

trained to wake their owners from nightmares, create a buffer zone in large crowds, remind their owners to take their medication, and watch their owners' back to provide a sense of security and more.

I have heard from veterans suffering from PTSD that sometimes the hardest part of the day is just getting out of bed in the morning. The schedule of walking, feeding, and caring for his or her service dog offers veterans purpose and a sense of responsibility. Ultimately, a service dog and its owner better each others' lives.

It is important that the House pass the PAWS Act and allow the VA to examine the efficiency and effectiveness of providing veterans with service dogs.

While talking about service animals, I would also like to recognize Eli's Fund, an initiative at Texas A&M University created in memory of the late Lance Corporal Colton Rusk and Eli, his service dog, that provides financial support for service animals of Active-Duty servicemen and -women, medically retired veterans' service animals, and retired military animals, to help with veterinary medical bills. It is important that military animals continue to be cared for in retirement.

CONGRATULATING GEORGE GONZALES AND THE CORPUS CHRISTI ARMY DEPOT FOR OUTSTANDING SERVICE

Mr. FARENTHOLD. Mr. Speaker, I am proud to represent the Corpus Christi Army Depot, considered as the jewel of the Army Depot system.

CCAD is currently the largest rotary wing aircraft facility in the world. Instead of buying new helicopters, which cost $17 million or more, CCAD repairs and rehabilitates the current fleet, often at less than half the cost of new helicopters. CCAD saves taxpayers millions of dollars, while ensuring the U.S. Army maintains a superior level of readiness and reliability.

This would not be possible without outstanding employees like Army veteran George Gonzalez, who recently received the prestigious 2017 Donald F. Luce Depot Maintenance Artisan Award, given annually to one individual who makes an outstanding contribution to Army aviation in the area of depot maintenance.

Gonzales leads a 31-man team that reassembles UH–60 Black Hawk helicopters. Under his leadership, the team has reduced the average build time from 42 to 17 days.

Congratulations, George, and your team, and everyone at CCAD, who are doing an outstanding job ensuring our warfighters are equipped with the aviation assets they need to keep America safe and be a force for good around the world.

□ 1030

RECOGNIZING THE ACCOMPLISHMENTS OF COMMANDER ARMANDO SOLIS

Mr. FARENTHOLD. Mr. Speaker, I am here today to recognize the career of recently retired Flour Bluff High School Navy Junior ROTC instructor, Commander Armando Solis.

In 1993, following completion of nearly 22 years in the United States Navy, Commander Solis became the inaugural Navy Junior Reserve Officer Training Corps naval science instructor at Flour Bluff High School. Over the next 24 years, Commander Solis not only instilled his students with values of citizenship, service to the United States, personal responsibility, and sense of accomplishment, but he also created one of the most successful JROTC programs in the Nation.

In his first year, the Navy selected the Flour Bluff program as the best new program in Texas and, by his fourth year, the best in the Nation. With 23 years as a distinguished honors program, 22 Texas Navy JROTC championships, a record 11 Navy national championship titles, and the honor of being the only Navy program to win the All-Service National Drill Team Championship, Commander Solis has touched the lives of thousands of students, instilling them with the values of patriotism, loyalty, and, most importantly, service.

Thank you, Commander Solis, for your commitment to our students and our Nation. I wish you the best in retirement.

## TAX PLAN DOES NOT ELIMINATE LOOPHOLES

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

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor to stand in the well of the House and have the opportunity to speak to not only the Members of Congress, but to the American people.

Today, Mr. Speaker, I rise because I am in opposition to a tax plan that has been said to eliminate loopholes, but has not done so.

Let me explain, Mr. Speaker. I will address but one loophole. I will address the loophole that allowed a person who made $3 billion one year—by the way, I don't begrudge him for making $3 billion. I like to see people make as much as they can make in this country, but I also think that every person ought to pay for his or her fair taxes on whatever they earn. This person made $3 billion.

How much is $3 billion?

Well, let me explain. Mr. Speaker, $3 billion, it would take a minimum-wage worker working full time, Mr. Speaker, 198,000 years to make $3 billion; 198,000 years. I don't begrudge a person for making it, but here is the point: if you make it, you ought to pay your fair share of taxes on it.

This country makes it possible for us to do great things. This country makes it possible for us to succeed. So if you have succeeded in this country, you ought to contribute to the country itself. He made $3 billion and paid taxes that were called carried interest. He did not pay ordinary income taxes. In fact, he paid less than half of what a person making much less—persons who may have worked for him, maybe a secretary, maybe somebody who was making money at a much lower level in that company—paid less than half in taxes in terms of the amount to be paid, the percentage of the earnings; less than half of the ordinary income tax.

It is called carried interest. Well, the commitment was that you were going to close loopholes. You haven't closed that loophole. You haven't eliminated that loophole. I know that there is talk about reducing the size of a big loophole and making it a little less big, but that is not what you promised. You said you were going to eliminate the loopholes. This loophole sends a signal to ordinary Americans who are working hard every day. It says to them that you are willing to allow the rich to have more to do more, but you believe that those who work hard every day can do more with less.

Mr. Speaker, I refuse that philosophy. I reject it. I believe that if you are working hard every day, if you are earning middle class wages, you ought to be able to get the tax break promised. I don't think that the tax break should go to the person who can make $3 billion and pay less than half of ordinary income tax on it.

Carried interest was a commitment that was made. The elimination of carried interest has not taken place. You have not kept your word. There are many other aspects of it. You can't talk about all of them in one message. But you can do this: you can make it clear to working class people, to middle-income people, that this tax plan is for those who are going to make the carried interest kind of money, the $3 billion, the money that will allow them to go on and do great things, but won't cause them to have to pay their fair share of taxes.

Mr. Speaker, I believe in fairness for all, and that includes the very, very rich.

## COMMEMORATING NATIVE AMERICAN HERITAGE MONTH AND HONORING DR. RUDI MITCHELL

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

Mr. BACON. Mr. Speaker, I rise today to commemorate National Native American Heritage Month by honoring a dedicated community leader and warrior from Nebraska's Second Congressional District.

Growing up on the Umonhon Nation Reservation in Macy, Nebraska, Dr. Rudi Mitchell was one of eight children raised by a single mother. Rudi's mom, Mary Lieb Mitchell, was a strong woman and a major influence in the lives of her children. Her focus was education and ensuring her children had the opportunities that she did not have.

It was because of her that Rudi and his siblings all went out to pursue

higher education. Including nieces and nephews, 15 members of his family have earned degrees ranging from bachelor's to doctorate, to medical degrees.

In 1964, Rudi felt the call to serve our Nation at a time of war and enlisted in the United States Army Medical Corps. As he will tell you, Native Americans consider it an honor to serve as a warrior, and he was proud to do so in the U.S. Army. He was a part of the Army Medical Corps and served a total of 3 years and 13 months of which he deployed to South Korea, providing medical support to troops.

Once his service was complete, Dr. Mitchell used the GI Bill to attend the University of Nebraska Omaha, and in August of 1973, he earned his bachelor of general studies with an emphasis on social work. He then pursued and received his master of social work in August of 1975.

With his degrees in hand and inspired by his mother's dreams, Dr. Mitchell worked for the Nebraska Indian Intertribal Development Corporation and the Bureau of Indian Affairs for Winnebago. After that, he returned to the Umonhon Nation Reservation in Macy, Nebraska, and was the acting director of the outpatient mental health-social services department at the Carl T. Curtis Health Education Center. Rudi then earned his doctorate of education and counseling and psychology from the University of South Dakota in December of 1987.

Dr. Mitchell continued to serve those residing at the Macy and Winnebago Reservations, including as interim president of the Nebraska Indian Community College and, most recently, as the assistant professor of Native American studies at Creighton University. He is also listed as a qualified expert witness in Indian child welfare cases in the courts of the State of Nebraska.

His deep compassion for the youth of the Umonhon Nation inspires him to continue to make an impact. With the high suicide rate and many suffering from depression, Dr. Mitchell has made it a mission of his to interact with the youth as a social worker and mental health therapist. As an elder of the Umonhon Nation, Dr. Mitchell participates and leads traditional Umonhon prayer ceremonies in welcome and graduation ceremonies.

Rudi continues to preserve his native language, which his mother did not allow to be spoken in his childhood home because she wanted them to learn English. He also is working to revive the lost culture of his Nation, including the importance of his Indian name. His is Sihi-duba of the Buffalo Clan.

As a direct descendant of Chief Big Elk, the last hereditary chief of the Umonhon Nation, Dr. Mitchell followed his great-great-great-great-grandfather's legacy of leadership, and has served as a Native American leader on the local, State, and national level. From 1992 to 1995, he was the Tribal chairman of the Umonhon Nation and the chief elected governmental representative of his people. He presided over the elected Tribal Council at all official meetings and represented their interests with county supervisors, the Nebraska Unicameral, the United States Congress, State Governors, the President of the United States, and international leaders.

In addition, Dr. Mitchell serves on the board of directors for the Big Elk Native American Center, a nonprofit that is working to provide a multitude of services to more than 8,000 Native Americans from over 130 Tribes that reside in the Omaha area. Currently, the nonprofit provides language services, teaching the Umonhon language, and providing expert witnesses.

Dr. Mitchell is a lifetime member of the VFW Post 1581 and the American Legion Post 1, and although he has officially retired, he still serves as an elder of the Omaha Tribe. Through his lifetime of dedicated service, he has helped many youth and members of the Umonhon Nation overcome depression and learn about their heritage.

We are proud to recognize Dr. Mitchell as a true warrior, patriot, and selfless servant; one that not only fought for his Nation, but also for those impacted by mental health issues, and continues to keep his Native American culture and heritage alive for future generations.

## REMEMBERING JOSHUA RYAN REDNER

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to share the story of Joshua Ryan Redner, a young man from my district in Levittown whose tragic story illustrates exactly why we cannot waver in our commitment to fighting the opioid epidemic.

During his final year of high school, Josh was prescribed Percocet to treat the pain from a knee injury. His parents, George and Jacqui, never imagined that their son, a star athlete, and an excellent student who planned to attend the Coast Guard Academy could be dragged down by addiction.

But addiction can impact anyone, Mr. Speaker. Not long after the initial prescription, Josh's family noticed changes in his behavior. Then, long after Josh's prescription had run dry, George and Jacqui were still finding pills in Josh's room. Recognizing the beginning of a serious problem, Josh's parents sat him down and Josh committed to getting clean.

Working to get the help he needed, Josh entered rehab. Unfortunately, the treatment did not hold and thus began a cycle of relapse, followed by stints in rehab. George and Jacqui were shocked to learn that Josh eventually moved from OxyContin, which was expensive and hard to find, to heroin, which was cheap and easily found—a transition that is all too common.

Tragedy struck the Redner family with the passing of Josh's older brother, George. Devastated by the loss of his role model, Josh used the power of his grief to get clean and live a life that would have made his older brother proud. Josh found a good-paying job, acted as a role model for his three younger brothers, and was saving money to buy a home.

Mr. Speaker, it is with a broken heart that I say that this is not how Josh's story ended. Josh once again relapsed. Speaking with his parents over the phone, Josh assured them that he would be okay and asked that they pick him up the next morning. Having no other options, George and Jacqui agreed.

The next morning, George and Jacqui found Josh next to a picture of his older brother, George, having lost his battle with addiction.

In closing, Mr. Speaker, I would like to share with you the words that Jacqui shared with me. Her incredible strength is a testament to the love she has for her sons. Jacqui said:

> This heroin epidemic affects everyone it touches. It is not going away. It is only getting worse. I don't want any parent to have to bury their child. I should not have had to bury two of mine. If we can together save one more child from going down the same path as our Josh did, then our efforts will be worth it.

## VETERANS DAY

The SPEAKER pro tempore. The Chair now recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, in the year 1918, on the 11th hour of the 11th day of the 11th month of the year, the armistice ending World War I was signed.

Originally known as Armistice Day, Congress passed and President Dwight Eisenhower signed a resolution officially designating November 11 as Veterans Day. Now, every year, Americans pause on this special day to recognize all those, young and old, who have served our country in uniform.

While we should honor the service and sacrifice of our veterans every day, this day provides a unique opportunity for us to come together as a nation and pay tribute to the men and women who put their lives on the line for our freedom.

This year I will be participating in my hometown of Montgomery's Veterans Day event, and I highly encourage you and your families to attend the festivities in your area. I can promise you that you won't regret it. For me, it is not only an opportunity to express my gratitude to those who have served, but it is also a chance for my children to meet veterans and to better understand the sacrifices that they have made for us.

If you can't attend an event in person, I hope you will take time to reach out to friends and relatives who have served and let them know how much you appreciate them.

Mr. Speaker, this Veterans Day comes as services for veterans are improving both on a national level and locally in Alabama's Second Congressional District. I have been impressed by the leadership of the Secretary of Veterans Affairs, Dr. David Shulkin. He has been making the long-troubled department work better for those it serves.

Closer to home for me, the Central Alabama Veterans Health Care System has improved its service rating and now ranks three out of five stars. This is encouraging news, especially considering that just a few short years ago the Central Alabama VA was one of the Nation's worst. Our VA now has the steady leadership of Dr. Linda Boyle, and there is no question that her guidance has made a difference in making this sustained progress.

□ 1045

I am eager to see it continue. We still have significant issues to address at our Central Alabama VA, which is why I will remain actively engaged in working to turn around the system.

Mr. Speaker, it is my distinct honor to represent a district that is home to one of the Nation's highest concentrations of veterans and retired military personnel. One of the most rewarding parts of this job is being able to advocate for those who have served this Nation in uniform.

I take my responsibility to look after veterans very seriously, whether pushing for better policies or fighting to improve access to the VA medical services or going to bat on behalf of someone the bureaucracy has left behind.

So, Mr. Speaker, I would like to close by extending my sincere gratitude to everyone who has served this country and their families. Our country is great because of the men and women who were willing to sacrifice on our behalf.

## THE ESTATE TAX

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

Mr. BARR. Mr. Speaker, I rise today to share the amazing story of Rick Corman, the hardworking, hard-charging founder of R.J. Corman Railroad Group in Nicholasville, Kentucky, in my district. Rick's life story is an example of the American Dream, and his tireless spirit, grit, determination, and generosity benefited not only the employees of R.J. Corman, but an entire community.

Unfortunately, because of America's broken Tax Code, the abilities of entrepreneurs like Rick are compromised, and the estate tax, in particular, threatens the future ability of the R.J. Corman Railroad Group to continue to drive economic growth, employment, and charitable giving in Kentucky.

This story is timely. As Congress takes on the task of reforming our broken Tax Code over the next few weeks, critics will undoubtedly protest that this plan is a tax cut for the rich, and they will cite our changes to the estate tax as an example. But as the story of Rick Corman reveals, the estate tax is not a tax on the wealthy as much as it is an unfair penalty on hard work, jobs, charity, upward mobility, and the American Dream.

In 1973, after growing up in a low-income, five-room house with no interior bathroom, Rick Corman started his company immediately following high school graduation with nothing more than a dump truck, a backhoe, and a tenacious spirit. Driven by his remarkable operator skills, and then by his commitment to safe and reliable service, Rick was able to become a trusted provider in the railroad industry.

But his success would not have been possible without the assistance early in his career from Luther Deaton, a community banker for what is now called Central Bank in Kentucky. As Rick grew his company, he faced debts and cash flow problems. He struggled to get a loan. As Luther said: He had a good company; he just faced a cash crunch.

But Rick invited Luther to the site of a coal train derailment inside a tunnel in the middle of the night to show his work; and Rick, recalling the episode, laughed because he had gotten his banker filthy and covered in coal dust. But after that experience and seeing how hard Rick worked, Luther knew that this man would not fail. So Rick was then able to secure character-based loans that allowed his company to thrive because his community banker was willing to take a risk on him based on what he knew about his business and Rick's drive to succeed.

Today, this type of loan would never be allowed under the overly restricted Dodd-Frank law, but those loans proved to be essential for the growth of Rick's company and ultimately highly profitable for the bank.

Without access to capital, today's entrepreneurs are prohibited from doing what Rick Corman did. Over 40 years he grew his company into what is today known as R.J. Corman Railroad Group, continuously investing profits back into his business, into its workers, and into the surrounding community.

Today, R.J. Corman has field offices in 23 States. The company serves all seven class I railroads, many regional and short line railroads, as well as various rail-served industries.

Rick grew the company into what it is today by treating all of his workers well, working alongside them, and never asking them to do a job that Rick himself was unable or incapable of doing himself. The company's diversity and investment in people gave it the ability to service all aspects of the freight railroad industry at any scale. The company has been critical to restoring service when class I railroads are devastated by flooding or storms like Hurricanes Katrina, Harvey, or Irma.

But now the future success of this company is threatened by the estate tax, also known as the death tax. In 2013, Rick Corman passed away after a heroic 12-year battle with cancer. It resulted in the transfer of his life's work to a living trust. More than anything, Rick had an intense appreciation for the hard work and loyalty of his employees who had been and continue to be an integral part of the company's success, and he wanted to ensure that he protected their jobs into the future.

Since Rick's passing, the trust has continued to reinvest cash into the company, as he intended, and the company continues to operate and help those who have benefited from it. The company has invested nearly $110 million in capital assets, and employment has grown by 53 percent, nearly 450 jobs. The company has donated more than $2.5 million to charitable causes since Rick's passing.

But due to the estate tax, the company has yet to feel the full impact of the tax. But starting in 2019, nearly 30 percent of its annual cash flow will be pulled from the company as a result. This will significantly impact R.J. Corman's ability to create jobs, purchase equipment, and donate to charity. The leadership of the company now tells me that the government will actually lose revenue because the company will not be able to grow and create jobs that would produce more revenue than the estate tax will produce.

This is an example of why it is so important we end this unfair tax. The death tax destroys intergenerational small businesses and family farms throughout the Nation owned by people who started with literally nothing and worked their entire life to build a successful company and jobs.

So as we look at the estate tax and tax reform in the coming weeks, I hope my colleagues will remember the story of Rick Corman. These families and these businesses should not have to fear triple taxation from Washington just because someone passes away.

Our bill immediately delivers relief from this tax, and I hope that we will pass a repeal of the estate tax to honor entrepreneurs, job creators, and philanthropists like Rick Corman.

## RECESS

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

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

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

## PRAYER

Chaplain Michael J. Halyard, South Texas Veterans Health Care System,

San Antonio, Texas, offered the following prayer:

Merciful and loving God, source of life and constant guide to Your people, we ask Your blessings on our esteemed Representatives as they continue to help govern a course for our Nation and its citizens.

In these days of disrepute and impropriety, keep them steadfast in their deliberations. Inspire them to continue in their journey to promote the values upon which this great Nation was founded: justice, liberty, equality, freedom, and peace.

As Your blessings of goodness transcend into a dynamic of creativity, help us to see signs of hope born of pain as we often find ourselves present in the midst of uncertainty and suffering.

May the vacuous space left by stains of catastrophic occurrences open the minds and hearts of all to deeper compassion and a new level of human understanding.

May all that is done here today be for our American democracy while reflecting Your resplendent 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.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. PITTENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTENGER led the Pledge of Allegiance as follows:

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

## WELCOMING CHAPLAIN MICHAEL J. HALYARD

The SPEAKER. Without objection, the gentleman from Florida (Mr. RUTHERFORD) is recognized for 1 minute.

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I rise today to introduce my colleagues to our guest chaplain for the U.S. House of Representatives, Reverend Captain Michael Halyard of Jacksonville, Florida—previously of Jacksonville, Florida, I should say. Upon his return from Iraq just recently, he has been deployed to San Antonio, Texas, and that is a loss for northeast Florida.

Reverend Halyard is a respected community leader who is devoted to his community, country, family, and faith. Reverend Halyard serves as a staff chaplain at Community Hospice of Northeast Florida, and he served as an assistant pastor at the United Missionary Baptist Church in Jacksonville. He is also a member of the Florida National Guard, where he has served as the combat veteran battalion chaplain since 2009.

Reverend Halyard leads his church and his community by serving his Nation, leading worship services, and by providing support for grieving families.

Mr. Speaker, I ask my colleagues today to welcome Reverend Halyard. May God bless him and our Nation, and especially those who he will be serving in Texas, particularly Sutherland Springs, Texas, today.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

## EXTEND TEMPORARY PROTECTED STATUS FOR HAITIANS AND HONDURANS

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

Ms. ROS-LEHTINEN. Mr. Speaker, the administration has announced that it will terminate temporary protected status, or TPS, for Nicaragua while extending the immigration protection for Honduras for merely 6 months. In the coming weeks, an announcement on Haiti's TPS designation is expected.

I am greatly worried about these decisions because over 100,000 Hondurans and Haitians legally residing in our communities could be deported and forced to go back to the instability and chaos in their home countries.

For years, the United States has been providing necessary funding for Honduras, which is still struggling with crime and security challenges, and for Haiti, which continues to be impacted by devastating natural disasters. This is precisely why Congress enacted TPS: so that we can provide a safe haven to those who are unable to securely return to their home countries.

Mr. Speaker, the decision to send these individuals back would be a setback to our bilateral relations with those nations while tearing these families apart.

I strongly urge the administration to extend TPS for Hondurans and Haitians residing in our beautiful country.

## INHUMANE TREATMENT OF THE UNDOCUMENTED CANNOT BE REWARDED

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

Mr. QUIGLEY. Mr. Speaker, I rise today to shed light on the appalling state of our Nation's immigration detention centers.

Devoid of health services and basic medical standards, these ICE facilities are cruel and inhumane. Suicide rates are high, children and families are traumatized, and LGBT detainees are subject to alarming rates of abuse.

These centers are also very expensive. Daily operations cost $165 per detainee, and $2 billion, annually, despite detention alternatives that can cost as little as $9 a day.

Yet even with this track record, ICE funding has nearly doubled from the Bush administration to today, and transparency has fallen by the wayside under the current administration, all while conditions continue to deteriorate.

Inhumane treatment of the undocumented cannot be rewarded with repeated budget increases. It goes against our country's most fundamental values and cannot continue. We must cut ICE's budget until these concerns are addressed.

## CELEBRATING JEAN GAINES' 40TH ANNIVERSARY AT GENEVA CHAMBER OF COMMERCE

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

Mr. HULTGREN. Mr. Speaker, I rise today to honor Mrs. Jean Gaines for her 40 years of service at the Geneva Chamber of Commerce, most recently as their president. Under her leadership, the chamber has grown substantially, to the benefit of our community and to the State of Illinois.

To those who know Jean Gaines, she is described as intelligent, alert, and fun-loving, a good mix of qualities to steer the board of directors through many challenges.

Through hard work, she has developed multiple festivals and business activities, including the Festival of the Vine and the opening of the Geneva Visitor Center.

Her contributions have made the chamber of commerce a vibrant organization and a model for many other chambers throughout the State of Illinois and throughout the country.

Her family has also had a hand in the chamber's success. Her husband, John; daughter, Kristine; son-in-law, Jerry Holtz; son, Mark; and grandsons, Jack and Luke Holtz, have all worked in countless events in their support of our local business community.

Jean, congratulations on 40 great years of service. Your hard work helps

American business succeed, and we are grateful.

## GOP TAX PLAN WILL HURT WORKING FAMILIES

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

Mr. BROWN of Maryland. Mr. Speaker, I rise today against the GOP tax plan that benefits the top 1 percent by raising taxes on millions of working families. It eliminates important tax incentives for middle class families and those who strive to join the middle class.

This bill would no longer allow Americans to deduct interest on student loans, making college even more expensive.

By capping the mortgage deduction, it keeps the American Dream of owning your home in economically vibrant areas of my State out of reach.

The bill ransacks Medicare and Medicaid by $1.5 trillion, and if you have a sick child or a family member with disabilities or long-term medical needs, you will struggle just to make ends meet.

While the tax cuts for billionaires and corporations are permanent, the help for working families would disappear over time.

Raising taxes on middle class families isn't the kind of tax reform our country needs. This isn't the relief they were promised. This isn't the relief they deserve. Working moms and dads can't simply hope that corporate tax cuts turn into profits that trickle down to them.

Mr. Speaker, we need to invest in economic growth, not in hurting working families across America.

## AMBASSADOR HALEY SPEAKS TRUTH

(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, congratulations to Ambassador Nikki Haley, the former Governor of South Carolina, for leadership opposing a misguided U.N. resolution calling for the U.S. to lift the Cuban embargo. This was a resolution the Obama administration has shamefully abstained from voting on.

Rather than bow down to the Cuban Communist dictatorship, Ambassador Haley stood up to them and stood up for the oppressed people of Cuba.

Ambassador Haley correctly reviewed: ''The United States opposes this resolution today in continued solidarity with the Cuban people and in the hope that they will one day be free to choose their own destiny.''

The economic catastrophe of Cuba is due to the Communist, totalitarian dictatorship, not the American embargo. As cited by the late Prime Minister, Margaret Thatcher: socialism will work until you run out of spending other people's money.

Ambassador Haley's service has ushered in a new era of moral clarity. The United States is again a leader for expanded freedom. President Donald Trump's commitment to peace through strength is going to make the world safer for American families, along with Vice President MIKE PENCE, who is here in the Capitol Building today.

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

## TAX PLAN AND EDUCATION

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

Mrs. DAVIS of California. Mr. Speaker, are there students in our country who think college has become too affordable? parents who feel that saving for their children's education has become too easy? I know that my constituents would certainly answer with a resounding ''no.''

Why would anyone support a tax bill that would make college even more expensive for our students?

When will we start working together to put the interests of average Americans before the interests of large corporations?

According to the Ways and Means summary, the Republican tax bill would increase the cost to students attending college by $65 billion—that is billion with a B—over the next decade.

This administration promised to put money back in the pockets of Americans who need it the most, and this misguided tax bill does the exact opposite.

Mr. Speaker, education is the cornerstone of our global competitiveness, and this Republican bill would only make college less affordable and less accessible. I urge my colleagues to reject this assault on the middle class.

## HONORING DR. BILLY GRAHAM'S 99TH BIRTHDAY

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of Dr. Billy Graham, a revered national treasure, who celebrates his 99th birthday today.

The world honors Dr. Graham's birthday because of a decision he made 83 years ago. On November 1, 1934, at a Mordecai Ham tent revival in Charlotte, North Carolina, young Billy Graham accepted Jesus as his personal Savior and committed his life to telling others about Jesus' love and forgiveness. God used that decision to impact countless lives around the world.

While Presidents have sought his counsel over many decades and millions have gone forward to accept Jesus Christ at his meetings, Dr. Graham is remembered most for honoring and following his Lord and master.

On a personal note, I first met Dr. Graham back in 1971 when I served as his caddy at the Byron Nelson Pro-Am, playing with Byron Nelson, Bob Hope, and Arnold Palmer. That was a fun time, but I have admired his walk with Jesus ever since.

Happy birthday, Dr. Graham.

## GOP TAX PLAN

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

Ms. MATSUI. Mr. Speaker, I rise in opposition to the Republican tax plan. This bill is nothing but a giveaway to America's wealthiest and corporations on the backs of middle class families.

The GOP tax plan gets rid of commonsense policies that the American people rely upon:

It eliminates the student loan deduction that helps young people pay for college;

It eliminates the medical expense deduction, which helps families struggling with diseases like Alzheimer's afford care;

It eliminates the deduction for teachers that helps them purchase supplies for the classroom; and

It sharply reduces the State and local tax deductions that my constituents in Sacramento rely upon.

Meanwhile, when the national debt grows as a result of the GOP's unfunded tax breaks, Republicans will turn around and justify cuts to earned benefits like Medicare and Social Security.

Middle class Americans shouldn't be punished so that the megarich and corporations get a break.

□ 1215

## OPIOID CRISIS

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

Mr. HARRIS. Mr. Speaker, I rise today to commend President Trump for his attention to the opioid epidemic sweeping over our great Nation and his declaration of a public health emergency.

As we work to address this epidemic, I was happy to welcome Richard Baum, the acting director of the Office of National Drug Control Policy, to Cecil County in Maryland's First Congressional District 10 days ago for their Prescription Drug Take Back Day. My home State of Maryland has been hit particularly hard by the opioid crisis. Last year, 89 percent of all intoxication deaths in Maryland were linked to opioid abuse, and the frequency of opioid-related deaths quadrupled over the last 7 years.

But despite these frightening statistics, State and Federal lawmakers

across the country are still pushing to legalize recreational marijuana. Marijuana use increases the risk of cancer, hinders brain development in adolescents and young adults, and encourages experimentation with even more dangerous drugs, including opioids.

Mr. Speaker, with the opioid crisis our Nation is currently fighting, why on Earth should we increase access to an addictive gateway drug?

## REPUBLICAN TAX PLAN

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

Mr. CÁRDENAS. Mr. Speaker, I have grave concerns with the so-called tax plan Republicans are peddling. It should be called the Republican tax scam. Working Americans are being sold a bill of goods. Let me be crystal clear: this plan will not cut taxes for working middle class families. This is a tax cut for Wall Street and a tax hike for Main Street. And what does your family get? More cuts to children's education, deep cuts to your healthcare, and deep cuts to lifesaving emergency services.

Over 50 million taxpaying households will pay more taxes every April 15, due to this tax scam. Let me repeat that another way. This tax scam gets rid of credits and deductions for the middle class and keeps loopholes for corporations to ship your jobs overseas.

Mr. Speaker, I am completely opposed to this tax scam that cuts taxes for big corporations, and it forces big cuts to Medicare, education, and Social Security. This tax scam is wrong.

## SUPPORT VETERANS

(Mr. THOMPSON 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, on Saturday, the Nation celebrates Veterans Day. Originally called Armistice Day, November 11, 1919, marked the end of World War I.

In 1926, Congress passed a resolution for an annual observance, and November 11 became a national holiday in 1938. In 1954, the holiday was renamed Veterans Day.

Mr. Speaker, we all want to thank our veterans for their service to this Nation, and there is no better way to do so than to care for them when they return home. That is why I encourage my colleagues to support the Veterans E-Health and Telemedicine Support Act, or the VETS Act.

This bill will be on the floor this afternoon, and it will allow VA health professionals to practice telemedicine across State borders to care for more of America's veterans. This Nation has the technology available today to provide care for our veterans, no matter where they reside. This bill upholds our promise to be there for our veterans.

Mr. Speaker, I urge my colleagues to support the VETS Act and work to give our veterans access to the best care possible, no matter where they are or where they live.

## RECOGNIZING DR. JOACHIM FRANK

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize a constituent of mine, Dr. Joachim Frank. Dr. Frank is a faculty member at Columbia University who, earlier this month, along with his international research colleagues, was awarded the 2017 Nobel Prize in Chemistry.

Dr. Frank becomes the third constituent from New York's 13th Congressional District who has received this tremendous honor and crowning achievement from the Royal Swedish Academy of Sciences. Dr. Frank's work and success is the foundation for scientists to explore and illuminate an almost unimaginable world that exists much beyond what you and I can imagine.

We will see new medicines, curative therapies, and access to more information than we have ever seen before: the true product and potential of unrelenting intellectual curiosity.

Mr. Speaker, it is my pleasure to congratulate my constituent, Dr. Joachim Frank, and his research partners as the distinguished recipients of the 2017 Nobel Prize in Chemistry.

## RECOGNIZING DIWALI AND HINDU NEW YEAR

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Diwali, known as the Festival of Lights, and to recognize the Hindu New Year.

The Hindu community comes together wearing their finest clothing to celebrate this occasion. Families prepare for Goddess Lakshmi's arrival weeks in advance by decorating their porches with colorful designs, or rangoli; preparing sweets and savories; and lighting divos. On the night before Diwali, they light divos, symbolically asking Bhagwan to expel their ignorance and enlighten their souls. Lights, candles, and fireworks are an integral part of the festivities.

I was honored to be able to attend multiple celebrations at the BAPS mandirs in my district in Levittown, Warrington, and Souderton. As I traveled from celebration to celebration, I got to share in the absolute joy of my constituents as they celebrated with friends and with family. I was moved to be asked to participate in the lighting ceremonies, and I was in awe of the beauty of the festivals.

Mr. Speaker, I am proud to represent a district that is so diverse and so rich in its culture.

## OPPOSING RYAN-McCONNELL TAX PLAN

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

Mrs. BEATTY. Mr. Speaker, today, I come to the people's House floor in strong opposition to the Ryan-McConnell billionaires-first tax plan, a plan that overwhelmingly benefits the superrich and well-connected, and scams the middle class and our most vulnerable Americans.

But don't just take it from me. According to the Institute on Taxation and Economic Policy, working families in my home State of Ohio would see their taxes increase by $1,000 per year, while the wealthiest Americans, people like President Trump, would see their taxes decrease by as much as $747,000, according to the Tax Policy Center.

Not to be overshadowed, the Tax Policy Center also concluded that nearly 80 percent of the bill's benefits pad the pockets of the wealthiest Americans. At the same time, it eliminates the medical expenses deduction, student loan deduction, and the new markets tax credit. That does not seem like fair taxes to me.

Instead of raising taxes on the middle class, what we should be doing is allowing for a better future, better opportunities, better jobs, and better wages for all Americans.

## REMEMBERING THE LIFE AND CONTRIBUTIONS OF JUDGE ROBERT LEE BYRD, JR.

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

Mr. BYRNE. Mr. Speaker, I rise today to remember the life and contributions of Judge Robert Lee Byrd, Jr.

Judge Byrd was born in Birmingham in 1932. He received his bachelor's degree from Vanderbilt University in 1954, before attending the University of Alabama School of Law.

He was in private practice in Mobile for over 20 years and was later appointed circuit judge in Mobile County. Judge Byrd was a dedicated member of the Mobile community. During my time as an attorney in Mobile, I had the privilege of practicing in his court where he conducted himself with immense dignity and professionalism. Judge Byrd recently passed away, but his impact will live on.

Mr. Speaker, on behalf of the Alabama's First Congressional District, I want to share my deepest sympathies with his wife, Mary, and his three daughters. Judge Byrd will never be forgotten.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, November 7, 2017.*

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 7, 2017, at 9:47 a.m.:

That the Senate passed with an amendment H.R. 1370.

That the Senate passed without amendment H.R. 3031.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

## PROVIDING FOR CONSIDERATION OF H.R. 3043, HYDROPOWER POLICY MODERNIZATION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 3441, SAVE LOCAL BUSINESS ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 607 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 607

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3043) to modernize hydropower policy, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3441) to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Education and the Workforce; and (2) one motion to recommit with or without instructions.

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

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 607 provides for consideration of H.R. 3043, the Hydropower Policy Modernization Act of 2017, and H.R. 3441, the Save Local Business Act.

H.R. 3043 would modernize Federal regulatory permitting processes for the licensing of hydropower projects. Specifically, the bill would designate the Federal Energy Regulatory Commission, or FERC, as the lead agency for these projects.

I am a proud supporter of an all-of-the-above energy strategy that allows for not only American energy independence, but for American energy dominance.

□ 1230

Hydropower should be a part of that strategy. In the Pacific Northwest especially, hydropower is a clean and reliable energy source that is particularly abundant. There is remarkable potential for the hydropower industry in this region and around the United States.

In 2015, hydropower accounted for approximately 6 percent of total U.S. electricity generation and 46 percent of electricity generation from renewable sources. However, less than 3 percent of dams in the U.S. produce electricity. That shows just how great the potential is here.

Through this legislation, we can help ease regulatory burdens and streamline the permitting process by naming FERC as the lead agency for coordinating all Federal authorizations. This will result in balanced and more timely decisionmaking and reduce the current duplicative oversight regime.

So how does this benefit the average American?

Well, having a reliable power source is essential to the world today.

Even more, this legislation also has the potential to lower energy costs and create good-paying jobs. By doing so, we can help Americans put away and keep more of their hard-earned money.

Currently, the hydropower industry employs a workforce of approximately 143,000 people, and that number would certainly rise under this legislation as we unlock our full potential.

Now, some of my colleagues have expressed concerns that this legislation could hurt the environment, so I want to address that.

First, hydropower is an entirely clean source of renewable energy. Increasing hydropower production actually helps protect the environment and promote better public health.

Second, the legislation makes clear that these permitting reforms should have no effect on this Clean Water Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the Rivers and Harbors Act, and the National Historic Preservation Act. Those laws and their protections will remain in place.

This is simply about promoting a reliable power source, lowering energy costs, creating jobs, and unlocking the full potential of an all-of-the-above energy strategy.

Mr. Speaker, I will also note that this rule will provide for consideration of four amendments to H.R. 3043, including one minority and one bipartisan amendment.

The other bill covered by the rule is H.R. 3441, the Save Local Business Act. As the sponsor of this legislation, I am thrilled to see this body taking action to protect millions of jobs and provide clarity to America's workers.

Jesus said that no man can serve two masters, and there is real wisdom behind what He said as there is wisdom behind everything He said. His teachings are important every day, but that basic principle seems particularly important in the context of this legislation.

For decades, there was a commonsense legal test that determined when two or more separate businesses could be considered joint employers and held jointly responsible for the same group of employees. Employers had to share direct and immediate control over essential terms and conditions of employment. As a former labor and employment attorney who practiced in this area for decades, I can assure you this was the standard that everyone knew and appreciated.

Well, in 2015, the activist National Labor Relations Board issued a ruling

in Browning-Ferris Industries that upended this cornerstone of Federal labor law and created a vague and totally unworkable new joint employer policy.

Making matters even worse and more complicated, Federal agencies then incorporated the new standard in their regulatory agenda. Under this new standard, two independent businesses could be considered joint employers if they make a business agreement that ''indirectly'' or ''potentially'' impacts their employees. Under some of these standards, you can actually be reserved power.

Just think about the uncertainty and ambiguity this standard could cause. It is hard enough for people to even agree on what exactly those terms mean. Imagine how confusing it is for Main Street businesses to understand and follow that.

This is not some abstract issue. In fact, I have been hearing and talking with job creators and workers in my district about this for years. I have sat around the restaurant tables and heard real stories and concerns.

Bob Omainsky, the owner of Wintzell's Oyster House in my home district, had this to say about the confusion caused by the new joint-employer standard: ''If we hire an outside landscaping company to keep our lawns lush, I could be considered a joint employer if I show the landscapers where to mow. Or, if I contract a food supplier for certain ingredients, I could become part of a lawsuit if one of their workers complains about overtime pay. The uncertainty is nothing more than governmental overreach that is crippling eateries like Wintzell's and discouraging growth throughout the restaurant industry.''

This story and example is not unique to my district. These stories exist all over the country from Seattle, Washington, to Miami, Florida; and we heard a whole bunch of them in the hearings that we held in committee. This is why this bill has earned support from both sides of the aisle. This is not a partisan issue, but instead this is about protecting jobs and providing clarity to workers.

Workers shouldn't have to wonder who their employer is. They deserve better than a vague and confusing rule that the American Action Forum found threatens 1.7 million jobs. Even the Progressive Policy Institute issued a statement saying the expanded standard ''may do more harm than good.''

I also want to make one thing perfectly clear: this legislation does not remove a single worker protection. All worker protections provided by the National Labor Relations Act, the Fair Labor Standards Act, and the Equal Pay Act remain unchanged and are still available.

I also want to dispel the myth that this legislation is some departure from the norm. In fact, this legislation simply restores the agreed-upon legal standard that existed for decades.

The reality is that the new standard has created so much confusion and ambiguity that no one really knows what the law is. There are at least nine different legal tests nationwide to determine joint employer status under the Fair Labor Standards Act, and there are more to come.

This patchwork of standards creates regulatory uncertainty, especially for job creators doing businesses in multiple States. Ultimately, this legislation is about providing clarity to workers and job creators. It is about protecting the rights of workers and ensuring employers have clarity on their responsibilities to their employees, and it is about preserving the small businesses that are the backbone of our local communities.

Mr. Speaker, I urge my colleagues to support House Resolution 607 and the underlying bills, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Alabama (Mr. BYRNE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to this rule, which provides for consideration of two deeply flawed pieces of legislation.

H.R. 3043, the Hydropower Policy Modernization Act of 2017, is yet another attempt by this Republican majority to prioritize corporate profits over ensuring people have access to safe and clean drinking water.

This bill would not only threaten our clean water, it would also undermine States' rights and Tribal rights by prioritizing power generation above all else when deciding whether to grant or extend a license to operate a hydropower project.

Simply put, this bill puts profits ahead of the public interest. By giving a rubber stamp commission more power than other expert agencies, the bill rigs the process in favor of power producers at the expense of States, Tribes, and our environment.

This bill prioritizes profits over clean water and healthy fisheries and should be strongly defeated. Protecting our families and our environment should always be our first priority.

In another giveaway to corporate interests, House Republicans are also bringing to the floor this week H.R. 3441, the so-called Save Local Business Act, under the false claim that it eliminates uncertainty for workers and protects small businesses.

The truth is a very different story, Mr. Speaker. Joint employment standards ensure workers can hold employers accountable for violating wage and hour laws, child labor, or refusing to collectively bargain. This bill represents a significant and dangerous break from that standard and would undermine the rights of American workers.

This legislation rewards companies that rent employees from staffing agencies instead of hiring them directly, and allows them to evade responsibility for upholding the rights of those employees, even though they profit from their work.

This bill is not about helping workers or small businesses. This is all about giving powerful companies even more power over their employees.

But, Mr. Speaker, what is just as troubling as the content of the underlying bills is the process Speaker RYAN and his Republican leadership team routinely use to call up this terrible legislation.

Today we are considering the 49th completely closed rule of the 115th Congress. That is right. Today House Republicans are breaking their own record for the most closed session of Congress in history. It is astounding. This is something you would celebrate in Putin's Russia, not here in the United States.

Since he first took the gavel in 2015, Speaker RYAN has continue to shamelessly break his promise to allow a fair and open legislative process here in this House.

In Speaker RYAN's first speech as Speaker in October of 2015, he said: ''We need to let every Member contribute. . . . Open up the process. Let people participate. A neglected minority will gum up the works. A respected minority will work in good faith. Instead of trying to stop the majority, they might try to become the majority.''

Speaker RYAN and I disagree on a great many issues, but I strongly agree with what he said in that 2015 speech. We do need to let every Member contribute and open up the process here in the House. We do need the majority party to respect the minority party so we can actually work together on bipartisan solutions.

But in the 2 years since Speaker RYAN took the gavel, he has, sadly, failed to deliver on his commitment to open up the legislative process. Things have only gotten worse. In fact, Speaker RYAN is the only Speaker who has not allowed a truly open rule to give Members the opportunity and the chance to do what their constituents sent them here to do and to offer different perspectives and ideas on how to improve legislation.

With each new closed rule they bring to the floor, shutting out amendments from both Democrats and Republicans, the cynical hypocrisy grows louder and louder. Instead of the people's House, this has, sadly, become ''only the people who agree with PAUL RYAN's House.''

I guess my question for the Speaker would be: Did you mean any of what you said? Did you forget all those promises you made? Or did you have absolutely no intention of keeping those promises once you were in power?''

Every single Member of this House of Representatives was elected to represent the people of their district, but

we cannot do that if the party in the majority blatantly uses strong-arm tactics like these that prevent us from doing our jobs.

In 2015, Speaker RYAN also said: ''We need to return to regular order. We are the body closest to the people. Every 2 years, we face the voters. . . . We represent them. We are supposed to study up and do the homework that they cannot do. So when we do not follow regular order—when we rush to pass bills a lot of us do not understand—we are not doing our job. Only a fully functioning House can truly represent the people.''

Where do I begin?

Literally just a few months ago, Speaker RYAN and the Republican leaders of this House were recklessly steamrolling their healthcare bill to the House floor without holding anything close to the number of hearings that we held when the Affordable Care Act was passed.

Instead, they led a haphazard process where the bill was drafted in secret behind closed doors—locked doors—without any input from rank and file Members of Congress and the American people. Mr. Speaker, that is not regular order. That is unconscionable. That disrespects this House.

Today, when asked by a reporter about this record-breaking closed process, Speaker RYAN responded: ''Absolutely we have an open process.''

Really?

Let's review his record this Congress: Zero open rules—zero. Forty-nine completely closed rules.

Open process?

Open process my foot, Mr. Speaker.

I guess in the age of Donald Trump, words simply don't matter anymore. Black is white, up is down, open is closed, and politicians can say whatever they think sounds good and they think they can get away with it—facts be damned.

If Speaker RYAN were serious about a fair and open process, he would not turn this House into a rubber stamp for Donald Trump. He would let us be the independent voice the people of our districts elected us to be. He would not routinely shut out the voices of Democrats and Republicans. He would let this House actually debate the serious legislation and issues that come before us.

□ 1245

With one closed rule after another on each bill that comes to the floor, Speaker RYAN has completely shut out both Democrats and rank-and-file Republicans, routinely blocking amendments we offer.

This is not how the Congress is supposed to work. Our constituents deserve a Congress that actually debates the bills that will affect their lives. They deserve better.

I refuse to sit by while the Republican leadership makes a mockery of this House. American voices will not be silenced.

The Speaker may grant promises of openness, inclusiveness, and regular order, but we just lived through the most closed year in the history of this institution, and the year isn't even over yet, Mr. Speaker.

Republicans ought to remember that they will not always be in the majority. I don't think a Democratic majority could be this bad on basic process, even if we tried. But any Member who votes for this record-breaking closed rule today had better not have crocodile tears for regular order and openness when they find themselves in the minority some day in the future. Anyone who supports 49 closed rules and zero open rules in a single year loses all credibility on the issue of openness.

My Republican friends should be ashamed—ashamed—of diminishing this House and diminishing its Members and their thoughtful ideas. I urge Democrats and Republicans to take a stand and vote ''no'' on this closed rule.

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

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

Mr. Speaker, I am extremely proud of the work that the Rules Committee has done this year and of the leadership in this Congress and how we have handled legislation.

Unlike our Democratic colleagues who would shut the doors and refuse to accept late amendments from Members, the chairman of our committee has made it a point to ensure every single Member has the opportunity to submit their amendments and come to the committee to share their thoughts and concerns.

Under this model of transparency and openness, the committee has spent countless hours listening and considering Member testimony. In fact, we have welcomed over 330 Members to testify, this Congress alone, before the Rules Committee. We have made in order 864 amendments, including 403 from Democrats, 341 from Republicans, and 120 bipartisan amendments.

Unfortunately, our friends across the aisle have become more interested in derailing legislation than actually improving legislation. For example, Democrats politicized an open appropriations process by offering poison pill amendments meant to kill legislation they had no intention of supporting, regardless of the outcome.

These tactics have fundamentally changed the way we do business. Instead of offering thoughtful ideas intended to shape a measure, their dilatory tactics are for one purpose and one purpose only: to score political points.

The Rules Committee will not let these political games get in the way of fulfilling the promises we made to the American people who elected this majority. That is why the chairman of our committee has made it a priority to listen to all Members. I would ask all of you who come to the Rules Committee to watch our committee listening to all Members.

We are also committed to moving the majority's progrowth agenda forward. As a result of our efforts, we have had a record of success in this House. To date, we have passed almost 400 bills out of the House.

This further underscores that the House is here to work, we are here to serve, and we are here to get results. But the proof is in the facts. John Adams said: ''Facts are stubborn things.''

As of November 7 of this year, in just the first session of this Congress, we have provided for the consideration of 864 amendments on the House floor. Under Speaker PELOSI, during the entirety of the 111th Congress, both sessions, she had only made in order 778. You tell me who has an open House and who had a closed House.

There is no shame on this side at all. There is great pride in the work we are doing for the American people, and we are not going to let anyone get in the way of our making sure that we fulfill the promises we made.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. NEWHOUSE), a distinguished member of the Rules Committee.

Mr. NEWHOUSE. Mr. Speaker, first, I want to thank my friend, the gentleman from Alabama, for letting me participate in this very important debate today.

Mr. Speaker, I rise in support of the rule, but specifically to voice my very strong support for one of the bills of the underlying legislation. That would be H.R. 3043, which is the Hydropower Policy Modernization Act of 2017.

This legislation, which is sponsored and spearheaded by my good friend and fellow Washingtonian, Representative CATHY MCMORRIS RODGERS, will improve the licensing process for U.S. hydropower resources by promoting accountability as well as transparency, by requiring greater cooperation among Federal and State agencies, as well as by reducing needless duplication of efforts.

Mr. Speaker, I am a strong, steadfast supporter of hydropower—I admit that—which, as America's first renewable electricity source, has provided our country with low-cost, clean, reliable energy for over a century. In my own home State of Washington, nearly 70 percent of our energy is derived from hydropower.

While there are still some misguided, extreme efforts to breach our dams and remove these critical sources of electric generation, I believe we need to increase our use of clean and renewable resources. By passing the Hydropower Policy Modernization Act, we can take a very major step in doing just that.

Mr. Speaker, FERC, or the Federal Energy Regulatory Commission, serves as the lead agency to coordinate hydropower reviews and convene stakeholders to participate in collaborative,

transparent public proceedings. However, FERC lacks the authority to improve the hydropower licensing process, including the ability to resolve disputes among agencies and enforce scheduling deadlines.

Far too often, it is those Federal and State agencies, as well as other bureaucratic bodies, that stand in the way of moving these licensing efforts forward. In fact, in response to a House Energy and Commerce Committee's subcommittee hearing, FERC reported that there are 26 separate cases where the Commission has finished its environmental review and is currently waiting for action to be completed by another agency before FERC can issue a decision on any particular project.

Mr. Speaker, the licensing process for these projects should not be taking 10 years or more. Natural gas-fired facilities and other carbon-based energy sources are being approved in considerably less time. Meanwhile, less than 3 percent of the dams in this country produce electricity.

I will continue to support efforts to increase hydropower generation that will provide our country with reliable, stable, and clean energy. We can usher in a new era of U.S. energy independence derived from our very first renewable energy source by streamlining these processes.

I urge all of my colleagues to support this rule and, particularly, its underlying legislation, H.R. 3043, the Hydropower Policy Modernization Act of 2017.

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

Mr. Speaker, I thought I had heard everything. The gentleman from Alabama got up and said how proud he is of the Rules Committee and of the process in this House. Oh, my God. The fact that the gentleman would get up and say that with a straight face, you take my breath away. It is unbelievable.

Today, we are considering our 49th closed rule of the 115th Congress, officially making this the most closed session in Congress in history, and the gentleman is proud of that.

More than half of the rules Republicans have reported out of the Rules Committee have not allowed any amendments. That means that no Member, Democrat or Republican, can offer their ideas on the House floor.

The gentleman says: Well, we want to prevent killer amendments from being made in order. So all the Republicans that offer amendments to the Rules Committee have killer amendments? It is ridiculous to say that about the Democratic amendments.

In total, just so the gentleman understands this, in total, the Rules Committee has blocked more than 1,300 amendments this year. That is 1,300. They are all killer amendments? They are all not deserving of a debate in the people's House?

They blocked 1,300 amendments, including 955 Democratic amendments. You blocked 260 Republican amendments and 121 bipartisan amendments.

Blocking these amendments has a very real impact. A bad process produces bad policy. Shutting out input from the vast majority of Members, both Democrats and Republicans, may make it easier for you to jam your agenda through the House, but that speed comes at the expense of the policy itself.

When you block amendments, you are shutting down debate on incredibly important issues, issues that this House of Representatives should be debating and voting on.

Here are a few examples of germane amendments that the majority didn't think were worthy of a debate and an up-or-down vote in the House. These were totally in order.

There is my bipartisan amendment to require a Presidential determination and congressional action to increase troop levels in Afghanistan. With the longest war in American history, I thought maybe it was worth some debate, but the Rules Committee said no to that.

Also, a bipartisan amendment to phase out the 2001 Authorization for Use of Military Force, they blocked that.

Also, an amendment to ensure that the U.S. doesn't withdraw from the Paris climate agreement—I know my Republican friends think climate change is a hoax. They don't believe in science. But, you know what? You ought to have the guts to debate it. But you blocked it.

You blocked an amendment for funding for troops in Syria.

You blocked an amendment to create the National Russian Threat Response Center.

The list goes on and on and on.

These aren't killer amendments. These are important issues that get blocked time and time again. These issues are at the very core of our responsibilities here in Congress, and you blocked them from even being considered by the full House.

In this Congress, the majority has blocked over 1,300 amendments from coming to the floor. You are proud of that? That is disgraceful.

I truly hope that breaking the closed rule record is a wake-up call and that some of you over there will decide to do things a little bit differently around here and a little bit better around here, starting next week with your tax bill, but I am not going to hold by breath.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

The SPEAKER pro tempore. The Chair would request that all Members direct their remarks to the Chair.

Mr. ELLISON. Mr. Speaker, I urge Members to vote ''no'' on the Republican effort to roll back the joint-employer rule that the Obama administration promulgated. This joint-employer rule is an attack on workers, and it is an attack on franchisee businesses.

For people watching, Mr. Speaker, understand that when a franchisor, the big headquarters, tells a franchisee, ''You have got to do every single thing we tell you. You basically work for us. We are going to tell you the size of the sandwich. We are going to tell you the kind of oil to use. We are going to tell you how to schedule your workers. We are going to, basically, control your enterprise, though you are supposed to be an independent business,'' the Obama administration said, ''We are going to treat you as if you are joint employers.'' So if there is wage theft or there is unfairness on the job or some problem that comes up with workers, then the big company, the headquarters, will also be held responsible for solving the problem.

What the Republicans do today, Mr. Speaker, is say: ''No, we might impose all these conditions on you per the franchisee agreement, but, if there are problems, it is going to be your problem, franchisee.''

This is absolutely unfair. As workers are going all over this country trying to get higher wages, this is a whole movement for them to get livable wage for people who work every single day at our fast-food chains. They are going to their local franchisee owners to ask for those wages.

But if the franchisor says: ''You can't pay any more than this. We are going to restrict you in multiple number of ways. We are going to make you sell food items at a cost that you can't even sustain, like the dollar menu''—those things cost more than a dollar, folks. But if the big headquarters says you have got to charge a dollar as a promotion, then the franchisee has to eat that.

But when workers need more money, the big company makes that impossible, and then workers are left holding the bag along with the franchisee.

The joint-employer rule, holding both sides responsible for those wage thefts to pay for hours, these things make a more fair process and require the big headquarters to take responsibility as well.

I urge a ''no'' vote on this. This is an antiworker bill. This is an anti-small business bill, which is somewhat surprising to me, given that my friends on the other side of the aisle say they are for small business, but, really, they are just for big business. If you have any doubts about that, all you have got to do is look at this tax bill they are putting out there.

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

Mr. Speaker, when I was giving the statistics earlier, I left one very important one out. I can't believe I forgot this.

Of the almost 400 bills we passed in this House this year, 80 percent of them have been bipartisan. So this record production of bills we have had in the House this year has benefited both sides of the aisle as we have

worked together to come up with commonsense policies for the American people.

□ 1300

I am very proud of that work and that progress we have made in this House. The gentleman from Minnesota acted as if this bill, the Save Local Business Act, is something to benefit big companies, but let me tell you who I, and virtually all of us who are supporting this bill, have heard from: small businesses in our districts that are begging us to pass this bill.

I have had dozens of meetings in my own district. I know of hundreds of meetings that have been held across the country between Members of this House on both sides of the aisle and small businesses in their districts that say: Please pass this bill.

This isn't for the big businesses in America. This is for the small, Main Street businesses in our communities and for the people who work there.

At this time, Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. NORMAN), one of the newest Members of the House who has already made a distinguished mark here.

Mr. NORMAN. Mr. Speaker, I rise today in adamant support of the rule and, in particular, of H.R. 3441, the Save Local Business Act.

Let me say for my good friend from Massachusetts, you know, the amendments that he is referring to that have been rejected, they have been rejected because they are against small business and they are for Big Government, which American voters have rejected and will continue to reject.

It may be cliché to say that small and local businesses are the backbone of our economy, but, at the end of the day, there is no denying that statement. Small businesses truly are the engine that keep our economy moving, and when they suffer, our whole economy suffers.

Just take the last 8 years with the minimal growth that we have had. Since 2015, when the National Labor Relations Board adopted an expanded definition of the joint employers standard, upending decades of precedent and redefining who an employer is, there has been much confusion and ambiguity. For example, since then, there have been over 65,000 letters sent to Congress expressing confusion and asking for clarity in the aftermath of this rule.

This is unacceptable. Locally owned franchises are America's unseen small businesses, and in my district alone, the Fifth District of South Carolina, there are roughly 2,000 establishments that provide over 15,000 jobs with an economic output of over $1 billion.

Small business development, economic growth, and entrepreneurs will continue to be hurt by the National Labor Relations Board's excessive broad definition of the term ''joint employer.'' Until Congress finds a concrete solution with this piece of legislation, it will continue to do so.

This bill, Mr. Speaker, provides clarity for small and local businesses as to what it means to be a joint employer, restoring necessary clarity for employers and employees alike.

I strongly encourage all of my colleagues on both sides of the aisle to support this bipartisan bill helping small businesses all across the Nation, and I congratulate the Congressman from Alabama for proposing this bill.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON) for a unanimous consent request.

Mr. ELLISON. Mr. Speaker, I include in the RECORD this letter from United Steelworkers urging a ''no'' vote on the joint employer bill.

UNITED STEELWORKERS,
*Pittsburgh, PA, November 1, 2017.*

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

DEAR REPRESENTATIVE: On behalf of the 850,000 members of the United Steelworkers (USW), I strongly urge you to oppose H.R. 3441, the ludicrously named ''Save Local Business Act''. The bill has virtually nothing to do with small businesses but will greatly restrict the definition of employer under the Fair Labor Standards Act (FLSA).

Targeting a National Labor Relations Board decision, Browning-Ferris Industries, H.R. 3441 is not only drafted to repeal a decision where the employer tried to avoid collective bargaining responsibilities through subcontracting, but radically changes the Fair Labor Standards Act. Currently, under the FLSA, employers cannot hide behind labor contractors or franchisees when they set conditions of employment. H.R. 3441 strips nearly a century of workforce protections to give large employers almost unfettered ability to hide from long established employer responsibilities.

The rise in temporary or precarious work in the United States is fast becoming an unfortunate norm in the economy. A recent study on the rise of temporary employment found the proportion of American workers engaged in ''alternative work'' jumped from 10.7% to 15.8% in the last decade. When in the last decade 94% of net job growth is in the alternative work category, workers continuously find themselves unable to seek remedy for their grievances or an ability to collectively hold their ultimate employer accountable. H.R. 3441 will accelerate the growth of job-instability as employers will be able to manipulate the system to avoid collective bargaining by hiring temporary employees or contractor employees.

Congress' responsibility to American workers in this time of rising income inequality and precarious work must be to improve access to collective bargaining and stop employer circumvention of U.S. labor laws, not to weaken them. H.R. 3441 strips workers of another tool to hold their employers accountable. A vote for this legislation is a vote against working people and the right to democratic representation in the workplace. I urge you to vote no on H.R. 3441.

Sincerely,

LEO W. GERARD,
*International President.*

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from the Signatory Wall and Ceiling Contractors Alliance, which says that this legislation would not benefit small businesses that create good jobs. It actually would place such employers at a permanent competitive disadvantage to unscrupulous companies that seek to thrive solely at the expense of the workers and taxpayer-funded social safety net programs.

SIGNATORY WALL AND
CEILING CONTRACTORS ALLIANCE,
*Saint Paul, MN, October 5, 2017.*

Hon. PAUL RYAN,
*Speaker of the House, House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,
*Minority Leader, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER AND LEADER PELOSI: I am writing on behalf of the Signatory Wall and Ceiling Contractors Alliance (SWACCA) to express our strong opposition to H.R. 3441, the ''Save Local Business Act.'' This legislation will not benefit honest small businesses that create good jobs with family-sustaining wages and benefits. It will actually place such employers at a permanent competitive disadvantage to unscrupulous companies that seek to thrive solely at the expense of their workers and taxpayer-funded social safety-net programs.

SWACCA is a national alliance of wall and ceiling contractors committed to working in partnership with our workers and our customers to provide the highest-quality, most efficient construction services. Through the superior training, skill, and efficiency of our workers SWACCA contractors are able to provide both cost-effective construction services and middle class jobs with health and retirement benefits. Our organization prides itself on representing companies that accept responsibility for paying fair wages, abiding by health and safety standards, workers compensation laws, and unemployment insurance requirements.

Unfortunately, however, we increasingly find ourselves bidding against companies that seek to compete solely on the basis of labor costs. They do so by relieving themselves of the traditional obligations associated with being an employer. The news is littered with examples of contractors who have sought to reduce costs by willfully violating the laws governing minimum wage, overtime, workers compensation unemployment insurance, and workplace safety protections. The key to this disturbing business model is a cadre of labor brokers who claim to provide a company with an entire workforce that follows them to job after job. It is a workforce that the actual wall or ceiling contractor controls as a practical matter, but for which it takes no legal responsibility. In this model workers receive no benefits, are rarely covered by workers compensation or unemployment insurance, and are frequently not paid in compliance with federal and state wage laws. The joint employment doctrine is an important means for forcing these unscrupulous contractors to compete on a level playing field and to be held accountable for the unlawful treatment of the workers they utilize.

As an association representing large, medium, and small businesses, we oppose H.R. 3441 because it proposes a radical, unprecedented re-definition of joint employment under both the FLSA and the NLRA that goes far beyond reversing the standard articulated by the NLRB in Browning-Ferris or retuning to any concept of joint employment that has ever existed under the FLSA since the Act's passage. H.R. 3441's radical and unprecedented redefinition of joint employment would proliferate the use of fly-by-night labor brokers by ensuring that no contractor using a workforce provided by a labor broker would ever be deemed a joint employer. This is because the bill precludes a finding of joint employment unless a company controls each ''of the essential terms

and conditions of employment (including hiring employees, discharging employee, determining individual employee rates of pay and benefits, day-to-day supervision of employees, assigning individual work schedules, positions and tasks, and administering employee discipline)''. H.R. 3441 goes further by expressly countenancing a company using labor brokers retaining control of the essential aspects of the workers' employment in a ''limited and routine manner'' without facing any risk of being a joint employer.

Simply put, H.R. 3441 would create a standard that would surely accelerate a race to the bottom in the construction industry and many other sectors of the economy. It would further tilt the field of competition against honest, ethical businesses. Any concerns about the prior administration's recently-rescinded interpretative guidance on joint employment under the FLSA or the NLRB's joint employment doctrine enunciated in Browning-Ferris can be addressed in a far more responsible manner. Make no mistake, H.R. 3441 does not return the law to any prior precedents or standards. It creates a radical, new standard. This standard will help unethical employers get rich not be creating more value, but instead by ensuring their ability to treat American workers as a permanent pool of low-wage, subcontracted labor that has neither benefits nor any meaningful recourse against them under our nation's labor and employment laws.

On behalf of the membership of SWACCA, thank you in advance for your attention to our concerns about this legislation. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

TIMOTHY J. WIES,
*President*.

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

Mr. Speaker, I want to go back to this point I have been making about how this is now officially the most closed Congress in history, and I think people need to keep that in mind before they vote for this rule.

But the gentleman from Alabama, again—I guess in this age of Trump, I mean, you can twist things all kinds of different ways, you know—bragged about all this great bipartisanship here. In that number that he was referring to, a number of bills that were supported in a bipartisan way, a big chunk of them are things like naming post offices, suspension bills that are not controversial, Hats Off to Teachers Day, those types of bills.

But on major legislation, whether it is healthcare or whether it is this crummy tax bill that they are going to be bringing up, this place is polarized because they block out any competing ideas.

Let me again reiterate for my colleagues: the Rules Committee has blocked more than 1,300 amendments this year. That is just this year alone.

Now, I already mentioned amendments on the AUMF, climate change, Afghanistan, and more. I think those are important subjects. But the Members offering these amendments, I think, no matter what you believe about these amendments, deserve the right to be heard by the whole House and to receive an up-or-down vote.

But here are a few more examples of the germane amendments that my friends on the Republican side on the Rules Committee blocked under the closed and structured rules. They blocked an amendment to prohibit the repeal of DACA.

You know, I mean, 800,000 people's lives now are in the balance because of Donald Trump rescinding the protection for these DREAMers, and he said: Congress, you do it. You fix it.

Well, we tried to bring an amendment to the floor to have a debate and fix it, and if my Republican friends don't want to vote for it, they can vote ''no.'' But they blocked it. They blocked an amendment to bar funds from being spent on this stupid, idiotic wall that the President seems enamored with along our border. They blocked an amendment to increase funding to fight rural domestic violence and child abuse. They blocked several amendments to ensure the Trump family doesn't profit off the Presidency, and we all know that they are, but we can't even have that debate.

They blocked an amendment to protect asylum seekers and human trafficking victims, and they blocked an amendment to ensure victims of incest can have access to abortion care. I can go on and on and on. I mean, they blocked Congressman GROTHMAN's budget amendment twice. He is a Republican. It was germane. He even testified before the Rules Committee, but you blocked it.

Last week, you blocked Representative JIMMY DUNCAN's amendment to allow doctors to practice medicine out of State on a volunteer basis. Germane. It may be a good idea. It deserves to be debated. You blocked it.

Is that a poison pill? Is that what the gentleman was referring to? You know, process matters, and it matters for this reason, because when you have a lousy process, you end up with a lousy product.

I know it is not sexy to talk about process, you know, but it is important. It is important that we do our jobs, we debate these issues, and that we listen to Democrats and Republicans, you know, come before us with ideas: some we may agree with, some we may not, but let's have that debate. What is wrong with that? Why is that such a radical idea in this place? To get up and say I am proud of this; I am proud that we are now the most closed Congress in the history of our country? That is something to be proud of?

I think that is something to be ashamed of. I think it diminishes this House of Representatives, and it diminishes every single member of this House, Democrats and Republicans alike.

This is supposed to be a deliberative body. Let's deliberate. Let's not negotiate things in the back room and then rush it to the floor and demand an up-or-down vote. You know, you don't have a monopoly on good ideas, and there are people in your own party who have some good ideas, too, and I think we have good ideas as well. And if you want bipartisanship, true bipartisanship, and you want to end the polarization, open the process a little bit. That would be helpful.

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

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

Mr. Speaker, I am very pleased and very proud of the bipartisanship that we have had in this House this year to pass all these bills. Let me note just two very substantive bills, one last week and one today.

Last week, we passed a bill that got rid of this IPAB group that is going to take money, is proposed to take money out of Medicare. It was cosponsored by 45 Democrats, and dozens and dozens of Democrats voted for it on the floor last week. Today, this Save Local Business Act is bipartisan in its sponsorship and, I predict, on the vote of the floor today.

Now, how important is that? Let me read to you just a few of the organizations that support this bill: the American Hotel and Lodging Association, the Asian American Hotel Owners Association, Associated Builders and Contractors, Associated General Contractors, the U.S. Chamber of Commerce, the Coalition for a Democratic Workplace, the Coalition to Save Local Businesses, The Latino Coalition, National Association of Home Builders, National Association of Manufacturers, National Council of Chain Restaurants, National Retail Federation, U.S. Travel Association, the Capital Research Center, Generation Opportunity, Heritage Action for America, Hispanic Leadership Fund, the Independent Women's Institute for Liberty, the James Madison Institute, the National Taxpayers Union, the Tea Party Nation, Food Marketing Institute, National Franchisee Association, National Apartment Association, Retail Industry Leaders Association, and the Workplace Fairness Institute, and I could have dozens and dozens more.

The truth of the matter is, these are very important bills that we bring before this floor, and most of them are bipartisan. The ones we have today are bipartisan bills.

Mr. Speaker, I would say to you that this House has a lot to be proud of, of the great work we have done this year, and I am most proud of the fact that, in most of those cases, we have been working together.

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

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

Mr. Speaker, the gentleman is right, we can work together and come together in a bipartisan way to pass a post office bill, to name a post office after somebody, but my friends didn't think it was important to come together and work with us on improving the Affordable Care Act, totally cut out of the process.

I am willing to bet that when the tax bill comes up, the tax bill that is going

to give wealthy people a big tax break and raise taxes on a lot of middle-income families, that will be a very closed process as well. So yeah, you know, Hats Off to Teachers Day, naming post offices, stuff that, I mean, Western civilization, as we know it, doesn't hinge upon, yeah, there is lot of bipartisanship here.

We had a couple of bills yesterday that passed unanimously. I mean, we had votes on them. They were noncontroversial. But when it comes to anything really meaningful, there is no bipartisanship, and there is no openness here.

Again, let me repeat, so my colleagues understand this. This is the most closed session of Congress ever in history, and the year is not even over yet. Today, we are considering the 49th closed rule of the 115th Congress, officially making it the most closed session of Congress in history. More than half of the rules the Republicans have reported out of the Rules Committee have not allowed any amendments. They have blocked over 1,300 amendments.

Speaker RYAN now is the only speaker who has not allowed an open rule. Speakers Boehner, PELOSI, Hastert, and Gingrich all allowed some open rules. This is the first time we never had one.

Mr. Speaker, again, I would say to my colleagues, process matters, and this is really a sad day for this House, for this institution, and I hope my Republican friends think about it a little bit because you are doing great damage to this institution, and that makes me very sad.

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

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

Mr. Speaker, when we adopt this rule later on this afternoon, when we adopt my bill, let me tell you who is going to be happy. Tens and tens of thousands of small businesses and hundreds of thousands of their employees across America, that is who is going to be happy.

And you know what, we are not here to make ourselves happy. We are here to make the people who sent us here and expect us to do their business, we are here to make them happy, and we are going to make them happy today, as we have done over and over again this year, by passing legislation that works for them, not for us.

So there may be some unhappiness in the room because we haven't made every little amendment in order for this floor, but we have made the amendments that matter to the American people, and, more importantly, we passed legislation that matters to the American people, and I am very proud of that, and the American people, indeed, are happy.

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

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

Mr. Speaker, I just want to remind my colleagues as well that the bill that the gentleman from Alabama is talking about, his bill, when it—in the Rules Committee last night, the Rules Committee thought it was appropriate to block three germane amendments from the ranking member of the Education and the Workforce Committee. I mean, that is the process that we are dealing with here.

The ranking member of that committee does not have the opportunity to bring his ideas to the floor and debate them and get a vote up or down on it. That is not right, and the Rules Committee, unfortunately, is becoming a place where democracy goes to die, where every good idea is routinely shot down, and it has to stop.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question. And I want to say to my colleagues that, a month ago, I stood at this very podium, following our Nation's deadliest mass shooting in Las Vegas, asking my colleagues to defeat the previous question so that we can begin to study gun violence.

□ 1315

Now I stand here again, after yet another unthinkable tragedy, begging my colleagues to allow us to take this small first step following Sunday's deadly mass shooting at First Baptist Church in Texas.

Twenty-six people in that church lost their lives to gun violence, and that is from one single shooting. On an average day, 93 Americans are killed with guns.

I would like to ask my colleagues again: What will it take?

If the deaths of those children in Sandy Hook Elementary School weren't enough for Congress to take action, if the 49 lives lost in Orlando weren't enough, if the 58 lives lost in Las Vegas weren't enough, and if the 26 lives lost in Texas on Sunday aren't enough, then nothing may ever be enough for Congress to have the courage to do the right thing.

But I am hoping that is not true. Today we can decide to take the first step in fighting gun violence with one vote. If we defeat the previous question, I will offer an amendment to the rule to bring up H. Res. 367, which would establish the Select Committee on Gun Violence Prevention.

It is time that we start having serious discussions about this problem. Moments of silence and calls for prayer are not enough. We have been doing that. It is time for us to get serious.

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

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

There was no objection.

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

Mr. BYRNE. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 7 minutes remaining.

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

Mr. Speaker, we are bringing to the floor two bills today that I think are bad bills. But, nonetheless, they represent the thinking of the Republicans who are in charge of this Congress.

What is particularly distressing to me is that, on one of those measures, it is being brought to the floor under a completely closed process.

As I mentioned, last night, the ranking member of the Education and the Workforce Committee came before the Rules Committee to offer three germane amendments, and the Rules Committee said: No, you don't have the right to have a debate on your ideas, even though they are perfectly germane, on the House floor.

I think that is lousy. As a result, we come today and we make history. This is now officially the most closed Congress ever in the history of our country. My friends on the other side of the aisle are getting up and talking about how proud they are. They talk about bipartisanship. What they don't tell you is that most of the bipartisanship are on things that really don't mean a lot: naming of post offices and bills that pass by 435–0. On big things, on important issues, they block us. I mentioned some of the things they blocked.

I know a lot of my colleagues on both sides of the aisle care deeply about the DREAMers, since Donald Trump decided to throw their fates into the balance. They want to do something to help these young people, many of whom came when they were 1 year old or 2 years old and know no other country as their home but this country. We tried to fix that legislatively, as the President said he wanted us to do, and the Republican majority blocked us. They blocked us.

We tried to offer an amendment again to say let's not invest a gazillion dollars on a border wall. Let's invest in our people. Let's build up our infrastructure. Let's construct the finest railway system in the United States—in the world—over the next decade. They blocked us.

We had an amendment to increase funding to fight rural domestic violence and child abuse, and they blocked us.

We had an amendment to say we need to ensure that this culture of corruption that we see in the White House doesn't grow any bigger, that the Trump family doesn't benefit from the taxpayers, they don't benefit financially from the taxpayers, and we were blocked on that as well.

Then we have been blocked on amendments to debate these wars that have gone on for years and years. The war in Afghanistan is endless. It is the longest war in American history. We can't have a debate on the floor. We are

told that it is not appropriate and that it is not the right time.

The bottom line is, what my friends on the other side of the aisle are doing is they are running this place in a very authoritarian way, basically saying: It is our way, and that is it. It is our way or the highway, and you don't matter.

Well, we have had enough. We have had enough of being shut out, and we are not going to shut up. We are not going to sit by and allow this pattern of closed rules and closed processes to continue without a protest. This is a serious matter.

For the Speaker of the House in his press conference today to get up and say, ''Oh, we have a very open house,'' I mean, where is he living?

That does not reflect the reality. Maybe Donald Trump can say those kind of things that don't reflect reality, but the Speaker of the House ought to know that today, under his leadership, this has become the most closed House ever, and it diminishes this institution and it diminishes every single Member of this institution.

So vote ''no'' on this rule. I urge my Republican friends, who care about process, who want this place to be more deliberative, to vote ''no.'' Send a message to your leadership that you have had enough.

If you want more bipartisan legislation, if you want a less polarized Congress, then open the process up a little bit. I have news for you, if you do, maybe the popularity of Congress will go up a little bit. I think we are at, like, 12 or 13 percent now. Maybe that might get you up to 15 or 16 percent. But it is the right thing to do.

This is not the way we are supposed to run a legislative body. When you do it this way, you end up with lousy legislation. Your healthcare bill was a disaster. It reflected no input from anybody. Thank God the Senate said no to it. We see the same thing going on with the tax bill.

Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question so maybe we can bring up a little bit of a debate on the need for a select committee to study gun violence. But, please, vote ''no'' on this. Please send a message to the Republican leadership that enough is enough and we are tired of these closed rules.

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

The SPEAKER pro tempore. The Chair would again ask Members to direct remarks to the Chair.

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

Mr. Speaker, this has been a very open process. At the beginning, you recognized me for an hour and I gave, as is customary, half of my time to the other side so that they could present their side.

In our committee, the Rules Committee, we let anyone who wants to come—any Member who wants to come and basically say whatever they want to say for as long as they want to say it. We don't really have any rules in the Rules Committee because we want to have it so open, we want to give everybody such an opportunity, that we let everybody come and say whatever they want. Then we take it all into account and we make some amendments in order and some not.

Because we have done our job so well this year, we have had so many bills in the House—and the House has passed them all—that this House is just about a record-breaking House in terms of what we are passing. Yes, our friends over in the Senate haven't passed a lot of them. I don't think the American people like that. I think the American people want the Senate to get to work like the House has been at work.

This is important work, and we are here to do it and not play games. The bills that are under this rule are very important bills.

I have heard a lot about climate change. The gentleman may suggest that people on our side of the aisle don't understand science. I am not a scientist, but I do understand climate change. I do understand from the people who are worried about it, and a lot of people are legitimately worried about it. The only thing you can do about that is to have alternative sources of energy.

Hydroenergy is one of those sources. You don't release any carbon molecules in the air when you generate electricity using water. So one of the bills addresses that.

The other bill—my bill—the Save the Local Business Act, is a very important bill, a bipartisan bill. There are bipartisan sponsors on this bill. As I said earlier, there are tens of thousands of businesses around America and hundreds of thousands of employees of those businesses that are aching for us to pass this bill.

So far from being small things that don't matter—by the way, saying nice things about teachers isn't a small thing. I think it is a big thing. These are important pieces of legislation, and I am proud of the work that this House has done to make sure that we consider them and pass them.

Mr. Speaker, I again urge my colleagues to support House Resolution 607 and the underlying bills.

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

AN AMENDMENT TO H. RES. 607 OFFERED BY MR. MCGOVERN:

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the resolution (H. Res. 367) to establish the Select Committee on Gun Violence Prevention. The first reading of the resolution shall be dispensed with. All points of order against consideration of the resolution are waived. General debate shall be confined to the resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Rules. After general debate the resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the resolution are waived. At the conclusion of consideration of the resolution for amendment the Committee shall rise and report the resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion or demand for division of the question except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the resolution.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 367.

---

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

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

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

Mr. BYRNE. 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 I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adopting the resolution, if ordered; and

Agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 233, nays 182, not voting 17, as follows:

[Roll No. 610]

YEAS—233

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

NAYS—182

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Jackson Lee
Jayapal
Jeffries
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—17

Brady (PA)
Bridenstine
Cummings
DesJarlais
Garrett
Hastings
Hoyer
Hudson
Huffman
Johnson (GA)
Johnson, E. B.
Pocan
Polis
Rice (SC)
Roybal-Allard
Thompson (MS)
Wilson (FL)

□ 1348

Messrs. HIMES, WALZ, and JONES changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 182, not voting 17, as follows:

[Roll No. 611]

AYES—233

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

Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—182

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Jackson Lee
Jayapal
Jeffries
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—17

Brady (PA)
Bridenstine
Cummings
DesJarlais
Garrett
Hastings
Hoyer
Hudson
Huffman
Johnson (GA)
Johnson, E. B.
Pocan
Polis
Roybal-Allard
Scalise
Thompson (MS)
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1357

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.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 184, answered ''present'' 3, not voting 20, as follows:

[Roll No. 612]

YEAS—225

Abraham
Adams
Aderholt
Allen
Amodei
Arrington
Bacon
Banks (IN)
Barletta
Barr
Barton
Beatty
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Buchanan
Bucshon
Budd
Bustos
Butterfield
Byrne
Calvert
Carter (TX)
Cartwright
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clay
Cleaver
Cohen
Cole
Collins (NY)
Comer
Comstock
Cook
Cooper
Cramer
Crawford
Crist
Culberson
Davidson
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Demings
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Estes (KS)
Evans
Farenthold
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Gianforte
Goodlatte
Gowdy
Granger
Green, Al
Griffith
Grothman
Guthrie
Hanabusa
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Higgins (LA)
Hill
Himes
Hollingsworth
Hultgren
Issa
Jeffries
Johnson (LA)
Johnson, Sam
Kaptur
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Larson (CT)
Latta
Lawrence
Lewis (MN)
Lipinski
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Maloney, Carolyn B.
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Nadler
Newhouse
Norman
Nunes
O'Rourke
Olson
Pelosi
Perlmutter
Pingree
Posey
Quigley
Roby
Roe (TN)
Rogers (KY)
Rooney, Francis
Rooney, Thomas J.
Rosen
Roskam
Ross
Rothfus
Royce (CA)
Ruppersberger
Russell
Rutherford
Sanford
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Takano
Taylor
Thornberry
Tiberi
Titus
Trott
Tsongas
Upton
Vela
Wagner
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yarmuth
Young (IA)
Zeldin

NAYS—184

Aguilar
Amash
Babin
Barragán
Bass
Bera
Bergman
Beyer
Biggs
Bishop (MI)
Blum
Blunt Rochester
Bost
Boyle, Brendan F.
Brownley (CA)
Buck
Burgess
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Castor (FL)
Cheney
Clark (MA)
Clarke (NY)
Clyburn
Coffman
Collins (GA)
Conaway
Connolly
Conyers
Correa
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Curbelo (FL)
Davis, Rodney
DeFazio
Delaney
Denham
DeSantis
DeSaulnier
Doyle, Michael F.
Duffy
Espaillat
Esty (CT)
Faso
Fitzpatrick
Flores
Foxx
Fudge
Gaetz
Gallagher
Gallego
Gibbs
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Gutiérrez
Hastings
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Holding
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Joyce (OH)
Katko
Kelly (IL)
Khanna
Kihuen
Kilmer
Kind
Kinzinger
Knight
LaHood
Lance
Langevin
Larsen (WA)
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Love
Lynch
MacArthur
Maloney, Sean
Marchant
Mast
Matsui
McGovern
McKinley
McSally
Moore
Napolitano
Neal
Noem
Nolan
Norcross
O'Halleran
Palazzo
Pallone
Palmer
Panetta
Paulsen
Payne
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Price (NC)
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rogers (AL)
Rohrabacher
Rokita
Ros-Lehtinen
Rouzer
Ruiz
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (MO)
Smucker
Soto
Stivers
Suozzi
Swalwell (CA)
Tenney
Thompson (CA)
Thompson (PA)
Tipton
Torres
Turner
Valadao
Vargas
Veasey
Velázquez
Visclosky
Walberg
Waters, Maxine
Watson Coleman
Weber (TX)
Woodall
Yoder
Yoho
Young (AK)

ANSWERED ''PRESENT''—3

Ellison
Rice (SC)
Tonko

NOT VOTING—20

Brady (PA)
Bridenstine
Cummings
DesJarlais
Garrett
Gohmert
Grijalva
Hoyer
Hudson
Huffman
Johnson (GA)
Johnson, E. B.
Luján, Ben Ray
Pascrell
Pocan
Polis
Roybal-Allard
Scalise
Thompson (MS)
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1403

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 611 and "yea" on rollcall No. 612.

## GOLD STAR FAMILY SUPPORT AND INSTALLATION ACCESS ACT OF 2017

Mr. BACON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the bill (H.R. 3897) to amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 3897

*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 "Gold Star Family Support and Installation Access Act of 2017".

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) Since World War I, the gold star symbol has been used by American families to honor members of the Armed Forces who have given their lives in service to the Nation.

(2) Surviving families of deceased members of the Armed Forces confront many challenges, often made worse by policies that fail to compassionately honor the memory of their loved one's service and sacrifice to the Nation.

(3) There is an obligation to ensure that the Gold Star family connections to the military community remain an eternal bond providing strength and comfort to surviving family members and to those still serving.

(4) Individual military services have recognized the need to provide installation access to Gold Star families to attend memorial events, visit gravesites, and access other benefits for which family members are eligible and entitled.

(5) Surviving families of deceased members of the Armed Forces relocate to other parts of the country, often far away from the service installation where their loved one last served.

(6) Current Department of Defense policy rescinds on-base benefits to surviving spouses of deceased service members who remarry, even when dependent children under the guardianship of the surviving spouse remain eligible for benefits, effectively rendering these benefits inaccessible by the children of the deceased member.

**SEC. 3. ISSUANCE OF GOLD STAR INSTALLATION ACCESS CARDS.**

(a) ISSUANCE AND CONDITIONS ON USE.—

(1) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1126 the following new section:

**"§ 1126a. Gold Star Installation Access Card: issuance and protections**

"(a) ISSUANCE TO GOLD STAR SURVIVING SPOUSE AND DEPENDENT CHILDREN OF DECEASED MEMBER REQUIRED.—The Secretary concerned shall provide for the issuance of a standardized Gold Star Installation Access Card to the widow and dependent children of a deceased member of the armed forces described in section 1126(a) of this title to facilitate their ability to gain unescorted access to military installations for the purpose of attending memorial events, visiting gravesites, and obtaining the on-installation services and benefits to which they are entitled or eligible.

"(b) ISSUANCE TO OTHER NEXT OF KIN AUTHORIZED.—At the discretion of the Secretary concerned, the Secretary concerned may provide the Gold Star Installation Access Card to the parents and other next of kin of a deceased member of the armed forces described in section 1126(a) of this title.

"(c) SERVICE-WIDE ACCEPTANCE OF ACCESS CARD.—The Secretaries concerned shall work together to ensure that a Gold Star Installation Access Card issued by one armed force is accepted for access to military installations under the jurisdiction of another armed force.

"(d) PROTECTION OF INSTALLATION SECURITY.—In developing, issuing, and accepting the Gold Star Installation Access Card, the Secretary concerned may take such measures as the Secretary concerned considers necessary—

"(1) to prevent fraud in the procurement or use of the Gold Star Installation Access Card;

"(2) to limit installation access to those areas of the installation that provide the services and benefits for which the recipient of the Gold Star Installation Access Card is entitled or eligible; and

"(3) to ensure that the availability and use of the Gold Star Installation Access Card does not adversely affect military installation security.

"(e) TERMINATION.—The Gold Star Installation Access Card for the widow and dependent children of a deceased member of the armed forces shall remain valid for the life of the widow or child, regardless of subsequent marital status of the widow, subject to periodic renewal as determined by the Secretary concerned to ensure military installation security.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by inserting after the item relating to section 1126 the following new item:

"1126a. Gold Star Installation Access Card: issuance and protections.".

(b) APPLICABILITY OF CURRENT DEFINITIONS.—Section 1126(d) of title 10, United States Code is amended by striking the matter preceding paragraph (1) and inserting the following: "In this section and section 1126a of this title:".

**SEC. 4. EXTENSION OF COMMISSARY AND EXCHANGE BENEFITS FOR REMARRIED SPOUSES WITH DEPENDENT CHILDREN.**

(a) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(1) by striking "The Secretary of Defense" and inserting the following:

"(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense"; and

(2) by adding at the end the following new subsection:

"(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, who has guardianship of dependent children of the deceased member is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as the unremarried surviving spouse of a member of the uniformed services.".

(b) CONFORMING AMENDMENTS.—Section 1062 of title 10, United States Code, is further amended—

(1) by striking "commissary and exchange privileges" and inserting "use commissary stores and MWR retail facilities"; and

(2) by adding at the end the following new subsection:

"(c) MWR RETAIL FACILITIES.—The term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.".

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

**"§ 1062. Certain former spouses and surviving spouses"**.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

"1062. Certain former spouses and surviving spouses.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

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

## RISK-BASED CREDIT EXAMINATION ACT

Mr. HUIZENGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3911) to amend the Securities Exchange Act of 1934 with respect to risk-based examinations of Nationally Recognized Statistical Rating Organizations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3911

*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 "Risk-Based Credit Examination Act".

**SEC. 2. RISK-BASED EXAMINATIONS OF NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS.**

Section 15E(p)(3)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–7(p)(3)(B)) is

amended in the matter preceding clause (i), by inserting ''', as appropriate,''' after ''Each examination under subparagraph (A) shall include''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HUIZENGA) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. HUIZENGA).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, nationally recognized statistical rating organizations—or NRSROs, as they are known—have been heavily criticized for the role that they played in facilitating the financial crisis.

In the years leading up to the crisis, the government adopted a series of policies that had the effect of conferring a ''Good Housekeeping'' seal of approval on the rating agencies and on their products, including designating certain agencies as nationally recognized—a label that they had put on—and hardwiring references to their ratings into numerous Federal statutes and regulations.

These regulatory privileges and the perception that the government had placed its blessing on the rating agencies' assessments led to a sense of complacency among investors and a failure of private sector due diligence that contributed to mispriced risk and a collapse of market confidence when ratings of certain asset-backed securities were called into question during the credit meltdown of 2007 and 2008.

Mr. Speaker, as a result, the Dodd-Frank Act mandated myriad regulatory requirements on these NRSROs that were aimed at enhancing their disclosure and transparency. While some of these provisions may have been constructive, several created new barriers to entry and further entrenched a type of rating agency oligopoly that has not served investors or the economy well.

The Dodd-Frank Act follows a ''registration, not regulation'' approach. While it does not require the SEC—the Securities and Exchange Commission—to regulate or evaluate the rating agencies' methodologies or models, it does seek to ensure that ratings are based on an objective application of the methodologies and that commercial considerations do not influence ratings decisions.

Specifically, section 932, creates the Office of Credit Ratings at the Securities and Exchange Commission, which imposes more stringent conflict-of-interest regulations on credit rating agencies and gives the compliance officers at these rating agencies additional responsibilities, including filing annual reports with the SEC.

While credit agencies must be held accountable, these increased reporting requirements have given the burden to small credit rating agencies and have hurt investors who bear the true cost of these rules. That one-size-fits-all annual reporting requirements imposed by Dodd-Frank on all NRSROs placed unnecessary burdens and compliance costs on small NRSROs, who in no way were a cause of the financial crisis.

As a result of the annual reporting requirements, large NRSROs that can absorb these compliance costs have gotten bigger; and smaller NRSROs, for whom these compliance costs really impose a disproportionate burden, they have been prevented from entering the marketplace and providing necessary competition.

On May 15, 2013, former Securities and Exchange Commission Chair Mary Jo White wrote a letter on behalf of a unanimous commission to Chairman HENSARLING of the Financial Services Committee to request the provisions of H.R. 3911 as a legislative proposal. She said: ''Rather than focusing every year on each of the designated eight review areas, allowing a risk-based approach would permit the SEC staff to tailor examinations. . . . As a result, staff could focus limited resources on these specific risks rather than reviewing the designated eight areas, some of which may not present a risk for a particular firm. . . . ''

Consistent with former Chair White's request, H.R. 3911, statutorily changes the annual reporting requirements so that they are risk-based, instead of requiring the burdensome review of all eight review areas currently mandated.

This approach is a commonsense balance that still ensures large NRSROs are regulated while smaller NRSROs are provided necessary relief to enter and thrive in the marketplace.

The legislation unanimously passed the Financial Services Committee last month, and I was pleased to be a part of that.

At this time I would like to commend the bipartisan work of Representatives WAGNER and FOSTER on this important bill. I encourage all of my colleagues to vote in favor of H.R. 3911.

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

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

Mr. Speaker, I think the House should note that the Speaker and the two gentlemen controlling the time are from the greatest State, the great State of Michigan, so I think we are in good hands.

□ 1415

Mr. Speaker, I rise today in support of H.R. 3911, which is offered, as my colleague has said, in a bipartisan fashion by Representatives WAGNER and FOSTER.

This legislation would allow the Securities and Exchange Commission to focus on the most high-risk areas when conducting annual examinations of certain credit rating agencies known as nationally recognized statistical rating organizations.

Credit rating agencies did, in fact, play a central role in the subprime mortgage meltdowns by routinely assigning inflated credit ratings to high-risk structured mortgage products. These ratings, which were issued by agencies operating under conflicts of interests, allowed banks to assume unreasonable amounts of risk and resulted in the loss of trillions of dollars when the mortgages underlying those risky investments began to default.

In the wake of the ensuing financial crisis, the Dodd-Frank Act strengthened oversight of credit rating agencies, including by directing the SEC to create an Office of Credit Ratings responsible for conducting annual examinations of the rating organizations.

Currently, each rating organization examination must include a review of eight topic areas designed to assess the adequacy of each agency's internal controls, conflicts of interests, and rating methodologies, among other areas.

This legislation, H.R. 3911, is responsive to former SEC Chair Mary Jo White's 2013 request to the Financial Services Committee for legislation that would allow the SEC staff to take a risk-based approach to annual rating organization examinations. Such an approach would allow the SEC to focus valuable resources on the areas where problematic conduct is most likely to exist.

H.R. 3911 is designed to strengthen regulatory efforts rather than provide a basis for reduced accountability. So I do urge the SEC to use the discretion afforded under H.R. 3911 in order to focus on areas that present the greatest risk of misconduct.

It is vital that our ratings organizations are accountable, and I believe this bill is an important step to ensure that the inflated ratings that led up to the financial crisis are not repeated.

Mr. Speaker, I support H.R. 3911. I thank Representatives FOSTER and WAGNER for their bipartisan work on this bill, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. WAGNER), who is the author of this bill and chair of the Financial Services Oversight and Investigations Subcommittee and, as I had said, sponsor of this legislation.

Mrs. WAGNER. Mr. Speaker, I thank the chairman of the Capital Markets, Securities, and Investments Subcommittee, my friend and colleague, Mr. HUIZENGA, for his support.

Mr. Speaker, first, I also wish to thank the ranking member and Congressman FOSTER for his support of this issue both in the 114th Congress and the 115th Congress.

H.R. 3911, the Risk-Based Credit Examination Act, makes the criteria required in annual reporting by nationally recognized statistical rating organizations, or NRSROs, just that: risk based.

In 2008, the financial crisis taught us many lessons. It also highlighted how NRSROs regularly gave high ratings to mortgage-backed securities. As we now know, these mortgage-backed securities led to one of the largest financial collapses, which some economists have put on par with the Great Depression of the 1930s.

In 2010, with the passage of Dodd-Frank and in an attempt to prevent previous mistakes, these organizations were hit with new requirements aimed at enhancing their disclosures and transparency. Unfortunately, the one-size-fits-all annual reporting requirements mandated under section 932 of Dodd-Frank placed unnecessary burdens and compliance costs on small NRSROs that were in no way the cause of the financial crisis.

Contrary to what some might believe, more regulation doesn't solve everything; in fact, it doesn't solve most things.

After the Office of Credit Ratings was created in 2012 and the new requirements were put into place, smaller NRSROs found it difficult to enter the marketplace. Ironically, the large credit rating agencies—which, again, had a hand in the financial crisis—are getting bigger, driving out small credit rating agencies and making it clear that these new regulatory requirements missed their intended mark and placed unnecessary requirements on smaller NRSROs.

Mr. Speaker, a move to a risk-based model will alleviate the burden on small NRSROs and provide competition while continuing to maintain oversight and transparency over the industry. The marketplace needs this fix. As the chairman noted in a 2013 letter, SEC Chairman Mary Jo White concurred with these conclusions.

Let's be clear. This bill does not eliminate reporting requirements for credit rating agencies; instead, it simply makes the criteria required in annual reports risk based. Credit rating agencies will still be held accountable, while allowing real competition in the market.

Mr. Speaker, I urge my colleagues to support this legislation that is both bipartisan and commonsense, something we don't often see in Washington, D.C.

Mr. KILDEE. Mr. Speaker, in closing, I would just reiterate two things. One, I think here is an opportunity for us to demonstrate that there are times when we come together to deal with specific problems in a bipartisan fashion. We ought to encourage it, and I am pleased to be a part of it.

Again, I would like to reiterate the point that this legislation is not intended to weaken oversight; in fact, it is intended to focus oversight on those areas of greatest risk. It is my hope and my sincere belief that that is the approach that the SEC will take upon passage and enactment of this legislation. It is a step in the right direction, and I urge my colleagues to support this legislation.

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

Mr. HUIZENGA. Mr. Speaker, I would like to echo the words of my colleague from Michigan: a bipartisan, unanimous bill coming out of the Financial Services Committee deserves the support of this House. We are very pleased that we have been able to strike this accommodation, this balance, between making sure that those rating agencies that truly did have a hand in causing our economic downturn are separated from those smaller institutions that really had nothing to do with that.

Now, with this overregulation that has occurred due to Dodd-Frank, I have really been put at a disadvantage and, ironically, have lowered competition in this space. So we believe that we are restoring some commonsense provisions back into the law. With that, I would like to encourage all of my colleagues to vote for H.R. 3911.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, H.R. 3911.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## CLARIFYING COMMERCIAL REAL ESTATE LOANS

Mr. HUIZENGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2148) to amend the Federal Deposit Insurance Act to clarify capital requirements for certain acquisition, development, or construction loans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2148

*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 ''Clarifying Commercial Real Estate Loans''.

**SEC. 2. CAPITAL REQUIREMENTS FOR CERTAIN ACQUISITION, DEVELOPMENT, OR CONSTRUCTION LOANS.**

The Federal Deposit Insurance Act is amended by adding at the end the following new section:

**''SEC. 51. CAPITAL REQUIREMENTS FOR CERTAIN ACQUISITION, DEVELOPMENT, OR CONSTRUCTION LOANS.**

''(a) IN GENERAL.—The appropriate Federal banking agencies may only subject a depository institution to higher capital standards with respect to a high volatility commercial real estate (HVCRE) exposure (as such term is defined under section 324.2 of title 12, Code of Federal Regulations, as of October 11, 2017, or if a successor regulation is in effect as of the date of the enactment of this section, such term or any successor term contained in such successor regulation) if such exposure is an HVCRE ADC loan.

''(b) HVCRE ADC LOAN DEFINED.—For purposes of this section and with respect to a depository institution, the term 'HVCRE ADC loan'—

''(1) means a credit facility secured by land or improved real property that, prior to being reclassified by the depository institution as a Non-HVCRE ADC loan pursuant to subsection (d)—

''(A) primarily finances, has financed, or refinances the acquisition, development, or construction of real property;

''(B) has the purpose of providing financing to acquire, develop, or improve such real property into income-producing real property; and

''(C) is dependent upon future income or sales proceeds from, or refinancing of, such real property for the repayment of such credit facility;

''(2) does not include a credit facility financing—

''(A) the acquisition, development, or construction of properties that are—

''(i) one- to four-family residential properties;

''(ii) real property that would qualify as an investment in community development; or

''(iii) agricultural land;

''(B) the acquisition or refinance of existing income-producing real property secured by a mortgage on such property, if the cash flow being generated by the real property is sufficient to support the debt service and expenses of the real property, as determined by the depository institution, in accordance with the institution's applicable loan underwriting criteria for permanent financings;

''(C) improvements to existing income-producing improved real property secured by a mortgage on such property, if the cash flow being generated by the real property is sufficient to support the debt service and expenses of the real property, as determined by the depository institution, in accordance with the institution's applicable loan underwriting criteria for permanent financings; or

''(D) commercial real property projects in which—

''(i) the loan-to-value ratio is less than or equal to the applicable maximum supervisory loan-to-value ratio as determined by the appropriate Federal banking agency; and

''(ii) the borrower has contributed capital of at least 15 percent of the real property's appraised, 'as completed' value to the project in the form of—

''(I) cash;

''(II) unencumbered readily marketable assets;

''(III) paid development expenses out-of-pocket; or

''(IV) contributed real property or improvements; and

''(iii) the borrower contributed the minimum amount of capital described under clause (ii) before the depository institution advances funds under the credit facility, and such minimum amount of capital contributed by the borrower is contractually required to remain in the project until the credit facility has been reclassified by the depository institution as a Non-HVCRE ADC loan under subsection (d);

''(3) does not include any loan made prior to January 1, 2015; and

''(4) does not include a credit facility reclassified as a Non-HVCRE ADC loan under subsection (d).

''(c) VALUE OF CONTRIBUTED REAL PROPERTY.—For purposes of this section, the value of any real property contributed by a borrower as a capital contribution shall be the appraised value of the property as determined under standards prescribed pursuant to section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339), in connection with the extension of the credit facility or loan to such borrower.

''(d) RECLASSIFICATION AS A NON-HVCRE ADC LOAN.—For purposes of this section and with respect to a credit facility and a depository institution, upon—

''(1) the completion of the development or construction of the real property being financed by the credit facility; and

''(2) cash flow being generated by the real property being sufficient to support the debt service and expenses of the real property,

in either case to the satisfaction of the depository institution, in accordance with the institution's applicable loan underwriting criteria for permanent financings, the credit facility may be reclassified by the depository institution as a Non-HVCRE ADC loan.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HUIZENGA) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. HUIZENGA).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, in response to the 2008 financial crisis, the Basel Committee on Banking Supervision, an organization that, frankly, most citizens might not have any idea exists, much less the effects and the influences on their banking lives, the Basel Committee on Banking Supervision agreed to modify internationally negotiated bank regulatory standards, known as the Basel Accords. This was going to increase bank capital requirements.

On July 9, 2013, the Federal banking regulators here in the United States—including the Federal Reserve; the Federal Deposit Insurance Corporation, FDIC; and the Office of the Comptroller of the Currency, OCC—all issued a final rule to implement most of the so-called Basel III recommendations, including modifications to capital requirements.

Basel III imposes new rules for high volatility commercial real estate, also known as HVCREs.

Unfortunately, we have a lot of acronyms in the Financial Services space, but you will be hearing a lot about these HVCREs over the course of the next few minutes.

These HVCRE rules are those which the regulations characterize as loans that finance the acquisition, development, or construction of real property. Loans that finance the acquisition, development, and construction of one- to four-family residential properties, projects that qualify as community development investment, and loans to businesses or farms with gross revenue exceeding $1 million are exempt from this HVCRE classification.

In June of 2017, the Treasury Department released its first report in response to the President's February 2017 ''Core Principles for Regulating the United States Financial System,'' informing the administration's perspective to regulate the financial system. The report, entitled, ''A Financial System That Creates Economic Opportunities—Banks and Credit Unions,'' calls on regulators to simplify and clarify the definition of these HVCRE loans to avoid the application of excessively stringent postcrisis capital requirements and concentration limits related to such loans, but does not identify specific language and changes.

Additionally, in September of this past year, the OCC, FDIC, and the Federal Reserve proposed a rule that attempted to simplify the regulatory capital calculations for these HVCREs. The proposal would change the current definition of HVCRE and replace it with a new definition related to high volatility acquisition, development, or construction loans. HVADC is what it has been dubbed.

The complexity of the HVCRE definition and its uncertain application are making it difficult for banks to comply.

While we appreciate the various banking agencies' attempt at simplifying the capital treatment of acquisition, development, and construction loans, their proposal actually broadens the number of loans subject to higher capital charge. This actually increases the amount capital banks will be required to carry for these ADC loans—hardly a simplification.

Increases in risk weighting on these loans have had a significant impact on institutions' capital ratios and, as a result, have increased costs to borrowers. If a loan is classified as an HVCRE loan, the lender will face a lower return on its capital as a result of the higher capital reserve requirement, meaning they are going to have to hold more capital. This will lead to increased pricing on the loan, including a higher interest rate for the borrower.

H.R. 2148, Clarifying Commercial Real Estate Loans, introduced by my colleagues Representatives PITTENGER and SCOTT, helps address the uncertainty related to the Basel capital rules and its impact on certain acquisition, development, or construction loans. The bill clarifies the types of loans that should and should not be classified as HVCREs and which types of equity can be used to meet capital requirements.

Currently, that uncertainty is creating confusion and affecting commercial real estate ADC loans by increasing borrowing costs and reducing credit availability, which may be contributing to a slowdown in commercial real estate lending.

I commend the bipartisan works of Representatives PITTENGER and SCOTT on this important bill. Having passed the Financial Services Committee by an overwhelmingly bipartisan vote of 59–1, there is no reason that we shouldn't have the same overwhelming bipartisan support for H.R. 2148 today.

Mr. Speaker, I encourage all of my colleagues to vote in favor of H.R. 2148, and I reserve the balance of my time.

□ 1430

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

Mr. Speaker, I also rise today to support H.R. 2148, and I want to start by thanking the gentleman from Georgia (Mr. DAVID SCOTT) and the gentleman from North Carolina (Mr. PITTENGER) for their work on this bipartisan legislation, a bill that deals with capital rules for commercial real estate loans, including acquisition, development, or construction loans.

It is critical that Federal bank regulators maintain the strong capital rules that have been implemented after the enactment of Dodd-Frank. These rules have made the U.S. financial system much safer, while protecting consumers, investors, and taxpayers in promoting stable economic growth.

Unlike some proposals that have been introduced that would gut the regulatory framework of Dodd-Frank, I am pleased that this bill reasonably seeks to resolve a valid concern raised by community banks that certain capital rules relating to high volatility commercial real estate, or HVCRE, loans are far too complex. This is an issue that financial regulators like the FDIC have also acknowledged must be addressed and must be fixed.

The problem, in fact, was highlighted in their Economic Growth and Regulatory Paperwork Reduction Act report, which was published earlier this year.

In September, financial regulators released a proposal to revise the capital rules to make the calculations more straightforward. This is a good step in resolving this issue.

Although I am supportive of H.R. 2148, there are some concerns that I have heard and that I can appreciate, including that it could provide for more rigid definitions relating to capital rules.

The highly technical standards are important, though, to demonstrate congressional intent. But Congress may not need to act, if bank regulators correct the problem on their own.

In addition, according to the FDIC Inspector General, commercial real estate loans generally account for more than one-third of community bank lending. The GAO found that failure of many small banks in the last crisis were ''driven by credit losses on CRE

loans, particularly loans secured by real estate to finance land development and construction.'' We have to be cautious, and we should be sensitive to these risks.

Notwithstanding all of those legitimate concerns that we should keep in mind, I support this legislation and hope that it will send a clear signal to the regulators that they should consider and address any comments on their proposed rule without delay that is fully sensitive to the risks that I have discussed.

Importantly, in committee, Congresswoman MALONEY offered an amendment that I was pleased was adopted. This amendment better aligns this bill with the regulators' proposed rule to fix this issue.

Mr. Speaker, I urge my colleagues to support this legislation, H.R. 2148, and I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. PITTENGER), the vice chairman of the Terrorism and Illicit Finance Subcommittee of the Financial Services Committee and the sponsor of this legislation.

Mr. PITTENGER. Mr. Speaker, today, I rise in support of H.R. 2148, the Clarifying Commercial Real Estate Loans Act. I would also like to thank my colleague, Chairman HUIZENGA, for his leadership on our behalf.

This bipartisan legislation makes commonsense reforms to the high volatility commercial real estate loan process and clarifies the existing regulations to help simplify real estate financing in high volatility markets, including economically depressed urban communities.

The complexity of the current HVCRE definition, combined with the failure of Federal regulators to clarify and define HVCRE rules and how and where they are to be applied, has made certain that these development loans have become way too expensive. This has increased borrowing costs and reduced credit availability.

These failures directly impact local communities. We have seen fewer jobs, less economic growth, and increased costs for community projects, in addition to setbacks for local banks and developers.

My bipartisan legislation addresses many of these concerns by broadening the types of equity the developer may place towards the heightened risk requirements of an HVCRE loan. We also clarify which types of loans should and should not be classified as HVCRE. We must codify and improve the HVCRE rules to ensure market and industry stability.

Mr. Speaker, I thank Congressman DAVID SCOTT, Congresswoman CAROLYN MALONEY, and Ranking Member WATERS, who actively worked with me on this important legislation. Please join us in supporting this commonsense, bipartisan legislation.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), a distinguished member of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for his leadership on this and so many issues.

Mr. Speaker, I rise today to support H.R. 2148, which clarifies and simplifies the capital rules for commercial real estate loans.

This bill addresses an important issue, which is that the capital requirements for commercial real estate loans are overly complex for banks and unnecessarily punish certain types of commercial real estate loans and, thereby, the overall economy.

I have had many community bankers and real estate developers complain to me about this, and I think that they have a point. Even the regulators agree that these rules are overly complicated and need to be simplified, so there is broad consensus that this is a longtime, legitimate problem that needs to be fixed.

I thank Chairman HENSARLING and Ranking Member WATERS for all their hard work on this issue. I also want to thank Mr. PITTENGER and Mr. SCOTT for working with me during this markup on an amendment to strengthen the bill.

The current capital rules punish commercial real estate loans that are considered high volatility, by requiring banks to hold additional capital against them. They have to hold capital worth 150 percent for these high volatility loans, as opposed to the normal 100 percent for other commercial real estate loans.

These high volatility commercial real estate loans, or HVCRE loans, are usually made so that a borrower can purchase vacant or undeveloped land, which they then will build on or hold for a later time.

But the capital rules for these HVCRE loans were extremely complex and led to a great deal of confusion about which loans were considered high volatility and which were not.

The regulators finally did propose a rule to simplify the treatment of high volatility commercial real estate loans just a few weeks ago. This bill addresses the same issue as the regulators' proposed rule by simplifying the capital rules for commercial real estate loans.

I offered an amendment in committee that further aligned the bill with the best parts of the regulators' proposed rule, which I think ultimately strengthened and improved the bill. The bill would simplify the capital rules by removing the so-called contributed capital requirement, which requires very complicated calculations and forces banks to project the value of the property years into the future, which is extremely difficult, if not impossible, to do.

Even the regulators have concluded that this entire contributed capital requirement is unnecessarily burdensome and does not add protection at all. Removing it will streamline the capital rules for banks and make it easier to finance job-creating projects. The regulators have proposed to remove this entire requirement, and I agree.

Under current law, banks have to hold more capital when the property is vacant and not producing any income. So the bill clarifies that when a property does start to produce sufficient income to cover the debt service payments to the bank, then the loan is much safer, and thus is eligible for capital relief, removing the 150 percent surcharge and going back down to 100 percent.

I think this bill is a very good, commonsense bill that fixes a legitimate problem, and I urge my colleagues to support the bill. I believe it will make access to capital more fair and will get it out into the community, creating jobs.

I congratulate all of my colleagues who were part of this process, and I support the bill.

Mr. HUIZENGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ROTHFUS), vice chairman of the Financial Institutions Subcommittee of Financial Services.

Mr. ROTHFUS. Mr. Speaker, I thank Mr. HUIZENGA for yielding.

Mr. Speaker, I want to start by thanking the gentleman from North Carolina (Mr. PITTENGER) for leading on this important legislation.

I rise today to express my support for the Clarifying Commercial Real Estate Loans act.

The Financial Institutions Subcommittee has spent a significant amount of time analyzing the state of bank lending. Not surprisingly, aside from loans from major banks to major corporations, we found that bank lending in today's regulatory environment is weak. We need to jump-start our economic growth once again, so we are going to need to find ways to address some of the unintended consequences of the rules coming out of Washington, D.C.

The high volatility commercial real estate loan designation is one such feature that has inhibited growth and opportunity. The complexity and ambiguity of HVCRE makes it hard for banks to comply. This drives up borrowing costs for real estate developers and prevents entrepreneurs from engaging in the types of activities that create jobs and opportunity.

This legislation will bring clarity and common sense to HVCRE requirements, and I ask that my colleagues support the Clarifying Commercial Real Estate Loans act, which is important legislation.

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

Mr. Speaker, I thank my friend, Mr. HUIZENGA, for his work on this. I also thank Mr. PITTENGER and Mr. SCOTT as well.

This is a piece of legislation, again, as the previous legislation did, that demonstrates that we do have the capability of solving a problem and coming together on specific issues when we can.

In this case, we have legislation that, I think, strikes that important balance in maintaining important regulations and standards in place that prevent the kind of catastrophes that we have seen in the past, but also, in this case, anticipates that there is a legitimate problem that needs to be solved, particularly in this case, in ensuring that development can occur in those places where it is often very difficult to see development take place. This is something that is absolutely critical and makes sense. This legislation strikes a good balance between those competing interests.

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

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

Mr. Speaker, I encourage all of my colleagues to support H.R. 2148. I commend my good friend, Mr. PITTENGER, for his great work on this. Again, I point out that this bill came out of the Financial Services Committee on a bipartisan vote of 59–1. We think that this is a commonsense, reasonable accommodation for a problem that has been created by Dodd-Frank, and we are glad that, on a bipartisan basis, we can be addressing that.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, H.R. 2148, as amended.

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

A motion to reconsider was laid on the table.

□ 1445

## VETERAN URGENT ACCESS TO MENTAL HEALTHCARE ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 918) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain former members of the Armed Forces who are not otherwise eligible to receive such care, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 918

*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 ''Veteran Urgent Access to Mental Healthcare Act''.

**SEC. 2. EXPANSION OF MENTAL HEALTH CARE FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES.**

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1720H the following new section:

**''§ 1720I. Expansion of mental health care for certain former members of the Armed Forces**

''(a) IN GENERAL.—The Secretary shall furnish to former members of the Armed Forces described in subsection (b)—

''(1) an initial mental health assessment; and

''(2) the mental health care services authorized under this chapter that the Secretary determines are required to treat the mental health care needs of the former member, including risk of suicide or harming others.

''(b) FORMER MEMBERS OF THE ARMED FORCES DESCRIBED.—A former member of the Armed Forces described in this subsection is an individual who meets the following criteria:

''(1) The individual is a former member of the Armed Forces, including the reserve components, who—

''(A) served in the active military, naval, or air service, and was discharged or released therefrom under a condition that is not honorable except—

''(i) dishonorable; or

''(ii) bad conduct discharge;

''(B) has applied for a character of service determination and such determination has not been made; and

''(C) is not otherwise eligible to enroll in the health care system established by section 1705 of this title by reason of such discharge or release not meeting the requirements of section 101(2) of this title.

''(2) While serving in the Armed Forces—

''(A) the former member was deployed in a theater of combat operations or an area at a time during which hostilities occurred in that area;

''(B) participated in or experienced such combat operations or hostilities, including by controlling an unmanned aerial vehicle from a location other than such theater or area; or

''(C) was the victim of a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment (as defined in section 1720D(f) of this title).

''(c) NON-DEPARTMENT CARE.—(1) In furnishing mental health care services to an individual under this section, the Secretary may provide such mental health care services at a non-Department facility if—

''(A) in the judgment of a mental health professional employed by the Department, the receipt of mental health care services by that individual in facilities of the Department would be clinically inadvisable; or

''(B) facilities of the Department are not capable of furnishing such mental health care services to that individual economically because of geographical inaccessibility.

''(2) The Secretary shall carry out paragraph (1) pursuant to section 1703 of this title or any other provision of law authorizing the Secretary to enter into contracts or agreements to furnish hospital care and medical services to veterans at non-Department facilities.

''(d) SETTING AND REFERRALS.—In furnishing mental health care services to an individual under this section, the Secretary shall—

''(1) seek to ensure that such mental health care services are furnished in a setting that is therapeutically appropriate, taking into account the circumstances that resulted in the need for such mental health care services; and

''(2) provide referral services to assist former members who are not eligible for services under this chapter to obtain services from sources outside the Department.

''(e) INFORMATION.—The Secretary shall provide information on the mental health care services available under this section. Efforts by the Secretary to provide such information—

''(1) shall include availability of a toll-free telephone number (commonly referred to as an 800 number);

''(2) shall ensure that information about the mental health care services available under this section—

''(A) is revised and updated as appropriate;

''(B) is made available and visibly posted at appropriate facilities of the Department; and

''(C) is made available to State veteran agencies and through appropriate public information services; and

''(3) shall include coordination with the Secretary of Defense seeking to ensure that members of the Armed Forces and individuals who are being separated from active military, naval, or air service are provided appropriate information about programs, requirements, and procedures for applying for mental health care services under this section.

''(f) ANNUAL REPORTS.—Each year, the Secretary shall submit to Congress an annual report on the mental health care services provided pursuant to this section. Each report shall include data for the year covered by the report with respect to each of the following:

''(1) The number of individuals who received mental health care services under subsection (a), disaggregated by the number of men who received such services and the number of women who received such services.

''(2) Such other information as the Secretary considers appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by inserting after the item relating to section 1720H the following new item:

''1720I. Expansion of mental health care for certain former members of the Armed Forces.''.

**SEC. 3. CHARACTER OF SERVICE DETERMINATIONS.**

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by inserting after section 5303A the following new section:

**''§ 5303B. Character of service determinations**

''(a) DETERMINATION.—The Secretary shall establish a process by which an individual who served in the Armed Forces and was discharged or dismissed therefrom may seek a determination from the Secretary with respect to whether such discharge or release was under a condition that bars the right of such individual to a benefit under the laws administered by the Secretary based upon the period of service from which discharged or dismissed.

''(b) PROVISION OF INFORMATION.—If the Secretary determines under subsection (a) that an individual is barred to a benefit under the laws administered by the Secretary, the Secretary shall provide to such individual information regarding the ability of the individual to address such condition, including pursuant to section 5303 of this title and chapter 79 of title 10.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5303A the following new item:

''5303B. Character of service determinations.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 918, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 918, as amended, which was introduced by my friend and longtime committee member, the gentleman from Colorado (Mr. COFFMAN).

Mr. Speaker, there have been a number of different names for stress-related military health conditions throughout our Nation's history: battle fatigue, combat stress reaction, shell shock, post-traumatic stress disorder.

Too often we see military personnel returning home with difficulties adjusting to civilian life. For many returning servicemembers, these stressors affect one's postdeployment, especially those receiving other than honorable discharges.

Under current law, military personnel who separate under this status are not eligible for healthcare benefits or general services typically offered to honorable or generally discharged veterans through the Department of Veterans Affairs.

Mr. Speaker, I want to be clear, I firmly believe that discharge status is an important tool for military leadership, a tool which helps preserve order and discipline among the ranks. Removing the proverbial bad apples from the bushel is key to maintaining a cohesive unit structure.

However, there also seems to be an evolving trend of soldiers who receive other than honorable discharges as a result of their military experience, rather than simply being a bad or ineffective soldier.

In fact, according to the Medal of Honor Society, there are no fewer than eight Medal of Honor recipients who have received other than honorable discharges. H.R. 918, as amended, would provide that those combat veterans who receive other than honorable discharge statuses would be eligible to receive critical mental health assessments and services from the Department of Veterans Affairs. It is only right, Mr. Speaker.

Again, I appreciate the hard work and forward thinking of my friend from Colorado, who is also a veteran, Mr. COFFMAN. I urge my colleagues to support this measure.

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

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

Mr. Speaker, I would like to thank the gentleman from Florida for his long service to this Nation's veterans, as well as his family's service to our veterans. It is appropriate we are here the week of Veterans Day bringing important legislation to the floor once again, a committee that understands our responsibility, is not political or partisan, it is to this Nation's veterans in keeping the promise.

Mr. Speaker, I do rise in strong support of H.R. 918, as amended, the Veteran Urgent Access to Mental Healthcare Act offered by Mr. COFFMAN.

I would also like to take note of the work that Mr. COFFMAN has done on many issues. This one, in particular, is near and dear to my heart. His leadership has helped get us to the point where we are making progress on this.

As you heard the gentleman from Florida say, the issues that come with service in this Nation's military can be physical injury or they can be the mental injuries of war. We also understand that with that comes changes in behavior, and there are reasons that people are removed from service, and I am incredibly proud that this committee has taken this issue head-on. Of those who are removed because of issues that they started to acquire from their service in uniform, this legislation is going to ensure that those people with less than honorable discharges get the care; specifically, focusing on military sexual trauma, the idea that we have warriors in uniform who are assaulted, in many cases, by fellow servicemembers, and because of the inability to reintegrate in that unit, they are discharged with less than honorable paper, precluding them from getting the services that they have earned.

With more than 20 veterans a day—and I think those numbers are probably low—taking their own lives, this issue of making sure that all servicemembers and all veterans have access to mental healthcare, removing those barriers, is of prime importance.

Secretary Shulkin has made the first step in this. Mr. COFFMAN has continued to make sure that this committee stays focused on this, continuing to add more and more access. For that, this legislation ensures the initiative becomes permanent. It puts it into law and it takes us the next step forward. For that, I am grateful.

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

Mr. BILIRAKIS. Mr. Speaker, I agree with the ranking member 100 percent. This needs to be done. It is long overdue, and thanks to my good friend, Mr. COFFMAN, it is going to get done.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, as we approach Veterans Day, our Nation is still faced with the epidemic of veteran suicide. And while the VA has made it a priority to address this problem, there are still many combat veterans left without access to VA mental healthcare services.

Here is what we know. An average of 20 veterans commit suicide daily. VA evidence suggests a decrease in suicide risk among those who have received VA healthcare services. In May 2017, the Government Accountability Office found that 62 percent of the over 91,000 servicemembers who were separated for misconduct from 2011 to 2015 had been diagnosed with PTSD, TBI, or other conditions that would be associated with misconduct.

Of those veterans, 23 percent, or 13,282, received an other than honorable discharge, leaving them without access to VA's critical mental healthcare services.

As a Marine Corps combat veteran, I like to live by the rule that we never leave anyone behind. Unfortunately, the military routinely used the other than honorable discharge to rid itself of combat veterans who were designated as having disciplinary problems and who often had documented medical histories of PTSD, rather than providing them with the treatment and rehabilitation they so desperately needed.

While the correlation between their mental health condition and minor misconduct could be linked, this fact made no difference to their character of discharge.

Mr. Speaker, my legislation, H.R. 918, the Veteran Urgent Access to Mental Healthcare Act, seeks to correct this. Historically, a veteran with an other than honorable discharge has been able to seek VA care for a service-connected disability. However, due to the way these combat veterans were discharged and because of a failure to connect the dots between their minor misconduct and their mental health condition, the Department of Defense has failed to recognize this as a problem.

H.R. 918 will stay with tradition and correct this disconnect by authorizing mental healthcare services for these other than honorably discharged combat veterans. This bill also requires an initial mental health assessment and directs the VA Secretary to establish a formal character of service determination process to trigger reviews of their discharges for potential eligibility for VA benefits.

Mr. Speaker, before the rate of veteran suicides increases any more, it is time to right this wrong and permanently authorize mental healthcare services for some of our Nation's most vulnerable veterans. When someone puts on the uniform, they take an oath to defend our freedoms. We, in turn, as a nation, promise to make sure they receive the care and the services they need after returning from the battlefield.

As we approach Veterans Day, I encourage my colleagues to keep that promise for these combat veterans with other than honorable discharges and to

support the passage of H.R. 918. I thank Chairman ROE and Ranking Member WALZ for their support of this legislation.

Mr. WALZ. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. O'ROURKE), the ranking member of the Subcommittee on Economic Opportunity, but, more importantly, probably the most effective voice in this Congress on veterans' mental health and suicide.

Mr. O'ROURKE. Mr. Speaker, I thank the gentleman from Minnesota, our ranking member on the committee, for yielding.

Mr. Speaker, we have a crisis in suicide among veterans today in this country. The official estimate, which I agree with the ranking member, is probably an estimate that is too low: 20. I think the real number is much higher than that, but 20 a day, we know for sure, are taking their own lives in this country after they have put those same lives on the line for this country.

Amidst that crisis, we know that those veterans who have an other than honorable discharge are taking their lives at twice the rate of those veterans who have an honorable discharge.

Thanks to Mr. COFFMAN, my colleague from across the aisle, thanks to the bipartisan support of the House Veterans' Affairs Committee, and the leadership from the chairman and the ranking member, we are beginning to address that, in ensuring that the 22,000 veterans who have an other than honorable discharge since 2009, who incurred post-traumatic stress disorder or military sexual trauma while in service to this country will now be able to see mental healthcare providers. Before this, they were precluded from that.

I want to thank the Trump administration and especially Secretary Shulkin for doing the most that they could administratively to see these veterans in crisis in emergency rooms, but we need to take the next step and ensure that they have preventative care, continuous care, and continuity in that care going forward so that we save more of these lives.

Given what these veterans have laid down for this country, what they have done for the United States, making us stronger and better, serving at less than 1 percent since 9/11 so that so many others do not have to serve, the least we can do is to make sure that they have access to the care that they have earned.

I want to thank Mr. COFFMAN and his team, the minority and the majority staffs for incorporating the best ideas from both sides of the aisle to make sure that we have a bill that will become law that ensures that we do our best for our veterans.

Mr. Speaker, I also want to thank our colleagues on the other side of the Capitol, in the Senate, especially Senator MURPHY, who worked on the companion legislation of this, to make sure that we have something to bring to the President's desk.

Mr. BILIRAKIS. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I have two more speakers.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Hawaii (Ms. GABBARD), a veteran herself, a veteran of the conflicts in Iraq, and a strong voice for our veterans and specifically for our veterans with mental health issues.

Ms. GABBARD. Mr. Speaker, I would like to thank my fellow veteran and friend and colleague from Minnesota for being such a strong advocate on this issue. I also thank our friends on the other side of the aisle who have been pushing this issue forward constantly year after year, as we will continue to do so until this issue is resolved.

So many of our servicemembers have selflessly put their lives on the line to protect and defend our country. Our country owes them a debt of gratitude, something we are often reminded of every year around this time as we head into Veterans Day.

Unfortunately, too often, our fellow servicemembers are coming home and they are being prevented from receiving the care that they have earned through their service. They bear the brunt of the human cost of war with an average of 20 veterans committing suicide every single day. Their families carry this sacrifice and this cost throughout their lives.

The rate of mental health and substance use disorders has been steadily rising since 2001. This legislation is bipartisan and would require the VA to provide urgent mental healthcare services, including an initial mental health assessment to veterans who have participated in combat operations or who have survived sexual assault or harassment.

It would also expand those services to those who received a discharge under certain other than honorable conditions who haven't received the character of service or discharge determination yet.

We have heard already about the high numbers of veterans who fall into this category and about how negatively this discharge has affected their lives. When they come home, they are working on their transition to a successful civilian life. This discharge takes away their access to healthcare. It takes away their access to services and benefits that they have earned through, many times, multiple deployments, services that are in place to help set our veterans up for success upon their return home.

In addition, this bill would require the VA to provide services at non-VA facilities for veterans who live in rural or underserved communities.

□ 1500

I can't state enough how important this is because it affects those veterans in my district, and on different islands in the State of Hawaii, who are separated literally by a body of water from the VA clinic.

The Veteran Urgent Access to Mental Healthcare Act would also mandate the VA to provide additional information for mental health services for veterans and to ensure that they provide annual reports to Congress on those services that they have been providing to our veterans.

This is such an important piece of legislation. I urge all of our colleagues to stand up and support its passage and see it through to its enactment. We cannot afford to leave our men and women in uniform behind.

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

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. KILMER), who, since coming to Congress, has focused on the issues of care for veterans, and for that I am grateful.

Mr. KILMER. Mr. Speaker, I thank the gentleman for yielding, and I thank my colleagues across the aisle for working on this issue.

I think it is particularly powerful when what happens in this marble building isn't some distant theoretical policy conversation. This actually affects people in each of our districts.

I first learned about this issue about a year and a half ago. I was at home talking to a group of veterans at the University of Washington Tacoma. We were discussing their service to our Nation and some of the challenges that they had experienced in coming home.

Then the conversation took an unexpected turn. One of the veterans talked about a servicemember, who is a friend, who had gone overseas, and, in his words: Had seen quite a lot. He said when that veteran came home, he wasn't quite the same person that he had been. Unfortunately, those challenges led to some substance issues, and then to an other than honorable discharge.

As a consequence, as he explained, that veteran was unable to get mental healthcare treatment through the Veterans Administration. Here was a veteran, someone who sacrificed for his country, who was unable to get the services he earned, due to a condition that he most likely developed through that service.

Coming back to this Washington, I was honored to cosponsor this bill, and I appreciate the work of Representative COFFMAN, and other colleagues, in advancing this important bill.

This bill is simple. It allows veterans discharged in an other than honorable status to be screened for urgent mental health conditions and are found to be eligible for treatment.

While I appreciate the fact that the VA has voluntarily adopted this policy on its own, we need to make sure that this becomes law to ensure that future administrations help the thousands of veterans who have served our Nation and might otherwise be denied needed treatment.

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

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

Mr. Speaker, in closing, I want to thank all of the speakers here who laid out exactly what this bill does. It is the right thing to do. It is something that needs to move forward.

I would also suggest that, as we approach Veterans Day, one of the best ways we can honor those who gave service to this country is conduct our business in the House of Representatives the way it was done on this piece of legislation: in a bipartisan manner, with common goals, common values, smart thinking that was put into it to move this forward for the care of a fellow citizen, and doing the right thing.

So, for that, I thank everyone involved with this, and I urge my colleagues to support H.R. 918.

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

Mr. BILIRAKIS. Mr. Speaker, in closing, once again, I encourage all Members to support this legislation. Let's get it through the Senate, as well, and get it on the President's desk, as he supports it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 918, as amended.

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

A motion to reconsider was laid on the table.

## VETERANS TRANSPLANT COVERAGE ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1133) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1133

*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 ''Veterans Transplant Coverage Act of 2017''.

**SEC. 2. AUTHORIZATION TO PROVIDE FOR OPERATIONS ON LIVE DONORS FOR PURPOSES OF CONDUCTING TRANSPLANT PROCEDURES FOR VETERANS.**

Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding after subsection (t) the following new subsection:

''(u) TRANSPLANT PROCEDURES WITH LIVE DONORS AND RELATED SERVICES.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), in a case in which a veteran is eligible for a transplant procedure from the Department, the Secretary may provide for an operation on a live donor to carry out such procedure for such veteran, notwithstanding that the live donor may not be eligible for health care from the Department.

''(2) OTHER SERVICES.—Subject to the availability of appropriations for such purpose, the Secretary shall furnish to a live donor any care or services before and after conducting the transplant procedure under paragraph (1) that may be required in connection with such procedure.

''(3) USE OF NON-DEPARTMENT FACILITIES.—In carrying out this subsection, the Secretary may provide for the operation described in paragraph (1) on a live donor and furnish to the live donor the care and services described in paragraph (2) at a non-Department facility pursuant to an agreement entered into by the Secretary under this section. The live donor shall be deemed to be an individual eligible for hospital care and medical services at a non-Department facility pursuant to such an agreement solely for the purposes of receiving such operation, care, and services at the non-Department facility.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1133, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1133, as amended, the Veterans Transplant Coverage Act of 2017.

This bill is meant to remove an unnecessary barrier to care for veterans in need of transplants involving a living donor.

Last year, Mr. Charles Nelson, a 100 percent service-connected veteran from Texas, sought a kidney transplant through the Department of Veterans Affairs with Mr. Nelson's nonveteran son, Austin, serving as Mr. Nelson's live donor.

Rather than travel from his home in Texas to VA transplant centers in either Nashville, Tennessee, or Portland, Oregon, Mr. Nelson requested to receive his transplant at the University Hospital in San Antonio using the Choice Program. However, his request was denied by VA because Austin was not a veteran, and, therefore, VA did not believe the Department had the authority to pay for this portion of the transplant procedure with Choice funds.

Mr. Nelson eventually received his transplant in San Antonio using his Medicare benefits, private donations, and personal savings to cover the cost of his and Austin's care.

To prevent any other veterans from being unable to access transplant care in the community under Choice, H.R. 1133, as amended, would amend the Choice Program to allow VA to pay for any care or services a live donor may require to carry out a transplant procedure for an eligible veteran, notwithstanding that the live donor may not be eligible for VA healthcare.

I thank my friend from Texas, Congressman CARTER, for his dedication to solving this problem for his constituent, Mr. Nelson, and for veterans and families across the country. This is how Congress should work. He is a great representative, and I am really proud to serve with him.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 1133, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1133.

And, again, the gentleman was very clear: by allowing the VA to provide healthcare to non-VA eligible donors, veterans can more easily receive life-saving donations from their families and friends. Family members of veterans are often the best match for providing a veteran with a live organ donation and are typically more willing to be a live donor.

Under current law, a veteran can receive only a live organ donation from another veteran receiving the transplant at a VA hospital.

This is one of those pieces of legislation that, I think, when many of us saw it brought forward, makes great common sense. It is the right thing to do. I understand possibly why they put that in there. But all of us know that it is going to be that exact scenario that it is going to be a family member or someone near who is going to want to do the transplant. If the best place to do that for the veteran is at the VA hospital, and they can get them in, it makes great sense to do it.

So I do want to also thank Representative CARTER for bringing this forward.

This is, again, improving care, and making sure that we are focusing on the issues that we can make a difference on.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Speaker, I thank the gentleman for yielding, and I thank Mr. BILIRAKIS and Mr. WALZ for rising in support of this.

When Mr. Nelson and his family came to me with this, the first thing I thought was: That is the dumbest thing I have ever heard.

You have a child, waiting to give you a live kidney in a transplant, and he is eliminated as a donor because he is not a veteran. It is hard enough to find live transplants as it is. And common sense by everybody who ever knew anybody who got one knows: the best source is

a family member because it has got the best chance for a match and the best chance for success.

Yet the VA had a limitation that he had to be a veteran. Now, what are the chances of all your family being veterans when all of a sudden you have renal failure and have to have a kidney? They have got to be off the wall, and that is ridiculous.

So, Mr. Speaker, I filed this bill to correct this mess.

My colleague has given a great description of what happened to the Nelsons. But, more importantly, common sense—and I like the mention of that—tells us that you can't eliminate the best pool of donors that a family has because of their lack of being a veteran.

And we all know—we heard Mr. O'ROURKE say previously—we are down to about 1 percent of our Nation actually serves in the military anymore.

So this is a commonsense fix for a commonsense problem.

Mr. Speaker, I am really proud of my staff. They have worked really hard on this. They stayed at it and stayed at it. We got the attention of the VA, and I am happy for their cooperation. I want to thank the committee. They were overwhelmingly supportive on both sides of the aisle. I urged my colleagues to fix a commonsense problem and allow a son to give a kidney to his father at a facility that is most convenient to the family, which is all common sense, so that our veterans, who have given their all for us, have the right to have the best healthcare available to American citizens, and that is what this bill will provide.

There was such a good explanation by my colleagues that I didn't go into the details. But I just want to tell you that when you have a constituent come in with a commonsense problem, we have a duty and a responsibility to fix it because common sense is in short supply in Washington, D.C.

Mr. WALZ. Mr. Speaker, in closing, I thank Judge CARTER. Everybody make note of this. Common sense is going to prevail. We are in full support of H.R. 1133.

Mr. Speaker, I encourage my colleagues to vote accordingly, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, in closing, once again, I urge my colleagues to pass this very important bill. I encourage the Senate to pass it as soon as possible so we can get it on the President's desk.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 1133, as amended.

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

The title of the bill was amended so as to read: ''A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes.''.

A motion to reconsider was laid on the table.

## NATIONAL VETERANS MEMORIAL AND MUSEUM ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1900) to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1900

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''National Veterans Memorial and Museum Act''.

**SEC. 2. DESIGNATION OF NATIONAL VETERANS MEMORIAL AND MUSEUM.**

(a) DESIGNATION.—Subject to the condition described in subsection (b), the memorial and museum that is, as of the date of the enactment of this Act, being constructed on an approximately 7-acre area on West Broad Street, Columbus, Ohio, bounded by the Scioto River and the Scioto Greenway, shall be designated as the ''National Veterans Memorial and Museum''.

(b) WITHDRAWAL OF DESIGNATION.—The designation under subsection (a) may be withdrawn no earlier than five years after the date on which the museum opens the public, pursuant to an Act of Congress, if the progress and operation of the museum are found to be unsatisfactory based on the report submitted under subsection (c).

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—As a condition of the designation under subsection (a), the director of the memorial and museum described in that subsection shall submit to Congress a report on the memorial and museum by not later than the date specified in paragraph (2). Such report shall include each of the following:

(A) The projected budget for the memorial and museum for the five-year period beginning on the date the memorial and museum is expected to open to the public.

(B) A description of the outreach conducted by the memorial and museum to veterans across the United States to receive input about the design and contents of the memorial and museum.

(C) A description of the process by which decisions are made about the contents of the exhibits displayed at the memorial and museum.

(D) A description of the organizational structure of the memorial and museum.

(E) A copy of the bylaws and rules of the memorial and museum.

(F) A list of any organizations or entities that have accredited the memorial and museum.

(2) DEADLINE FOR REPORT.—The date specified in this paragraph is the earlier of the following dates:

(A) The date that is 90 days after the date of the enactment of this Act.

(B) The date that is 30 days before the date on which the memorial and museum is first open to the public.

(d) EFFECT OF DESIGNATION.—The national memorial and museum designated by subsection (a) is not a unit of the National Park System, and the designation of the national memorial and museum shall not be construed to require Federal funds to be expended for any purpose related to the national memorial and museum.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1900, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1900, as amended.

H.R. 1900, as amended, would designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum. The national designation is appropriate because this will be the only memorial and museum in the Nation that will honor our veterans throughout our Nation's history.

Mr. Speaker, I thank our distinguished ranking member, Mr. WALZ, of course, for working with the bill sponsor; and our chairman, Chairman ROE; and, of course, Mr. STIVERS, who is the bill's sponsor; and me, to ensure that the Veterans Memorial and Museum will maintain the highest standards after it receives the national designation.

H.R. 1900, as amended, will require the museum to provide a report to Congress that would include information on its organizational and financial projections.

The bill specifically states that, after 5 years, if the memorial and museum is not operating satisfactorily, then Congress may withdraw the national designation. We hope that doesn't happen.

Moreover, H.R. 1900, as amended, makes it clear that the museum and memorial is not affiliated with the National Park System, and that the bill does not authorize Federal funds for the museum.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 1900, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of the manager's amendment to H.R. 1900, as amended, the National Veterans Memorial and Museum Act.

I would also like to say that when I came to Congress, this is how I thought things were supposed to work: citizens

come together, they come up with a great idea, they decide that they are going to honor our Nation's veterans, they talk to their Members of Congress, they bring it here, we all work together, we come up with a plan to put it in place, and we come to the floor to pass a piece of legislation.

□ 1515

This is one of those times where that little cartoon, ''I am just a bill sitting on Capitol Hill,'' actually worked that way. For that, I am grateful for the work that has been done.

I would especially like to thank Chairman ROE for his willingness, as we looked at this bill, to put some guardrails in place making sure that before we designate the memorial and museum to U.S. veterans of all eras, that it truly is the National Veterans Memorial and Museum.

The materials provided to Members of the Veterans' Affairs Committee clearly demonstrate the intent to create an architecturally stunning, state-of-the-art institution in the heart of the country that honors veterans and educates the country about those sacrifices. That is an incredibly noble cause.

Just as important to the eventual success of this effort is the responsibility of the House Veterans' Affairs Committee to ensure that it be established and operated to the highest possible standards forever, as are the museums and cemeteries under its jurisdiction run by the National Cemetery Administration and the American Battle Monuments Commission. I feel the legislation we are voting on today does exactly that.

Mr. Speaker, I want to acknowledge the efforts of the gentlewoman from Columbus, Ohio (Mrs. BEATTY). I would also like to thank the gentleman from Ohio (Mr. STIVERS) for working with us on this. The gentleman truly represents the best of what it means to be a representative. His good-faith effort to continue to improve on a piece of legislation, taking in the concerns that people had to make it work, it is, to me, incredibly encouraging. I thank the gentleman for that. His work is going to ensure that this is going to be a spectacular museum and monument to our Nation's veterans.

Under the bill before us today, the museum will submit a report to Congress before it opens. The report will address the issues of budget, governance, operations, vision, and veteran outreach.

There is a provision we are adding as part of the manager's amendment that allows Congress to remove that designation after 5 years. We will not need to do that. This will be a wonderful facility. We put this in place as part of our responsibility of oversight.

With the addition of these provisions, I believe the committee has done its due diligence before recommending the House to confer this national designation.

In addition, it has put in place the necessary guardrails to ensure that this will be built in Columbus, Ohio, to the highest standards. I am proud to say this will be the National Veterans Memorial and Museum.

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

Mr. BILIRAKIS. Mr. Speaker, I want to commend the ranking member. We had a little issue in committee, but we didn't stall the bill. We worked that out and moved forward. So let's get the Senate to pass it now after we pass it today.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. STIVERS), the sponsor of the bill.

Mr. STIVERS. Mr. Speaker, I thank the gentleman from Florida for everything he is doing to lead this bill on the floor today. I would like to also thank the ranking member from Minnesota for his good-faith effort and his work. We worked in a collaborative way to address his concerns.

Mr. Speaker, I would also like to thank my colleague from Columbus, JOYCE BEATTY; and my other colleague from Columbus, PAT TIBERI, for their work in a bipartisan fashion for making this bill better, helping this bill pass the House. I hope we can get it passed in the Senate here shortly as well.

Mr. Speaker, I am proud to speak today in support of the bill that will designate the National Veterans Memorial and Museum being built in Columbus, Ohio, as America's National Veterans Memorial and Museum.

The National Veterans Memorial and Museum will serve as a civic landmark to honor, connect, inspire, and educate all Americans about the service and sacrifice of our Nation's 22 million veterans. It will be the only public museum of its kind that exists for the exclusive role of sharing the experiences of veterans across all eras, conflicts, and branches of military service.

You might ask: Why would we want to do this in Columbus, Ohio?

Well, first and foremost, Ohio has the sixth largest veterans population in the United States, and it is easily accessible to almost anyone in the United States. We are within a 10-hour's drive of almost 60 percent of the veterans in the United States.

I believe that it is going to be a great opportunity to have not everything in Washington, D.C., but have it out in the rest of the country.

Ohio is a great place of military history. Ohio was recently selected to be the future home of the United States Veterans Affairs National Archives in Dayton, and that will make sure that military records dating back to the Revolutionary War are kept there.

Ohio is the birthplace of the Veterans of Foreign Wars, and that is one of the earliest adopted veterans service organizations.

This museum will also be, and is, supported by veterans service organizations around the country, and we want to thank them for that.

A lot of veterans have worked hard to make that happen. For example, Colonel Tom Moe, a Vietnam veteran and a POW who flew 85 missions, is leading Veterans' Outreach for the National Veterans Memorial and Museum, and he is part of the Veterans' Advisory Committee working closely with the VSOs across the country to make sure this museum is truly a national reflection of veterans and their stories.

Additionally, the Columbus Downtown Development Corporation is managing this project. They are a 501(c)(3) that will operate, fund, and manage the museum, led by a national board of directors, including veterans, veterans service organizations, and the families of America's veterans. This 501(c)(3)'s mission will remain focused on ensuring that the museum conveys the reverence owed to our veterans of yesterday and today, as well as tomorrow.

Mr. Speaker, I would like to take this opportunity to thank Chairman ROE for his leadership in this legislation and allowing this to go through regular order through the Veterans' Affairs Committee. There were hearings. It was a collaborative process, and we worked to address some issues from the other side of the aisle. We worked in a good-faith effort.

I think we came up with a good solution that ensures that this museum will have the highest standards and will be representative of the national designation in a way that we can all be proud of.

I am convinced that both the minority and majority staff wanted to make this museum the greatest it can be, and I want to thank them for all their efforts.

We were able to hear from VSOs testifying in support of this museum that included The American Legion, the VFW, the Paralyzed Veterans of America. I believe that through their testimony and our work, there was a lot of great information that was exchanged, and we are excited to move forward with the National Veterans Memorial and Museum.

One last point is that this museum was funded with private donations. It requires no Federal funding to open the doors. I believe that is another competitive advantage.

Again, Mr. Speaker, I want to thank Chairman ROE, Ranking Member WALZ, Chairman BILIRAKIS, the members of the Veterans' Affairs Committee, and, most importantly, my co-lead and colleague on this effort, JOYCE BEATTY and PAT TIBERI from Columbus.

Mr. Speaker, I urge my colleagues to support the legislation.

Mr. WALZ. Mr. Speaker, I thank the gentleman for his words. I appreciate his work.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio (Mrs. BEATTY), a staunch and truly effective advocate for her constituents and for veterans across this Nation. This museum will reside in her district.

Mrs. BEATTY. Mr. Speaker, first let me say I certainly want to join my colleague, Congressman STEVE STIVERS, in thanking Congressman BILIRAKIS and Congressman WALZ for all of their work in allowing us to make this possible to be here today.

Mr. Speaker, I am honored to rise to offer my enthusiastic support for the National Veterans Memorial and Museum Act, H.R. 1900, designating it as a public museum for the exclusive purpose of sharing the experience and voices of veterans across all eras, conflicts, and branches of the military.

As you have heard, it will be housed in my district, so I am especially pleased that it is being built in a partnership with private pay, a partnership with government, and a partnership that is blessed by the veterans of central Ohio and across the Nation.

The museum concept was the brainchild of the Nation's good friend: World War II veteran, legendary astronaut, and former U.S. Senator from Ohio, John Glenn, who was a dear friend and one of my constituents. John also chaired the Veterans Committee.

Mr. Speaker, if Senator Glenn were here today, he would share with us how this museum will honor, connect, inspire, and educate all Americans about the unified service and sacrifices of our Nation's more than 40 million veterans.

I salute this Congress and my community for recognizing the need for veterans of all eras to have a museum to collectively call their own.

Mr. Speaker, I could not stand here without again thanking my colleague and veteran, Congressman STEVE STIVERS, for his relentless work, for his leadership, and his partnership throughout the development of this project.

This project certainly shares with us what bipartisan work can do.

Mr. Speaker, I also would like to thank Congressman TIBERI for joining us. I greatly appreciate and want to personally thank the leadership of Chairman ROE and Ranking Member WALZ, and also the subcommittee leadership, because they expressed their concerns. We addressed the concerns in a very constructive way. That is what partnerships and leadership is all about. Because of their good work, it has strengthened the operations of the project and the viability of the project.

H.R. 1900 has the support of The American Legion, the Paralyzed Veterans of America, and the VFW.

Mr. Speaker, today I ask my colleagues to support this legislation and to come to Columbus when it is open to see it in person and how it honors the stories and the sacrifices of our Nation's veterans.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. DAVIDSON).

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

Mr. Speaker, as an Army veteran and former Army Ranger, I am proud to join Representative STIVERS, Representative BEATTY, and really the Ohio delegation in today's designation of the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum. I am thankful to all my colleagues and the work of the committee to do this not just as something for Ohio, but something for our Nation and for our Nation's veterans.

This museum is squarely focused on telling the personal stories of those who have served, including those who have lost their lives serving our country. The National Veterans Memorial and Museum will be the only one of its kind that uses personal belongings, letters, and memories to bring the stories of our servicemembers and their families to life.

In addition to world class interactive exhibits that will serve to educate the next generation about the value of military service, this project will also be connected to an online database featuring the collection.

The National Veterans Memorial and Museum will also serve to honor our men and women in uniform by providing space for celebrations, and veterans ceremonies and reunions.

Ohio has a proud history of honoring our Nation's veterans and supporting our current men and women in uniform. Ohio is home to Wright-Patterson Air Force Base, the National Museum of the United States Air Force, and was recently selected as the United States Veterans Affairs National Archives. It is fitting that Ohio should be the place for telling these stories.

Mr. Speaker, I appreciate the bipartisan support on this bill and I urge my colleagues to support it.

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

I thank everyone who spoke here. It is the way it is supposed to work. I am very excited about this.

Mr. Speaker, I would encourage you to go and look. This is going to be spectacular. It is at nationalvmm.org, if you want to see where they are and the progress that is being made. We are going to be open here soon in the spring. I am going to take Mrs. BEATTY up on this as a veteran myself.

I think of the countless families and veterans who will take their children and walk through the halls and tell the story. This is an important piece of our history. It is important to tell the story and it is important for us to preserve these stories.

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

Mr. BILIRAKIS. Mr. Speaker, again, we need to teach our children the value of military service so they can appreciate it. These are our true American heroes. I am looking forward to visiting Mrs. BEATTY in Columbus.

Mr. Speaker, I want to thank Mrs. BEATTY and, of course, General Stivers for doing such a wonderful job in getting this bill done, and I also thank the ranking member.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 1900, as amended.

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

A motion to reconsider was laid on the table.

□ 1530

## VETERANS E-HEALTH AND TELEMEDICINE SUPPORT ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2123) to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2123

*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 ''Veterans E-Health and Telemedicine Support Act of 2017'' or the ''VETS Act of 2017''.

**SEC. 2. LICENSURE OF HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING TREATMENT VIA TELEMEDICINE.**

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1730A the following new section:

**''§ 1730B. Licensure of health care professionals providing treatment via telemedicine**

''(a) IN GENERAL.—Notwithstanding any provision of law regarding the licensure of health care professionals, a covered health care professional may practice the health care profession of the health care professional at any location in any State, regardless of where the covered health care professional or the patient is located, if the covered health care professional is using telemedicine to provide treatment to an individual under this chapter.

''(b) PROPERTY OF FEDERAL GOVERNMENT.—Subsection (a) shall apply to a covered health care professional providing treatment to a patient regardless of whether the covered health care professional or patient is located in a facility owned by the Federal Government during such treatment.

''(c) CONSTRUCTION.—Nothing in this section may be construed to remove, limit, or otherwise affect any obligation of a covered health care professional under the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(d) COVERED HEALTH CARE PROFESSIONAL DEFINED.—In this section, the term 'covered health care professional' means a health care professional who—

''(1) is an employee of the Department appointed under the authority under sections 7306, 7401, 7405, 7406, or 7408 of this title, or title 5;

''(2) is authorized by the Secretary to provide health care under this chapter;

''(3) is required to adhere to all quality standards relating to the provision of telemedicine in accordance with applicable policies of the Department; and

''(4) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1730A the following new item:

''1730B. Licensure of health care professionals providing treatment via telemedicine.''.

(c) REPORT ON TELEMEDICINE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the effectiveness of the use of telemedicine by the Department of Veterans Affairs.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The satisfaction of veterans with telemedicine furnished by the Department.

(B) The satisfaction of health care providers in providing telemedicine furnished by the Department.

(C) The effect of telemedicine furnished by the Department on the following:

(i) The ability of veterans to access health care, whether from the Department or from non-Department health care providers.

(ii) The frequency of use by veterans of telemedicine.

(iii) The productivity of health care providers.

(iv) Wait times for an appointment for the receipt of health care from the Department.

(v) The reduction, if any, in the use by veterans of in-person services at Department facilities and non-Department facilities.

(D) The types of appointments for the receipt of telemedicine furnished by the Department that were provided during the one-year period preceding the submittal of the report.

(E) The number of appointments for the receipt of telemedicine furnished by the Department that were requested during such period, disaggregated by Veterans Integrated Service Network.

(F) Savings by the Department, if any, including travel costs, of furnishing health care through the use of telemedicine during such period.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2123.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2123, the Veterans E-Health and Telemedicine Support Act of 2017.

I believe that telemedicine represents the future of healthcare delivery, and I am proud of the fact that the Department of Veterans Affairs is a longtime leader in telemedicine.

Through VA's many different telehealth modalities, VA doctors and nurses have been able to better serve veterans in remote, rural, or medically underserved areas and veterans with limited mobility or other issues that make it difficult to travel to and from the VA medical facilities for needed appointments and follow-up care. Importantly, veterans who have had experience accessing care through telemedicine have demonstrated improved healthcare outcomes, including decreases in hospital admissions.

It is my hope that all veterans would have access to VA telemedicine when and where appropriate. However, the continued expansion of telemedicine across the VA healthcare system has been constrained by restrictions on the ability of VA providers to practice telemedicine across State lines without jeopardizing their State medical license.

H.R. 2123, the Veterans E-Health and Telemedicine Support Act of 2017, would remove those constraints by authorizing the VA providers to practice telemedicine at a location in any State, regardless of where the provider or patient is located. This would provide VA clinicians the statutory protection they need to continue providing high-quality telehealthcare to veteran patients across the country without fear of penalties imposed by the State medical licensing boards.

I am grateful to my friend and colleague, Representative GLENN THOMPSON from the great State of Pennsylvania, for his leadership on this issue and for bringing this important bill forward.

I am also grateful to my fellow committee member, Representative JULIA BROWNLEY of California, the ranking member of the Subcommittee on Health, for her work and advocacy on VA telemedicine.

Mr. Speaker, I urge all my colleagues to join me in supporting H.R. 2123, and I reserve the balance of my time.

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

I rise in strong support of H.R. 2123, the VETS Act of 2017.

Since its very inception, the Veterans Health Administration has been a leader in medical advancements and the delivery of healthcare. This legislation would ensure it continues this history of leadership by allowing VA providers to engage in the delivery of telemedicine to veterans all over the country, regardless of where the provider is located. These are paper barriers, these are legal barriers, not barriers of technology, to allow us to deliver care.

Telemedicine and medicine, in general, is changing so rapidly, we need to make sure that barriers are not put in place, especially for rural veterans, and many of us have them all over.

Last week, I did a field hearing in International Falls, Minnesota, which, by the way, will be 1 degree tomorrow for all of you, just so you know. Those folks are veterans. They have served, but they are miles from a VA facility. The technology that we have, and we know it works, allows them to get that.

If we have veterans sitting on State borders, if we have veterans sitting in remote areas, it sometimes makes it difficult. It will give VA the tools it needs to remain a leader in the use of telehealth technology.

I am particularly thankful to Representatives THOMPSON and BROWNLEY for their leadership. They identified a problem, worked on it, and came up with a workable solution that we can put into statute, making sure, the bottom line, again, that every veteran, regardless of geographic location, gets the best, most advanced care possible.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), who is the sponsor of the bill.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the chairman and ranking member for their support and their kind words.

Mr. Speaker, I do rise today in support of H.R. 2123, the Veterans E-Health and Telemedicine Support Act, also known as the VETS Act.

Years ago, a constituent approached me to discuss the barriers to care that his fellow veterans were experiencing through the VA system. As an Active-Duty soldier, he told me stories of his friends coming home from deployment and falling through the cracks of the system. Some were suffering from post-traumatic stress disorder, TBIs, and depression and required the care of specialists. Others had difficulty traveling from their rural communities to VA medical centers because of injuries sustained during combat. Too many of those wound up taking their own lives.

It broke my heart to hear the stories of this soldier's friends and comrades not receiving the care that they deserve. What made it more difficult was the fact that this constituent soldier was my son.

After numerous conversations trying to figure out how we can help our servicemembers when they return home, we determined that expanding access to telehealth would be a great start. Many of our veterans live in rural areas and are unable to travel far distances. Allowing them to see their healthcare provider in the comfort of their home would increase their access to care. This is why Representative JULIA BROWNLEY and I introduced the VETS Act.

The VETS Act will allow VA-employed healthcare providers to practice telehealth across State lines, no matter where the doctor or the patient is located. It also commissions a report to study the effectiveness of telemedicine programs utilized by the Department of Veterans Affairs.

While the VA has made major strides and is a leader in advancing telehealth access, outdated barriers limit its

growth. Currently, each State has its own licensing requirements for healthcare providers to practice medicine within its borders. For example, if a doctor practices in Pennsylvania and Ohio, they must hold a license from each State.

VA-provider licensing requirements are different. As long as a doctor is licensed and in good standing with a single State, they can practice in-person care within the VA system in any State. This reciprocity, however, is not afforded to the practice of telehealth. VA providers seeking to provide telehealthcare to patients must also be licensed in the State where the patient is located. These outdated regulations are hurting our Nation's veterans.

The Department of Veterans Affairs has successfully been using telemedicine for quite some time. Since 2002, more than 2 million veterans have received telehealthcare through the VA. In 2016 alone, more than 12 percent of veterans receiving VA care utilized telehealth in some aspect. Forty-five percent of these veterans live in rural areas.

Veterans who have accessed telehealth are overwhelmingly pleased with the quality of care and access they received. Those receiving at-home care, for example, through telehealth cite an 88 percent satisfaction rate.

While the VA has done a great job of expanding telehealth access to veterans across the country, more needs to be done. Our veterans deserve the best care available to them, and this starts with the passage of the VETS Act.

I thank Representative BROWNLEY, Committee Chairman Dr. PHIL ROE, Ranking Member TIM WALZ, and Chairman BILIRAKIS for bringing this bill to the floor today.

I urge my colleagues to vote in favor of the bill to give our Nation's veterans access to quality, proven healthcare.

Mr. WALZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, I rise today in support of H.R. 2123, the Veterans E-Health and Telemedicine Support Act of 2017.

Under current law, VA healthcare providers must possess a current, unrestricted license issued by a State to practice medicine at a VA facility. However, VA providers are restricted from practicing telemedicine across State lines. This limits the VA's continued expansion of telemedicine and, as a result, reduces the accessibility of healthcare for so many veterans.

As technology continues to evolve and Congress considers what the VA of the 21st century should look like, there is no doubt that methods like telemedicine, coupled with more regulatory flexibility, are long overdue.

Geographical location in our country is no longer a challenge thanks to modern technology. VA healthcare providers should have the opportunity to practice telemedicine across State lines to provide medical advice to our veterans that is more timely and responsive to the patient's needs.

Mr. Speaker, I encourage my colleagues to support the passage of H.R. 2123.

Mr. WALZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 1 minute to the gentleman from the great State of Michigan (Mr. BERGMAN).

Mr. BERGMAN. Mr. Speaker, I rise today in support of H.R. 2123, the Veterans E-Health and Telemedicine Support Act.

For veterans in my district, the challenge of receiving timely, quality care from the VA is, at times, impossible. In fact, winter has already arrived in northern and upper Michigan. Travel is complex and sometimes hazardous.

With some of the most rural geography in the country, veterans in Michigan's First District are forced to travel long distances, often hours, into Wisconsin or hundreds of miles down into mid- and southeast Michigan just to keep simple doctors' appointments.

Innovative healthcare solutions like telemedicine are long overdue. Veterans in my district will help validate the requirements for and the quality of such innovations.

H.R. 2123 will allow VA-licensed healthcare providers to practice telemedicine at any location, in any State, regardless of where the provider or patient is located. This bill will make it easier for veterans in my district and all across the country to access healthcare services in a convenient setting that fits their schedule, ultimately, putting the veteran first. I have long said that if a program or policy can work in Michigan's First District, it can work anywhere.

Mr. Speaker, I urge support of H.R. 2123.

Mr. WALZ. Mr. Speaker, again, it makes sense. Removing some of these paper barriers, as the gentleman from Michigan said, geography, weather, other things, it makes sense to use the technology to improve the care.

I urge my colleagues to support H.R. 2123, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, this puts the veterans first, as the gentleman said; and, again, the veteran has a choice as to whether to use telemedicine or go to see the doctor, because it doesn't work for everyone.

But, in any case, this is a great bill. It puts the veteran first. I urge my colleagues to pass this particular bill.

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

Ms. BROWNLEY of California. Mr. Speaker, I rise in support of H.R. 2123, the Veterans E-Health and Telemedicine Support Act, or VETS Act.

As we approach Veterans Day, a time when we honor the service and sacrifice of those who fought bravely on behalf of our nation, we must rededicate ourselves to ensuring that the VA has the tools it needs to be the 21st century, world-class healthcare system that our veterans deserve. One way the VA can modernize is by embracing telehealth and using new technologies to provide more timely and convenient care for our veterans.

The VA has seen tremendous growth and interest in telehealth over the past few years, and we should continue to find innovative ways to connect veterans with the providers that they need, no matter their physical location. This will particularly help rural veterans, and will help us expand access to specialty care from the medical centers to the community clinics, and even into veterans' homes. I have seen this firsthand at the Oxnard community clinic in my district, which is able to connect veterans to retinal specialists and audiology specialists using telehealth technology, making it easier for veterans to get better care closer to home.

The House Veterans' Affairs Committee has also heard from many veterans who have used telemedicine services. For instance, at a field hearing in my district, Zachary Walker, a Navy veteran, testified about the fast and efficient service that telemedicine can deliver to our veterans, getting him in the door to his local clinic faster than a traditional appointment.

Our bill is a commonsense solution that will allow us to further expand on these telehealth services by permitting VA providers to conduct telehealth treatment across state lines no matter their location, connecting more health professionals with the veterans who need their care.

It has been my pleasure to work with Congressman GLENN 'GT' THOMPSON, and Senators JONI ERNST and MAZIE HIRONO, to advance this bipartisan, bicameral bill, which has received widespread support from the Veterans Service Organizations and the VA. I urge my colleagues to support this commonsense legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 2123.

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

A motion to reconsider was laid on the table.

## VETERANS INCREASED CHOICE FOR TRANSPLANTED ORGANS AND RECOVERY ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2601) to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2601

*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 ''Veterans Increased Choice for Transplanted Organs and Recovery Act of 2017'' or the ''VICTOR Act of 2017''.*

***SEC. 2. ORGAN TRANSPLANTS UNDER THE VETERANS CHOICE PROGRAM.***

*Section 101(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—*

*(1) in subparagraph (C)(ii), by striking ''or'';*

*(2) in subparagraph (D)(ii)(II)(dd), by striking the period and inserting ''; or''; and*

*(3) by adding at the end the following new subparagraph:*

*''(E)(i) requires an organ or bone marrow transplant; and*

*''(ii)(I) has, in the opinion of the primary health care provider of the veteran, a medically compelling reason to travel outside the region of the Organ Procurement and Transplantation Network, established under section 372 of the National Organ Transplantation Act (Public Law 98–507; 42 U.S.C. 274), in which the veteran resides to receive such transplant at a medical facility of the Department; or*

*''(II) faces an unusual or excessive burden in receiving such transplant at a medical facility of the Department, including—*

*''(aa) geographical challenges;*

*''(bb) environmental factors, including roads that are not accessible to the general public, traffic, or hazardous weather;*

*''(cc) a medical condition of the veteran that affects the ability to travel; or*

*''(dd) other factors the Secretary determines appropriate, including the preference of the veteran to receive such transplant at a non-Department facility.''.*

***SEC. 3. EFFECTIVE DATE.***

*The amendments made by this Act shall take effect on the later of—*

*(1) October 1, 2018; and*

*(2) the date of the enactment of this Act.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that at all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2601, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2601, as amended, the Veterans Increased Choice for Transplanted Organs and Recovery, or VICTOR, Act of 2017, which is sponsored by my good friend and fellow committee member, Dr. NEAL DUNN from the great State of Florida.

The VA healthcare system has offered solid organ transplant services since 1962 and bone marrow transplant services since 1982 through the VA Transplant Program, which manages 13 transplant centers across the country.

However, since Congress created the Choice Program in 2014 to address access to care concerns at VA medical facilities, the committee has heard an increasing number of complaints about the VA Transplant Program from veterans who are concerned about the lengthy travel required for many veterans to reach a VA transplant center and bureaucratic barriers to receiving transplant care closer to home.

□ 1545

According to the Journal of the American Medical Association, a greater distance from a VA transplant center was associated with a lower likelihood of receiving a transplant and a greater likelihood of death among veteran transplant patients.

That can't happen. This is unacceptable, in my opinion. H.R. 2601, as amended, represents a commonsense solution. That is what we are all about today: commonsense solutions for our true heroes. It would require the VA to consider whether there is a medically compelling reason to require a veteran to travel outside the organ procurement and transplantation network region that the veteran resides in to receive a transplant from a VA transplant center, or whether the veteran faces an unusual or excessive burden in receiving a transplant from a VA transplant center before referring a veteran to a VA transplant center, rather than to a community transplant center.

This would greatly increase access to transplant care in the community for veteran transplant patients living far from VA transplant centers.

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

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

Mr. Speaker, I rise in support of H.R. 2601, the VICTOR Act. This legislation will again eliminate barriers to high-quality organ transplant centers for certain veterans seeking their services by allowing veterans access to a transplant center, regardless of its location, when a provider determines there is a medically compelling reason to do so, or when the veteran would face unusual or excessive burden in receiving the transplant at a VA facility.

That is smart. That is common sense. It makes the case that the transplant facilities at the VA are good, but, as Dr. DUNN pointed out, a diverse society, a diverse geographic spread of veterans, certain cases come up that make it medically wrong to try and transport someone to a further facility. And for all of those reasons, this is, again, one of those things that is just smart, all in the interest of the best care for our veterans.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN), the sponsor of the bill and my good friend.

Mr. DUNN. Mr. Speaker, let me start by saying thank you to Vice Chairman BILIRAKIS; and to our chairman, Dr. ROE; and also to the ranking member, Sergeant Major WALZ from Minnesota. It has been great to work with them. They have been very helpful with this bill.

I am honored to speak in support of my legislation, H.R. 2601, the Veterans Increased Choice for Transplanted Organs and Recovery, or VICTOR, Act.

America owes our veterans every advantage when it comes to receiving an organ or bone marrow transplant, yet the current VA transplant policy often runs counter to the medical interest of the patient. There are only 14 facilities in the Nation where a veteran may receive a transplant in the VA healthcare system, and none of these facilities perform all types of transplants.

Timely organ transplants often represent the difference between life and death. Unfortunately, due to government bureaucracy, our veterans are often forced to travel hundreds or thousands of miles repeatedly in order to get the chance to receive a new liver, heart, or kidney. That travel alone can prove fatal.

Traveling to get a transplant isn't the only obstacle these patients face. Oftentimes, it is the program itself. The limited size and scope of the VA transplant program means veterans have a lower chance of getting a transplant and a greater chance of dying while on the waiting list.

The VICTOR Act allows veterans who need an organ or bone marrow transplant through the VA system the ability to access a federally certified transplant center close to their home if the veteran and their doctor agree that that is medically safer. It will make it easier for veterans to access lifesaving medical care by allowing them a number of ways to qualify for care closer to home.

As a surgeon and as a veteran, I believe this is good medicine and good public policy. The status quo puts roadblocks in front of veterans who need lifesaving transplant care, and the VICTOR Act eliminates these roadblocks and increases access to care our veterans have earned.

Mr. WALZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Speaker, I thank my friend for yielding as well. The VA currently requires veterans in need of organ transplants to travel to VA transplant centers to receive their transplant. Waiting times at these centers average 32 percent longer than those non-VA transplant centers.

In addition, we have reports that show that the further the veteran is from a VA transplant center, the less likely the veteran is to receive the organ transplant. This can ultimately prove fatal. We owe it to our Nation's

heroes to provide them the best possible care, regardless of where they live.

Mr. Speaker, I support the legislation offered by my friend and colleague from Florida, Dr. DUNN, to solve this problem. I am just amazed that we have waited this long to realize we had one.

The VICTOR Act allows veterans who live more than 100 miles from one of the VA's 13 transplant centers to seek care at a federally certified, non-VA facility. I am proud to cosponsor the VICTOR Act because our veterans shouldn't be punished just because of where they live.

Mr. WALZ. Mr. Speaker, again, it makes great sense. We are in full support of the bill. I urge my colleagues to join me in support of H.R. 2601.

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

Mr. BILIRAKIS. Mr. Speaker, I encourage all the Members to support this great piece of legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 2601, as amended.

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

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2201, MICRO OFFERING SAFE HARBOR ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–401) on the resolution (H. Res. 609) providing for consideration of the bill (H.R. 2201) to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## SECURING ELECTRONIC RECORDS FOR VETERANS' EASE ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3634) to amend title 38, United States Code, to ensure that individuals may access documentation verifying the monthly housing stipend paid to the individual under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3634

*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 ''Securing Electronic Records for Veterans' Ease Act of 2017'' or the ''SERVE Act of 2017''.

**SEC. 2. PROVISION OF MONTHLY HOUSING STIPEND INFORMATION UNDER POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.**

Section 3313 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(j) PROVISION OF HOUSING STIPEND PAYMENT INFORMATION.—The Secretary shall furnish to individuals receiving educational assistance under this chapter documentation that verifies the amount of the monthly housing stipend the individual receives under this section. The Secretary shall make such documentation available to the individual using an internet website in the same manner the Secretary provides documentation verifying compensation and other benefits furnished by the Secretary to individuals.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks, and include extraneous material on H.R. 3634.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3634, the Securing Electronic Records for Veterans' Ease Act of 2017, or SERVE Act.

Under the post-9/11 GI Bill, eligible servicemembers, veterans, and their dependents are provided a monthly allowance that is based on the cost of living where they are taking the majority of their classes at the E–5 with dependents rate.

For many students, this living stipend payment can be their only source of income, and proving that they will receive this payment while in school is important for them to show income for the purposes of renting an apartment or home while they are in school. It makes sense.

The SERVE Act would help address this problem and would require the Secretary to electronically provide documentation that verifies the amount of the monthly housing stipend an individual receives under the GI Bill. This would allow beneficiaries to use this documentation as proof of income when applying for housing.

Mr. Speaker, this is a commonsense, bipartisan bill that will help student veterans secure housing and would eliminate roadblocks to a student veteran's academic success. I thank Mr. JIM HIMES of Connecticut for introducing this particular bill. It has my support.

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

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

Mr. Speaker, I rise in strong support of H.R. 3634, requiring the VA to provide electronic documentation of the GI Bill beneficiary housing stipend. Once again, I want to thank Mr. HIMES, whom we are going to hear from in just a moment, for responding to constituents, responding to a need, and crafting a piece of legislation that makes sure—as currently the VA does not provide sufficient information about the exact amount of housing stipend that a beneficiary receives under GI Bill benefits.

Many veterans rely on their housing stipend to pay for their housing while they are attending school; and, therefore, it can be necessary for them to show proof of their housing allowance as proof of income. Without this proof of income, veterans are often finding themselves unable to secure housing before the start of a school term.

This is—once again, it is being used a lot today, but this is a case that I would concur—a commonsense piece of legislation that asks for documentation that the VA can electronically provide to allow all of our veterans to more easily use their earned benefits.

Mr. Speaker, I urge support, and I reserve the balance of my time.

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

Mr. WALZ. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut (Mr. HIMES), the author of this piece of legislation and a staunch supporter of our Nation's veterans.

Mr. HIMES. Mr. Speaker, I thank the gentleman from Minnesota for yielding.

Mr. Speaker, I rise in strong support of the Securing Electronic Records for Veterans' Ease Act, the SERVE Act, because we all know and feel that veterans and their families face very real challenges when they transition to civilian life. We all know that we have an important responsibility to do what we can to help. Finding housing or a roof over their heads should not be an ordeal, especially if it is caused by difficulties in showing the stipend that student veterans get from Uncle Sam.

In conversations with student veterans throughout my district, proof of income for housing kept coming up as a big challenge. In fact, Nick Quinzi, a marine and founder of the Veteran's Student Association at Sacred Heart University in Fairfield, Connecticut, told my office that if he had a wish list of things to make his veteran experience better, the number one item would be fixing the lack of verification for the monthly housing stipend and, therefore, giving him better access to housing.

The fact that Nick and many veterans like him have no proof of income that a property manager or landlord could consider when weighing creditworthiness and income qualifications is the definition of an unnecessary burden.

Mr. Speaker, this bipartisan legislation would help veterans obtain proof of income for the housing allowance

they receive while utilizing the post-9/11 GI Bill. This is, as we have all said, a commonsense fix to this problem. It requires the VA to make documentation for the post-9/11 GI Bill monthly housing stipend accessible and available online. That is it.

Student veterans will use this documentation to provide needed verification to housing agents, apartment managers, and potential landlords. This bill would provide a permanent solution to the inadequacy of the statement of benefits that is currently available—an official form, accessible online, that verifies the housing benefit is necessary and builds upon existing website functionality. The VA's eBenefits site already provides access to certification letters for VA compensation and pension benefits.

Mr. Speaker, this fix could have a big effect. There are close to 1.1 million student veterans using the post-9/11 GI Bill who would be eligible to benefit from this.

Mr. Speaker, our veterans have earned this benefit. We, as elected officials, feel a responsibility to make sure that they do not face bureaucratic hurdles that prevent them from taking advantage of all of the benefits that they have earned.

I would like to close by thanking Dr. ROE and Ranking Member WALZ for their role in bringing this bill to the floor and for their work on behalf of all of our Nation's veterans.

Mr. WALZ. Mr. Speaker, I thank the gentleman from Connecticut once again. This is a good piece of legislation. It will speed the benefits that were earned by our Nation's veterans.

Mr. Speaker, I urge my colleagues to support H.R. 3634, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I thank the sponsor of the bill, Mr. HIMES, first of all, for holding the roundtables and the town halls—they mean so much—and identifying the problem. We are solving it here today, so I appreciate all of the support for this bill.

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

□ 1600

The SPEAKER pro tempore (Mr. VALADAO). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 3634.

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

A motion to reconsider was laid on the table.

## VETERANS FAIR DEBT NOTICE ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3705) to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3705

*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 ''Veterans Fair Debt Notice Act of 2017''.*

***SEC. 2. DEPARTMENT OF VETERANS AFFAIRS NOTICE RELATING TO DEBT COLLECTION ACTIVITIES.***

*(a) DEBT NOTIFICATION LETTERS.—The Secretary of Veterans Affairs shall collaborate with veterans service organizations to write a standard letter to be provided to individuals who the Secretary determines owe debts to the Department of Veterans Affairs. Such letter shall be written in plain language and shall include a notice of the debt and a clear explanation of—*

*(1) why the individual owes money to the Department of Veterans Affairs; and*

*(2) the options available to the individual.*

*(b) DELIVERY OF LETTERS.—The Secretary shall develop a method by which individuals may elect to receive debt notification letters by electronic means and shall ensure, to the extent practicable, that the letter developed under subsection (a) is delivered to intended recipients who have made such an election by both standard mail and by electronic means and to intended recipients who have not made such an election only by standard mail.*

*(c) NOTICE TO CONGRESS.—*

*(1) NOTICE OF COMPLETION.—Upon completion of the letter required under subsection (a), the Secretary shall submit to Congress notice of the completion of the letter.*

*(2) PROGRESS REPORTS.—If the Secretary has not submitted the notice required by paragraph (1) by the date that is 90 days after the date of the enactment of this Act, the Secretary shall—*

*(A) submit to Congress a report describing the progress of the Secretary toward implementing subsection (a) and an explanation for why the letter has not been completed; and*

*(B) every 30 days thereafter until the submittal of the notice required by paragraph (1), submit to Congress an update to the report under subparagraph (A) that includes an additional explanation for the failure to complete the letter.*

*(d) STUDY; REPORT.—*

*(1) STUDY.—The Secretary of Veterans Affairs shall conduct a study on the process by which the Department of Veterans Affairs notifies veterans of debt collection efforts. Such study shall include—*

*(A) an analysis of the scope of the problem of veterans not receiving debt collection notices;*

*(B) a description of any non-legislative actions the Secretary could take to reduce the number of incorrect or unknown addresses of veterans in the databases of the Department and a timeline for adopting such actions; and*

*(C) an estimate of the costs associated with sending debt collection notices by certified mail.*

*(2) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under paragraph (1).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3705, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3705, as amended, the Veterans Fair Debt Notice Act of 2017, introduced by Congresswoman PINGREE from Maine.

This bill would help ensure that beneficiaries who have received an overpayment from VA clearly understand why the Department believes the veteran owes the money.

Under VA's current practice, when the Department determines that a beneficiary may have received an overpayment, it sends a letter to the beneficiary that explains why the debt was created and how the veteran can dispute or mitigate the debt. But if VA doesn't have the veteran's current address, the veteran may miss important deadlines. For example, if the beneficiary intends to request a full waiver of the debt but does not request that waiver within 30 days of the date of the letter, VA may take action to withhold benefits until the waiver request is adjudicated.

Sound confusing?

It certainly is. We can't have that for our veterans.

Another issue is that some veterans find the language used in the letters to be unclear and confusing. I am sure that is true, too. It is only fair that the veteran understands why the Department believes he or she owes the money. It is the least we can do.

H.R. 3705, as amended, would require VA to develop a new notification letter that explains in plain language how the alleged debt was created and what actions the veteran can take to dispute or mitigate the debt.

In addition, the bill would direct VA to study and report to Congress on its current debt collection process, including how many veterans are not receiving debt collection notices because of incorrect addresses. The report would also describe the steps VA will take to reduce the number of incorrect addresses in the Department's databases.

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

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

I feel like we are on a roll, Mr. Speaker. We should stay here all day. Bipartisan, commonsense legislation improving the lives of veterans, it kind of feels like what we came here for.

I rise in strong support of another one of those, H.R. 3705, as amended, the Veterans Fair Debt Notice Act introduced by the gentlewoman from Maine (Ms. PINGREE).

Again, you heard it from the vice chairman, if a veteran incurs an overpayment in benefits, VA sends out a series of letters notifying him or her of

this debt and the steps that can be taken to address the issue. The letter is time stamped when mailed and, if what VA is asking for is not received within a specific timeline, the veteran loses the ability to take certain actions toward addressing or disputing the debt.

Many veterans come to every one of our offices reporting never receiving these letters. I know all of us have heard that story. These are people who I know and trust. It got sent to the wrong address, something happened, and they never got it.

Further, the letter VA is sending is full of complicated legal terms and citations of public laws. We know these letters alarm and confuse veterans unnecessarily. I have personally had them come in, show them to me, and as the ranking member of the Veterans' Affairs Committee—and it is a VA letter—I don't understand what they are asking for in this from a veteran who receives it out of nowhere.

The bill before us today represents a real bipartisan effort to ensure that veterans get timely notices of overpayments or debt, and that these notices are respectful, informative, helpful, and collaborative.

It does it in three ways. First, H.R. 3705, as amended, directs the Secretary to develop a way veterans may elect to receive debt notification letters by email in addition to receiving standard mail notices. Imagine that in 2017.

Second, it directs VA to conduct a study of the problem of veterans not receiving debt letters and to provide a description of the nonlegislative actions the Secretary could take to reduce the number of incorrect addresses, particularly by using the other VHA databases.

At this point in time, I would also note we are taking steps in our committee to make sure now, when you leave the service, that we are able to capture emails, we are able to capture alternate addresses to make sure because a lot of times veterans are in transition, they are moving, those types of things are happening.

Third and most importantly, the bill requires that, in the future, debt notices provide a clear explanation in understandable language for why the debt is owed and what due process options a veteran has available to her or him.

The CBO has estimated the cost of this measure to be insignificant.

The approaches in the bill are the first steps to remedying a longstanding problem and will make a positive change for the thousands of veterans who receive overpayment notices.

Mr. Speaker, I want to thank Disability Assistance and Memorial Affairs Subcommittee Chairman MIKE BOST and Ranking Member ELIZABETH ESTY for working together on this legislation, in addition to Dr. ROE. We are also going to hear from the author of this piece of legislation. Certainly I encourage support of H.R. 3705.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Maine (Ms. PINGREE), who is the author of this good, smart, overdue piece of legislation.

Ms. PINGREE. Mr. Speaker, I thank the ranking member for yielding me the time and for all those wonderful compliments. I don't know that I have ever had that said about a bill that I have submitted, so I am very happy to be here today and to be able to support the Veterans Fair Debt Notice Act.

Mr. Speaker, as you heard, this bill offers a commonsense fix to frustrations that veterans in my district and across the country have experienced with VA's debt management system.

Veterans in Maine have called my office shocked to find out that they owe VA money. Some are confused by the letters they receive. Others are told by VA that they have missed important deadlines to dispute, to seek forgiveness, or to create a payment plan for the alleged debt.

Regardless of whether the debt is real or a mistake by VA, we shouldn't make it so hard for veterans to know their rights and obligations.

We have seen single mom veterans who can't get a home loan and newly transitioned servicemembers who struggle to reintegrate with garnished pay, recouped tax returns, and reduced disability payments, all because of assigned debts they knew nothing about after notifications got sent to the wrong place or ''lost in the mail.''

In response, H.R. 3705 directs VA to work with veterans service organizations to develop standard notification letters that are written in plain language. It also directs VA to explore how to inform veterans of debts more quickly by sending notifications electronically, like an email, in addition to standard mail.

It requires VA to study why so many veterans have not received notifications in the mail, as well as steps VA can take to improve its address database and the costs using certified mail.

I thank Chairmen ROE and BOST and Ranking Members WALZ and ESTY for bringing this legislation to the House floor, and I urge its passage.

Mr. WALZ. In closing, Mr. Speaker, I thank the gentlewoman from Maine for her remarks. This is a good piece of legislation. As I have said, everybody who serves in this House has received veterans in their office either carrying this letter or talking about a letter they never received. This makes it much better. It gives the benefit of the doubt back to the veteran and makes it easier for them to get this solved in the right manner.

Mr. Speaker, please join me in support of H.R. 3705, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, let's pass this good bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 3705, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## VETERANS APPRENTICESHIP AND LABOR OPPORTUNITY REFORM ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3949) to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3949

*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 ''Veterans Apprenticeship and Labor Opportunity Reform Act'' or the ''VALOR Act''.*

***SEC. 2. DESIGNATION OF STATE APPROVING AGENCIES FOR MULTI-STATE APPRENTICESHIP PROGRAMS.***

*Paragraph (1) of subsection (c) of section 3672 of title 38, United States Code, is amended to read as follows:*

*''(1)(A) The State approving agency for a multi-State apprenticeship program is—*

*''(i) for purposes of approval of the program, the State approving agency for the State in which the headquarters of the apprenticeship program is located; and*

*''(ii) for all other purposes, the State approving agency for the State in which the apprenticeship program takes place.*

*''(B) In this paragraph, the term 'multi-State apprenticeship program' means a non-Federal apprenticeship program operating in more than one State that meets the minimum national program standards, as developed by the Department of Labor.''.*

***SEC. 3. ELIMINATION OF CERTAIN CERTIFICATION REQUIREMENT FOR ASSISTANCE FOR APPRENTICESHIP AND OTHER ON-JOB TRAINING.***

*Section 3680(c) of title 38, United States Code, is amended by striking ''shall have received—'' and all that follows through ''person's certificate,'' and inserting ''receives from the training establishment a certification''.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3949, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3949, as amended, the Veterans Apprenticeship and Labor Opportunity Reform Act, or the VALOR Act.

This bill, introduced by Mr. KHANNA, Mr. ARRINGTON, and Mr. O'ROURKE, would help streamline the approval of national apprenticeship programs for the use of GI Bill funds, which is very important.

Once a national apprenticeship is GI Bill approved, veterans are eligible for tiered payments that help them complete the program that leads to a successful career.

This bill also helps eliminate an out-of-date requirement that created unnecessary paperwork for a veteran to complete before they could get paid for work completed during the apprenticeship.

Mr. Speaker, this is another commonsense, bipartisan bill that will help employers become approved under the GI Bill and ensure the student veterans secure placement in apprenticeship programs that lead to employment.

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

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

Mr. Speaker, H.R. 3949 allows multi-State apprenticeship programs to go through GI Bill approval in just the State that they are headquartered in, streamlining the approval process so that programs have a lower administrative hurdle to jump over before being able to provide training to veterans.

Currently, non-Federal apprenticeship programs that have locations in multiple States must go through the approval process with the State approving agency in each of the States where it operates before it can be approved for GI Bill benefits in that State.

In order to encourage more high-quality apprenticeship programs to obtain approval for GI Bill benefits so that they can serve more veterans, this bill would allow multi-State programs to simply seek approval from the State approving agency in the State where they are headquartered.

Once they have obtained the State's approval, the program will automatically be approved in all of the other States in which it operates.

We are encouraging apprenticeships. They are a great way for our veterans to use their earned benefits to get into well-paying, long-term careers. We should encourage more companies and industries to do that. This piece of legislation is smart and does that. In just a moment we will hear from one of the authors of it explaining how it will do that.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ARRINGTON.)

Mr. ARRINGTON. Mr. Speaker, today I rise in strong support of H.R. 3949, yet another piece of bipartisan, commonsense legislation that will serve our veterans.

In the transition from deployment to employment, apprenticeship programs have proven to be extremely successful. Roughly 20,000 veterans are actively training or participating in these programs, and their employment outcomes are nothing short of impressive. According to VA's data, over 90 percent of veteran apprentices are employed after completing their programs with an average starting wage of over $60,000. Over their lifetime, apprentices see an increase in compensation of over $300,000 as compared to their peers.

These programs aren't just a win for our veterans, they are a win for taxpayers. Every dollar invested in apprenticeship programs sees a return in benefits of $35.

While it is clear to see the advantages of apprenticeship programs, like in many parts of VA, this program is hampered by needless burden and bureaucracy. Currently, private employers who offer these programs in more than one State have to register with each State individually. Burdened by the difficulty and trail of paperwork that this creates, many employers only choose to participate in a limited way or they just don't offer them altogether.

H.R. 3949, the Veterans Apprenticeship and Labor Opportunity Reform Act, or the VALOR Act, authored by my good friend and colleague, Congressman RO KHANNA, streamlines the registration process for employers, which, in turn, encourages them to participate and leads to more opportunities for our veterans.

Given the tremendous sacrifice our veterans have made for our country, we should do everything we can to ensure that they have access to good jobs, and the VALOR Act does just that.

I would like to thank Mr. KHANNA again for his hard work and his leadership on this legislation.

Mr. Speaker, I urge all of my colleagues to support it.

Mr. WALZ. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. KHANNA), who is not just a national voice, but a global voice on manufacturing entrepreneurism, and apprenticeships; and who is one of the authors of this piece of legislation.

□ 1615

Mr. KHANNA. Mr. Speaker, I rise in support of the bipartisan bill, H.R. 3949.

Mr. Speaker, I want to thank the ranking member. I was in his office early on, and he really gave a freshman Member of Congress the guidance on how to get this through. I want to thank Chairman ARRINGTON for coauthoring this legislation and for his leadership. I also thank Congressman BILIRAKIS for his kind words about the legislation.

The legislation is very, very simple. Right now, if you want to offer a veteran an apprenticeship, you have to register in 50 different States. As a result, small businesses or medium-sized businesses say, ''Well, we can't do that; we can't fill out paperwork in 50 different States,'' so they don't offer these apprenticeships. Our bill says, very simply, the only place that you should have to register in is the State that you are headquartered.

This is the type of commonsense legislation that isn't partisan. It is going to give more opportunities to the people who have earned them by serving our country: veterans.

I wish to recognize a few other people who have made this possible. Of course, Chairman ROE, whose leadership was critical, in addition to Chairman ARRINGTON; Ranking Member O'ROURKE; and the staff: Cathy Yu, Kelsey Baron, and Jon Clark.

I also want to particularly recognize, on the Senate side, Aaron Murphy and Tony McClain in Senator TESTER's office, and a companion Senate bill with Senator TOM COTTON and Senator THOM TILLIS, as well as their staff, Jake Bailey and Bill Bode.

Finally, I realize that there is only one person more than Members of Congress or staff who often gets things to move in this committee, and that is Dr. Joe Westcott, the legislative director of the National Association of State Approving Agencies. Joe and I have become friends. He has been such a voice for innovation and for this bill. He really is the reason that this bill has moved in the House and, I hope, in the Senate.

Mr. WALZ. Mr. Speaker, I thank the gentleman from California and his coauthors.

Again, this is smart. He is leaning into this, bringing innovation. He came to the Veterans' Affairs Committee and looked at ways that we can streamline this process. It is a good piece of legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I thank Representative KHANNA and all the sponsors, including Chairman ARRINGTON, as well, for recognizing the problem and solving it. This is the way Congress should work.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 3949, as amended.

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

A motion to reconsider was laid on the table.

## VETERANS CRISIS LINE STUDY ACT OF 2017

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 4173) to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4173

*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 ''Veterans Crisis Line Study Act of 2017''.

**SEC. 2. STUDY ON EFFICACY OF VETERANS CRISIS LINE.**

(a) STUDY.—The Secretary of Veterans Affairs shall conduct a study on the outcomes and the efficacy of the Veterans Crisis Line during the five-year period beginning January 1, 2014, based on an analysis of national suicide data and data collected from the Veterans Crisis Line.

(b) MATTERS INCLUDED.—The study under subsection (a) shall address the following:

(1) The efficacy of the Veterans Crisis Line in leading veterans to sustained mental health regimens, by determining—

(A) the number of veterans who, after contacting the Veterans Crisis Line and being referred to a suicide prevention specialist, begin and continue mental health care furnished by the Secretary of Veterans Affairs; and

(B) the number of veterans who, after contacting the Veterans Crisis Line and being referred to a suicide prevention specialist, either—

(i) begin mental health care furnished by the Secretary but do not continue such care; or

(ii) do not begin such care.

(2) The visibility of the Veterans Crisis Line, by determining—

(A) the number of veterans who contact the Veterans Crisis Line and have not previously received hospital care or medical services furnished by the Secretary; and

(B) the number of veterans who contact the Veterans Crisis Line and have previously received hospital care or medical services furnished by the Secretary.

(3) The role of the Veterans Crisis Line as part of the mental health care services of the Department, by determining, of the veterans who are enrolled in the health care system established under section 1705(a) of title 38, United States Code, who contact the Veterans Crisis Line, the number who are under the care of a mental health care provider of the Department at the time of such contact.

(4) Whether receiving sustained mental health care affects suicidality and whether veterans previously receiving mental health care furnished by the Secretary use the Veterans Crisis Line in times of crisis, with respect to the veterans described in paragraph (3), by determining the time frame between receiving such care and the time of such contact.

(5) The effectiveness of the Veterans Crisis Line in assisting veterans at risk for suicide when the Veterans Crisis Line is contacted by a non-veteran, by determining, of the number of non-veterans who contact the Veterans Crisis Line looking for support in assisting a veteran, how many of such individuals receive support in having a veteran begin to receive mental health care furnished by the Secretary.

(6) The overall efficacy of the Veterans Crisis Line in preventing suicides and whether the number of contacts affects the efficacy, by determining—

(A) the number of veterans who contact the Veterans Crisis Line who ultimately commit or attempt suicide; and

(B) of such veterans, how many times did a veteran contact the Veterans Crisis Line prior to committing or attempting suicide.

(7) The long-term efficacy of the Veterans Crisis Line in preventing repeated suicide attempts and whether the efficacy is temporary, by determining, of the number of veterans who contacted the Veterans Crisis Line and did not commit or attempt suicide during the following six-month period, the number who contacted the Veterans Crisis Line in crisis at a later time and thereafter did commit or attempt suicide.

(8) Whether referral to mental health care affects the risk of suicide, by determining—

(A) the number of veterans who contact the Veterans Crisis Line who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(B) the number of veterans described in paragraph (1)(A) who commit or attempt suicide.

(9) The efficacy of the Veterans Crisis Line to promote continued mental health care in those veterans who are at high risk for suicide whose suicide was prevented, by determining, of the number of veterans who contacted the Veterans Crisis Line and did not commit or attempt suicide soon thereafter, the number that begin and continue to receive mental health care furnished by the Secretary.

(10) Such other matters as the Secretary determines appropriate.

(c) RULE OF CONSTRUCTION REGARDING DATA COLLECTION.—Nothing in this section may be construed to modify or affect the manner in which data is collected, or the kind or content of data collected, by the Secretary under the Veterans Crisis Line.

(d) SUBMISSION.—Not later than May 31, 2019, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the study under subsection (a).

(e) VETERANS CRISIS LINE DEFINED.—In this section, the term ''Veterans Crisis Line'' means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4173, as amended.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4173, as amended, the Veterans Crisis Line Study Act of 2017, offered by my friend and committee member, Representative JIM BANKS of Indiana.

Mr. Speaker, the Veterans Crisis Line, or VCL, was established in 2007 as a partnership between the Department of Veterans Affairs, the Substance Abuse and Mental Health Services Administration, and the National Suicide Prevention Hotline.

According to the Government Accountability Office, as of May 2016, the Veterans Crisis Line has answered over 2.3 million calls, over 55,000 texts, and dispatched emergency services over 61,000 times. As these statistics show, the Veterans Crisis Line is an incredibly valuable resource for veterans. However, while the VA tracks and evaluates statistics such as these for quality and access metrics, it does not currently process them through any meaningful form of data analytics as it relates to the effectiveness of the program.

So, Mr. Speaker, H.R. 4173, as amended, the Veterans Crisis Line Study Act of 2017, would direct the Secretary to evaluate the efficacy of the VCL with respect to continuity of VA mental health services using the same anonymous data points as are currently collected by the VCL. Research and data analysis of these anonymous data points would utilize the growing national availability of statistics regarding suicides to better evaluate the impact of the VCL and potentially highlight opportunities for outcome improvements.

Mr. Speaker, I believe that evaluating the VCL effectively requires a focus on the full continuum of mental health services provided by VA once a veteran first contacts the VCL or establishes a need for mental health services.

Again, it is important to note that, under this legislation, the privacy of the caller is to be honored, and the VCL is directed to continue collecting data points in exactly the same manner as they currently are.

Mr. Speaker, I ask my colleagues to support this great bill, and I reserve the balance of my time.

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

Mr. Speaker, I, too, rise in support of H.R. 4173. I would like to thank the gentleman, Mr. BANKS of Indiana, for his work on this. This is a piece of legislation very near and dear to my heart.

One of the first pieces of legislation I worked on when I got to this House in 2007 was the Joshua Omvig Veterans Suicide Prevention Act, which was dealing with the loss of a young warrior from Iowa. One of the pieces of legislation that came out of that was the Veterans Crisis Line, with the idea that we needed that.

That was a good piece of legislation, but as time has gone by, Mr. BANKS has pointed out ways to improve that. I am in full support. I am grateful for the thought that he has put into this. I am grateful for the gentleman from Florida's recognition that we may never know with absolute certainty how many lives we save, but I think each of us know that this has been an invaluable service. It is one we should continue and try to make better.

Mr. Speaker, I am in full support, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BANKS), who is the main sponsor of this particular bill, a great bill that has saved lives.

I also appreciate Representative WALZ for sponsoring the bill. I remember when he did it. We came in together.

Mr. BANKS of Indiana. Mr. Speaker, let me first thank the gentleman from Florida for his continued efforts to support our veterans. As a proud member of the House Veterans' Affairs Committee, it is great to work on such a bipartisan committee with Ranking Member WALZ and other members who care deeply about our American veterans.

Mr. Speaker, sadly, every single day 20 veterans take their own lives. In 1 year, the total is nearly as many people who live in my hometown of Columbia City, Indiana.

Veterans account for 18 percent of suicides, even though they are only 8½ percent of the total population. Our female veterans are 2½ times more likely to commit suicide than civilian women.

We can't allow this to continue. Just one veteran suicide a day is a horrible tragedy, let alone 20. Our veterans were vigilant in fighting for our freedoms. We must be just as vigilant in fighting for their needs. Mr. Speaker, the bill before us today seeks to enable the VA's Veterans Crisis Line, or VCL, to be even more effective in this fight.

As has already been mentioned, since 2007, it has fielded nearly 2.8 million calls and 67,000 text messages. But there is no overarching approach to ensure the VA knows the effectiveness of the VCL in preventing future suicide attempts after the initial phone call or how well the crisis line connects veterans to the mental healthcare services of the VA. That is why, with this bill, we can harness the power of data analytics to improve the functionality of the VCL and the VA's mental healthcare services.

The VCL is a critical tool, and we must do everything we can to help it play as large a role as possible. We must ensure that our veterans who seek care can access it so that they can find a long-term solution to their difficulties. Mr. Speaker, we must ensure our veterans know they are not alone after the phone call.

I have spoken with veterans service organizations throughout this bill's progress. I thank them for their feedback and for looking out for our veterans.

I would like to thank Congressman MOULTON, who was my lead on the other side of the aisle, for his work as a partner on this bill, as well, and for his dedication to our veteran population.

I would also like to thank the entire Indiana delegation from both sides of the aisle for cosponsoring this bill and showing the Hoosier State's strong commitment to preventing veteran suicide.

I ask my colleagues to support the passage of H.R. 4173.

Mr. WALZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, last year, the VA's suicide data report revealed that an average of 20 veterans a day committed suicide. A year later, our Nation is still faced with this epidemic.

While the VA is seeing high rates in calls to the Veterans Crisis Line, there is no overarching approach to ensure the VA is effectively preventing future suicide attempts and integrating the hotline information into VA's mental healthcare services.

H.R. 4173, the Veterans Crisis Line Study Act, would address that critical gap in oversight. This bill would require the VA to study the outcomes of the VA's Veterans Crisis Line while protecting the privacy and anonymity of the veteran callers.

As a proud cosponsor of H.R. 4173, I believe it is critical that Congress ensures this emergency resource for our veterans struggling with PTSD or other mental health conditions is working as it should.

Mr. Speaker, I encourage my colleagues to support the passage of H.R. 4173.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of Iowa. Mr. Speaker, I thank my colleague from Florida, and I also thank my colleague from Minnesota, as well, who has a history on this important issue, the genesis going back to 2007, like my friend from Minnesota said, with a predecessor of mine, former Congressman Leonard Boswell, who misses this institution and gave great service. I know he sends his best.

I thank my colleague, Mr. BANKS of Indiana, for making sure that we are always continuing with oversight of these important programs to help our veterans.

In 2015, the VA did an OIG report and found out that there were some failures in the Veterans Crisis Line; there were informational failures. Sometimes people answering the phone at the VA, who are good people and want to help our veterans, didn't have all the information they may need. There was a lack of timely responsiveness at some points.

The VA Committee here in the House did some oversight and found out that we needed to make sure that we fixed this. So I introduced a bipartisan bill with my colleagues that passed unanimously in 2016, the No Veterans Crisis Line Call Should Go Unanswered Act, to work with the Veterans Affairs Department to make sure that we knew what they needed to get the job done, working in partnership across the aisle and with the VA. The bill passed unanimously. President Obama signed it into law.

But we know that, with a stroke of a pen, it doesn't just fix things. You have to have constant oversight and demand transparency and accountability.

I went down to one of the Veterans Crisis Line centers in Atlanta and visited with those who ran it and those responders who picked up the phone every day to talk to our veterans to see how things were going.

□ 1630

Great improvements, great challenges still, but they are making headway, and it is with a partnership where we can make sure that this works.

Oversight, transparency, accountability is what this is about, but most importantly, this is about keeping our promise to our veterans, those who have donned the uniform to protect our rights, the rights of our family members, and our loved ones who keep this great Republic going.

So I want to thank my friend from Florida, my good friend from Minnesota, and Mr. BANKS from Indiana. I am glad to support this legislation, and I urge others to as well.

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

Mr. Speaker, over the last 2 days, we have passed 14 bills out of this committee, the House Veterans' Affairs Committee, affecting everything from suicide and suicide prevention to transplant, to the delivery of GI bills, to the streamlining of the bureaucracy inside the agency, all with a bipartisan effort on what can we do as a nation to best deliver on our promise of the earned benefits that we so deeply owe to those who served us. It is appropriate that we are doing it the week of Veterans Day.

But I want to remind people, this is what is possible, Mr. Speaker. This summer, the New York Times wrote a story, and it said, if you really want to know how Congress is supposed to function, look at the VA Committee. They were pointing out, these are not easy things.

People, Mr. Speaker, may think, well, everybody supports veterans, but it is hard to get policy right. It is hard to find funding. It is hard to agree on the best way to deliver it. But I would have to say, the last 2 days are proof positive of it. We can do it. We must do it. We are obligated to do it.

When people think of Veterans Day, ways that you can observe Veterans Day, I am always of the belief that the best way to honor veterans is to attempt to live our life in a manner that reflects the dignity and the sacrifice that they gave in their service.

As we sat here today, it may be easy to take it for granted. The public gets frustrated over what happens or what doesn't happen here. The idea that there are billions of human beings on this planet who don't get the chance to self-govern, who don't get the chance to openly and freely debate, to try and

craft a society we want to live in, and we do it here because of the sacrifice that was given to keep this Nation free.

So the work we do here—and it is often said, you shouldn't get a pat on the back for doing what you are supposed to do. That is not what this is about. This is about a recognition that this Nation cares deeply about the daughters and sons who will serve us. This Nation expects the Congress to make sure that they are cared for in a manner that reflects their sacrifice, and they want us to do it in a bipartisan manner that celebrates the idea of self-governance.

So with that, I would say, Mr. Speaker, I am proud to support this piece of legislation as the final piece of this package. I am proud of the work and to call my friend from Florida a dear friend, someone who I know that, between you and your father, has given decades of service to our Nation's veterans.

There are reasons to be optimistic. There are reasons to believe that we can get through this. There is reason to believe that, come Veterans Day, our better days lie ahead of us.

Mr. Speaker, I support H.R. 4173, and I yield back the balance of my time.

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

Mr. Speaker, first of all, I support this great bill. And see how we are doing this? This was set up, the crisis line was set up a few years ago. We are improving upon that, and hopefully we are going to save lives.

Again, I appreciate—I am really proud to serve on this committee. I have served on the committee. We have served on it together. We came in together, and we made our veterans, our true heroes, a priority.

I appreciate you, sir. You take the politics out of it. Chairman ROE takes the politics out of it. I like to think I do, too, and all the members of the committee do, and we put our veterans first. This is a moral committee, as you said. It is a moral committee.

I hope the children are watching this right now because, you know, there is a lot of gridlock in Washington, but we work together. They are not high-profile bills, but they are very important bills to our heroes. So, again, I am very proud to manage these bills today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4173, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## SAVE LOCAL BUSINESS ACT

Ms. FOXX. Mr. Speaker, pursuant to House Resolution 607, I call up the bill (H.R. 3441) to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 607, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered read.

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

H.R. 3441

*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 ''Save Local Business Act''.*

***SEC. 2. CLARIFICATION OF JOINT EMPLOYMENT.***

*(a) NATIONAL LABOR RELATIONS ACT.—Section 2(2) of the National Labor Relations Act (29 U.S.C. 152(2)) is amended—*

*(1) by striking ''The term 'employer' '' and inserting ''(A) The term 'employer' ''; and*

*(2) by adding at the end the following:*

*''(B) A person may be considered a joint employer in relation to an employee only if such person directly, actually, and immediately, and not in a limited and routine manner, exercises significant control over essential terms and conditions of employment, such as hiring employees, discharging employees, determining individual employee rates of pay and benefits, day-to-day supervision of employees, assigning individual work schedules, positions, and tasks, or administering employee discipline.''.*

*(b) FAIR LABOR STANDARDS ACT OF 1938.—Section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(d)) is amended—*

*(1) by striking '' 'Employer' includes'' and inserting ''(1) 'Employer' includes''; and*

*(2) by adding at the end the following:*

*''(2) A person may be considered a joint employer in relation to an employee for purposes of this Act only if such person meets the criteria set forth in section 2(2)(B) of the National Labor Relations Act (29 U.S.C. 152(2)(B)).''.*

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

The gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3441.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 3441, the Save Local Business Act.

Mr. Speaker, the premise of this legislation is simple. It is about protecting the ability of entrepreneurs in this country to start and run their own business, and it is about ensuring opportunities within reach for all Americans.

Every day, men and women across the country work hard to earn a paycheck and provide for their families, and every day, local businessowners work hard to keep their doors open and hire employees.

Meanwhile, bureaucrats in Washington are busy setting policies that have a widespread impact on every workplace in the country. As we learned during the Obama administration and from rulings made by the previous National Labor Relations Board, too often these policies do far more harm than good.

When it comes to rules and policies governing our Nation's workforce, there has never been a greater need for Congress to clarify areas of the law that shouldn't be left up to boards and Federal agencies to decide. That is especially true regarding the joint employer issue. In 2015, when the Obama administration's NLRB unilaterally redefined what it means to be a joint employer, the result was massive confusion and uncertainty.

The Committee on Education and the Workforce has heard from countless individuals on how the vague and unworkable new joint employer standard threatens job creation, creates new roadblocks for entrepreneurs, and upends successful business models and relationships.

H.R. 3441, the Save Local Business Act, will deliver much-needed relief by providing legal clarity under the National Labor Relations Act and the Fair Labor Standards Act. The legislation simply restores a commonsense joint employer standard, and it does so in a way that upholds vital worker protections and ensures all employers know their responsibilities to their employees.

I want to thank my colleague, Representative BYRNE, for introducing and tirelessly championing this proposal, along with the Democratic cosponsors.

I urge all Members to vote in favor of H.R. 3441 so we can protect local jobs, opportunity, and entrepreneurship.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 3441, the so-called Save Local Business Act. Mr. Speaker, in recent years, employers have increasingly moved away from direct hiring of employees to the use of permatemps and subcontracting to reduce labor costs

and liability. For many workers, the name on the door of the building where they work may not be the name of the company that technically signs their paycheck.

In situations like these, where more than one entity controls or has the contractual right to control the terms and conditions of employment, the National Labor Relations Act and the Fair Labor Standards Act hold both entities responsible for violations as joint employers. The joint employment standard under the NLRA ensures that workers can negotiate with all parties that control the terms and conditions of employment. Similarly, the joint employment standard under the FLSA ensures the appropriate companies can be held accountable for wage theft, equal pay, overtime pay, and child labor violations.

H.R. 3441 rewrites both the NLRA and the FLSA by establishing a narrow definition of joint employer that effectively eliminates accountability for some of the entities that are actually calling the shots. Under this bill, an entity may be a joint employer only if it ''directly, actually, and immediately'' exercises control over nine essential terms and conditions of employment, such as hiring, firing, determining rates of pay, and scheduling.

However, an entity could have control over all nine of the essential terms, and if it indirectly exercises control through an intermediary, such as a subcontractor, then the entity would not be an employer because its control is not direct. This loophole would allow joint employers to evade liability for child labor or wage theft and undermine workers' ability to bring all of the entities to the bargaining table that actually control the terms and conditions of employment.

Alternatively, if an entity controls only eight of these nine essential terms and outsources the ninth, then it may also not be deemed a joint employer under this legislation. That is just a loophole.

Under this legislation, an employee could have no employer liable for a violation. This would arise when each of the joint employers raises a defense that they are not liable because they are not an employer, because they don't control all nine of the essential terms and conditions of employment.

This bill provides no guidance over how many of the essential terms the joint employer must control. Do they have to control two? a majority? all nine?

The consequence is that a court could find an employee is owed overtime, but nobody owes the money because nobody qualifies as an employer under the definition of the bill. This bill opens the door for potential chaos. And one thing for sure, H.R. 3441 does not provide the clarity that its proponents advertise.

Today, we are debating legislation that is based on a misplaced criticism of the National Labor Relations Board's 2015 decision in Browning-Ferris Industries, where the NLRB held that the client employer, BFI, and its staffing agency, Leadpoint, were joint employers at a recycling facility and, therefore, jointly had the duty to bargain with the union.

BFI capped wages that Leadpoint could pay and set scheduling, reserved the right to overrule Leadpoint's hiring decisions, and, if the NLRB had certified the union with only the staffing agency, Leadpoint, as the employer, then collective bargaining would have been a waste of time because Leadpoint was contractually limited in its ability to bargain without BFI's permission.

The BFI decision reinstated the common law definition of an employer, a precedent that had been in place at the NLRB for decades prior to 1984. Critics contend that the BFI case threatens the independence of franchisees.

□ 1645

Well, first, the BFI decision states that it does not cover franchising. Second, there are no decisions where a franchisor has ever been held to be a joint employer with its franchisees under either law.

Despite claims that H.R. 3441 would protect the independence of franchisees, legal experts point out that, under this bill, the bill actually insulates franchisors from liability, which leaves the franchisors free to exercise greater control over their franchisees' employee relations without liability.

Under this bill, if a franchisor directs actions that could violate wage or labor laws, then the franchisee is forced to accept this shared control, without shared responsibility. For example, suppose the franchisor directs the franchisee to designate all of the employees as managers and refuse to pay them overtime and the court comes in and says overtime was owed, then the franchisee is stuck with the bill because the franchisor is not an employer under this bill. That is not fair to small businesses and it is not fair to franchisees.

This legislation also creates perverse incentives by rewarding low-road construction contractors who compete by outsourcing entities that drive down costs by stealing wages, not paying overtime, and other violations. A national coalition of construction contractors is warned that H.R. 3441 would ''further tilt the field of competition against honest, ethical businesses.''

For those reasons, Mr. Speaker, I urge a ''no'' vote, and I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), the chief sponsor of this bill.

Mr. BYRNE. Mr. Speaker, I thank the gentlewoman for her leadership on this issue and for her continued leadership of our committee.

Mr. Speaker, today is a big day. Today is an opportunity for this House to stand up for our Nation's workers and to protect the small local businesses, which form the backbone of the American economy. Today is about restoring decades-old labor law. Ultimately, today is about giving clarity to workers and job creators all across our country.

I have heard from our friends across the aisle that somehow someone can be an employee without there being an employer. I call that the immaculately conceived employee. There is no such thing under the law, nor has there ever been.

This bill does not change the definition of employer. It simply takes the definition of joint employer back to the way it was a few years ago.

It is a shame that we are even having to have this bill. But the activist National Labor Relations Board in 2015 issued a decision that fundamentally upended labor law as we knew it. This change didn't come through the democratically elected Congress, but, instead, from a panel of unelected bureaucrats.

The NLRB's decision and the resulting regulatory agenda have caused deep uncertainty among job creators. For workers, they are left to wonder who their boss really is. That is an incredibly confusing situation to be in.

Under the new joint employer standard, what does it mean to have ''indirect'' or ''potential'' control over an employee?

I have practiced labor and employment law for decades and I do not know what that means, so I can only imagine the confusion Main Street businesses are facing due to this standard.

Currently, there are at least nine different legal tests nationwide to determine joint employer status under the Fair Labor Standards Act, and more to come. This patchwork of standards creates regulatory uncertainty, especially for job creators doing businesses in multiple States.

So, despite what some on the other side want to believe, this is not an abstract issue. I have visited numerous local businesses in my district, and they are very worried about this scheme. I have heard from workers who want to remain an employee of a locally owned business with an owner who knows them, instead of becoming just another employee in some large corporation.

Clearly, I am not the only one who heard these concerns. This legislation is cosponsored by 123 of my colleagues, including Members from both sides of the aisle. This is a bipartisan issue because it isn't about politics. Instead, it is about saving jobs and supporting locally owned businesses.

Let me make something crystal clear: this bill does not remove a single protection for today's workforce. Despite the scare tactics being used by big labor bosses and their trial lawyer friends, the same important protections exist under this legislation, and any irresponsible employer can be held accountable.

Mr. Speaker, I urge all of my colleagues to take the side of our locally owned businesses, to take the side of our small business job creators, and to take the side of American workers.

Let's end the confusion and let's pass the Save Local Business Act.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself 30 seconds to state that I agree with the gentleman when he says that no rights are reduced. The only problem is you can't have anybody that is liable to fulfill your benefits under whatever those rights are. If you are owed overtime, you are owed overtime. That is not reduced. It is just that nobody is there to pay it.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. FUDGE).

Ms. FUDGE. Mr. Speaker, I thank Ranking Member SCOTT for yielding.

Mr. Speaker, H.R. 3441, the Save Local Business Act, would fundamentally redefine the relationship between employers and employees.

Mr. Speaker, corporate profits and income inequality are at an all-time high, yet we are debating a bill that would strip workers of their right to hold employers accountable, allowing corporations to further stifle wage growth and undermine collective bargaining. This is yet another Republican attempt to make the rich richer and the working people poorer, just like their tax bill. What we should be fighting for is a living wage and employee rights.

My Republican colleagues say the law is ambiguous and we must act to save small businesses. The law is not ambiguous. They just don't like it because it holds businesses responsible and forces them to bargain with unions. This bill is an assault on workers.

Mr. Speaker, I include in the RECORD a letter from the Economic Policy Institute outlining how H.R. 3441 will ensure small businesses are left with sole responsibility for business practices often dictated by large corporations; and, in addition, a letter from the International Brotherhood of Teamsters opposing this bill in support of workers protections.

ECONOMIC POLICY INSTITUTE,
*Washington, DC, October 3, 2017.*

Hon. VIRGINIA FOXX,
*Chairwoman, Committee on Education & the Workforce, House of Representatives.*

Hon. BOBBY C. SCOTT,
*Ranking Member, Committee on Education & the Workforce, House of Representatives.*

DEAR CHAIRWOMAN FOXX AND RANKING MEMBER SCOTT: On behalf of the Economic Policy Institute Policy Center, we write to express our strong opposition the H.R. 3441, the so-called ''Save Local Business Act,'' which would do nothing to protect small business owners or their workers. The Economic Policy Institute is a nonprofit, nonpartisan think tank founded in 1986, and our labor policy unit assesses actions by Congress and federal agencies that impact workers and the economy. We urge you to oppose this legislation.

The so-called ''Save Local Business Act'' (H.R. 3441) would roll back the joint employer standards under both the National Labor Relations Act (NLRA) and the Fair Labor Standards Act (FLSA). It has nothing to do with protecting small businesses. In fact, the bill would ensure that small businesses are left with sole responsibility for business practices often mandated by large corporations like franchisors. It would establish a joint employer standard that lets big corporations avoid liability for labor and employment violations and leaves small businesses on the hook.

Given the realities of the modern workplace, in which employees often find themselves subject to more than one employer, working people deserve a joint employer standard that guarantees their rights and protections under basic labor and employment laws. Instead, this bill would establish a standard that makes it nearly impossible for workers whose wages are stolen or who are fired for supporting a union to get justice. By limiting employer responsibility to only those firms who ''directly, actually, and immediately'' exercise significant control over the essential terms and conditions of employment, the bill would enable large firms that contract for services to evade responsibility under both the NLRA and the FLSA.

When two or more businesses co-determine or share control over a worker's pay, schedule, or job duties, then both of those businesses should be considered employers. A weak joint employer standard robs workers of their rights, making it impossible for them to effectively collectively bargain or litigate workplace disputes—and it leaves small businesses holding the bag when the large corporations that control their business practices and set their employees' schedules violate labor law and refuse to come to the bargaining table. If this committee wishes to support small businesses and the workers they employ, then it should support a strong joint employer standard rather than this legislation.

Since the NLRB narrowed its joint employer standard in 1984, contingent and alternative workforce arrangements—including reliance on temporary staffing firms and contractors to outsource services traditionally performed by in-house workers—have grown dramatically. Recent estimates find that 15.8 percent of workers were engaged in alternative work arrangements in late 2015, or around 24 million workers in today's labor market.

The NLRB's 2015 decision in Browning-Ferris Industries addressed this issue, requiring all firms that control the terms and conditions of employment to come to the bargaining table, ensuring that workers are again able to engage in their right to collective bargaining. Employers already face only narrow liability under Browning-Ferris, and the Board would examine the specific circumstances of each case before making a determination. Nothing in the decision implies that all employers in a specific industry will be found to be joint employers under the NLRA.

Similarly, the Wage & Hour Division's Administrator's Interpretation on the joint employer standard under the FLSA did not create any new policy; rather, it simply sought to make clear for employers their responsibilities under existing court law and opinion, and to provide the exact kind of clarity and guidance to employers and the regulated community that proponents of the H.R. 3441 purport to seek. And yet, earlier this year, the U.S. Department of Labor rescinded that Administrator's Interpretation, hiding it from view.

In spite of its title, H.R. 3441 does nothing to save local businesses. Instead, it saves large corporations from any responsibility for violations of the FLSA and NLRA. The legislation leaves small businesses and their workers without meaningful recourse. We urge you, your fellow Committee members, and all Members of the House of Representatives to oppose this bill.

Sincerely,

CELINE MCNICHOLAS,
*Labor Counsel, Economic Policy Institute Policy Center.*

HEIDI SHIERHOLZ,
*Senior Economist and Director of Policy, Economic Policy Institute Policy Center.*

---

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
*Washington, DC, October 3, 2017.*

House of Representatives,
*Washington, DC.*

DEAR REPRESENTATIVE: On behalf of the 1.4 million members of the International Brotherhood of Teamsters, I am writing to express our vigorous opposition to H.R. 3441, the Save Local Business Act. I strongly urge you to reject this legislation.

H.R. 3441 seeks to legislate around a century of consistent case law and established joint employer standards in labor and employment law. The bill redefines the term ''employer'' so narrowly that many workers will have no remedy when their employers violate wage laws or their rights to organize and bargain collectively. We believe the legislation will encourage ''gaming the system'' so that no one exercises enough control to be liable as an employer.

The legislation would overturn the National Labor Relations Board (NLRB) Browning-Ferris decision and leave worker protections weaker than they were prior to Congress adopting the National Labor Relations Act (NLRA) in 1935. On August 27, 2015, the NLRB, in its Browning Ferris Industries (BFI) decision, affirmed the basic principle that two or more employers are joint employers of the same employees if they are both employers under common law and they ''share or co-determine those matters governing the essential terms and conditions of employment.'' H.R. 3441 would overturn this decision and allow employers to evade their responsibility to engage in meaningful collective bargaining.

The BFI case involves a labor-only, cost-plus staffing contract under which BFI has subcontracted the employment relationship only to a staffing agency, Leadpoint. BFI owns the facility and equipment on which Leadpoint's employees work; it directs the quality and quantity of work performed by Leadpoint workers.

BFI oversees operations with its own personnel and retains authority to approve or reject Leadpoint's workers. Leadpoint can only pay its workers amounts that comply with its staffing agreement with BFI. As the NLRB noted, the Union ''assert(ed) that absent a change in the joint-employer standard, a putative employer, like BFI, that is a necessary party to meaningful collective bargaining will continue to insulate itself by the 'calculated restructuring of employment and insertion of a contractor to insulate itself from the basic legal obligation to recognize and bargain with employees' representative.''

The NLRB joint employer decision is not a dramatic departure from existing law. It does not upend business as we know it, nor does it undermine the franchise business model, as many have claimed. Current law balances the interests of workers and employers by requiring a fact specific inquiry to determine whether or not there is a joint

employer relationship. The NLRB joint employer decision in the BFI case is fact specific and clarifies the joint employment standard.

Workers at BFI/Leadpoint chose to exercise their right to determine whether they wanted to organize and bargain collectively. Workers voted and the ballots from that election were impounded pending a decision in the BFI case. After the NLRB issued its decision, the ballots were counted. The BFI/Leadpoint workers decisively declared their desire to bargain collectively by voting 4–1 in favor of Teamster representation. The NLRB ruling will allow these (and other) workers to negotiate with and hold accountable the employer which actually controls the terms and conditions of their jobs. This legislation will deny them the ability to do so.

Not only would H.R. 3441 overturn the BFI decision, the bill would also drastically change the definition of employment relationships under the Fair Labor Standards Act (FLSA). The FLSA currently recognizes that more than one business can be an employer. Thus, an employer cannot hide behind labor contractors, brokers, or others. For example, while there are many responsible employers in the construction industry, it is well known that abusive schemes are far too prevalent in this industry as well as others. Contractors use subcontractors or labor brokers who intentionally misclassify workers as independent contractors or pay them ''off the books'' to the disadvantage of responsible employers. We believe this legislation will serve as an incentive for worker misclassification to defeat employment and labor law, as well as facilitate tax avoidance.

Because the Migrant and Seasonal Agricultural Workers Protection Act (MSAWPA) refers to the definition of ''employ'' in the FLSA, H.R. 3441 will have an adverse effect on the ability of workers covered by the MSAWPA to effectively enforce child labor laws, and seek redress for wage theft and other employment abuses.

Again, H.R. 3441 would leave worker protections weaker than when Congress adopted the FLSA in 1938.

This legislation will fuel a race to the bottom for workers' rights, wages, benefits and workings conditions. Working men and women have fought long and hard for the rights and protections they now have under the National Labor Relations Act and the Fair Labor Standards Act. H.R. 3441 is another in a series of intensifying attacks by those who want to return to the era when working men and women were without rights, protections, and a voice in the workplace.

You will fail these workers if you do not reject H.R. 3441. I hope I can tell our members that you stood with them and other workers in their efforts to achieve and maintain meaningful worker rights and protections. The Teamsters Union urges you to vote no on H.R. 3441.

Sincerely,

JAMES P. HOFFA.
*General President.*

Ms. FUDGE. Mr. Speaker, I urge my colleagues to vote ''no'' on H.R. 3441. Let's get back to fighting for the people we were sent here to serve.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the chairwoman for yielding.

Mr. Speaker, I rise today in support of H.R. 3441, the Save Local Business Act.

For hardworking men and women in this country, one of the most important relationships they develop in the workplace is the relationship they have with their employer. This relationship is paramount to every worker's success. It is a relationship that impacts their paycheck, their schedule, their benefits, and the future of their career.

Unfortunately, under the Obama administration, we repeatedly saw government bureaucrats pursue regulatory policies that harmed workers and small businesses. The National Labor Relations Board's decision in Browning-Ferris is a prime example.

In that decision, the Board placed itself squarely in the middle of the employer-employee relationship by redefining what it means to be a joint employer.

The Education and the Workforce Committee has been fighting to roll back this extreme joint employer scheme since it first took effect, and for good reason. It discarded settled labor policy and blurred the lines of responsibility for decisions affecting the daily operations of local businesses across this country. Quite simply, the scheme is a threat to jobs, entrepreneurship, and local employers across the country.

I have heard from small businesses and franchises across my district about how the new joint employer scheme will upend small businesses, undermine their independence, and put jobs, livelihoods, and dreams at risk.

It is time to settle once and for all what constitutes a joint employer, not through arbitrary and misguided NLRB decisions and rulings by activist judges, but through legislation. The Save Local Business Act will roll back this unworkable scheme and restore the same straightforward joint employer test that workers and job creators relied on for decades.

The Save Local Business Act is about providing certainty for job creators in each and every one of our districts. It is about keeping the American Dream within reach.

Mr. Speaker, I urge my colleagues to vote in support of H.R. 3441.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I rise in opposition to H.R. 3441, the so-called Save Local Business Act.

This bill virtually eliminates joint employer liability under the National Labor Relations Act and under the Fair Labor Standards Act. As my colleagues have highlighted, there are numerous unintended consequences presented by this bill.

I want to highlight the impact on an often overlooked segment of our workforce: our Nation's farmworkers.

Farmworkers are among our Nation's most vulnerable workers. Farmworkers work long hours in poor conditions for low pay. Many farmworkers are undocumented and subject to severe abuse. The Migrant and Seasonal Agricultural Worker Protection Act is the principal labor statute protecting agriculture workers and establishes wage, health, safety, and recordkeeping standards for both seasonal and temporary farmworkers. Joint employment standards under this law and the Fair Labor Standards Act are vital to protecting the rights and protections afforded to these workers.

Oftentimes, farmworkers are recruited, hired, supervised, or transported by intermediaries, sometimes referred to as farm labor contractors. Farm operators utilizing farm labor contractors maintain control over working conditions seeking to ensure the financial success of their operation.

Despite this shared responsibility, farm operators may argue that the farm labor contractors they engage are the farmworkers' sole employer responsible for compliance. Farm labor contractors are often thinly capitalized. This means if a farmworker seeks redress for a violation, he or she may not be able to collect from the farm labor contractors. Under the Migrant and Seasonal Agricultural Worker Protection Act, joint employer liability helps ensure covered workers can also hold liability from farm operators that share responsibility.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New York.

Mr. ESPAILLAT. By amending the Fair Labor Standards Act's broad definition of ''employ'' and creating a new extremely narrow definition of ''joint employer,'' H.R. 3441 upends the Fair Labor Standards Act's joint employer framework upon which we rely on.

Mr. Speaker, I include in the RECORD a statement from Farmworker Justice in opposition to this bill.

STATEMEMT ON ''SAVE LOCAL BUSINESS ACT,'' HOUSE EDUCATION AND WORKFORCE COMMITTEE—BRUCE GOLDSTEIN, PRESIDENT, FARMWORKER JUSTICE, OCTOBER 2, 2017

Farmworker Justice appreciates the opportunity to submit this statement to the House Committee on Education and the Workforce. Farmworker Justice, a national advocacy, education and litigation organization for farmworkers founded in 1981 and based in Washington, D.C. Farmworker Justice has played a leading role in advocacy, education and litigation regarding the joint employer concept to remedy and prevent labor abuses. I am President of Farmworker Justice and have 37 years of experience as an attorney, including at the National Labor Relations Board, Legal Services, in private practice and at this organization.

Farmworker Justice opposes the ''Save Local Business Act,'' HR 3441 because it would remove an important mechanism to protect farmworkers and other low-wage workers from suffering violations of the minimum wage and child labor requirements. The bill would make it extremely difficult to hold two businesses jointly liable as ''joint employers'' of the same worker or group of workers. This bill, if enacted, would result in massive violations of the minimum wage and other labor abuses that would harm farmworkers and harm the reputation of the entire agricultural sector.

This bill, if enacted, would reverse more than 130 years of knowledge developed in the

quest to eradicate sweatshops. The Fair Labor Standards Act of 1938, which sets minimum wage, overtime, and child labor standards, adopted a definition of employment relationships based on 50 years of experience under state laws that evolved to address employers' efforts to evade child labor and other labor laws.

During the mid- to late–1800's states adopted laws to regulate and limit the hours of employment of children and quickly confronted employers' efforts to evade the laws. Business owners that operated a manufacturing plant would claim that the children in the plant were employed solely by a subcontractor within the plant or had been brought to the plant by a parent or sibling and therefore should not be considered to have ''employed'' the child. Even if the subcontractor or parent were punished, in the absence of liability on the part of the plant operator it would suffer no adverse impact and would be free to find another subcontractor or parent to bring children to do the work. In addition, often a labor contractor lack sufficient assets to pay a court judgement, leaving workers remedy-less.

One of the responses of state legislatures was to adopt a broad definition of employment relationships that imposed employer status on the larger business owner even where there existed a labor intermediary. Numerous states adopted language defining employment relationships that later became the model for the Fair Labor Standards Act of 1938.

The state laws and the FLSA defined employers as entities that directly or indirectly employed a worker and defined the word ''employ'' as including not just the restrictive common law definition's ''right to control test'' but also as ''to suffer or permit to work.'' 29 USC §203(g). To ''suffer'' in this context means to acquiesce in, passively allow or to fail to prevent the worker's work.

This broad definition imposed liability on a company that had the power to prevent the work of the worker from happening and denied the business the ability to hide its head in the sand about what was happening in its business, including where it utilized labor contractors or other intermediaries which were considered employers of those workers. See Goldstein et al., ''Enforcing Fair Labor Standards in the Modern American Sweatshop: Rediscovering the Statutory Definition of Employment,'' 46 UCLA Law Review 983 (1999). The purpose of establishing joint responsibility is also reflected in FLSA's definition of ''employer,'' 29 USC §203(d), '''Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee.''

The facts in the U.S. Supreme Court's decision in Rutherford Food Corp. v. McComb, 331 U.S. 722 (1947) illustrate the concept. A slaughterhouse company retained a contractor to assemble a crew of workers to debone meat in a special room within the slaughterhouse. The Department of Labor sued the defendant company for recordkeeping and overtime violations. The company denied that it employed the meat deboners, arguing that the contractor was their sole employer. The Court found that the definition of employment relationships in the FLSA imposed liability on the slaughterhouse.

The Save Local Business Act would alter the longstanding meaning of employment relationships under the FLSA and the National Labor Relations Act. The NLRA excludes agricultural workers from its protections, so I will focus on the FLSA. The FLSA's minimum wage applies to farmworkers on most (but not all) larger farms; small farms generally are excluded from the minimum wage. 29 USC 213(a)(6). Agricultural workers are excluded from overtime pay. 29 USC §213(b)(13)–(16). FLSA prohibits certain types of child labor although it allows large agricultural employers, as well as small family farms, to employ children at younger ages than is allowed in other occupations. Id. at (c)(1)–(2).

The bill would set criteria so onerous that it would be rare for two businesses that shared responsibilities regarding workers to be held to be joint employers; just one business would be held to be an employer. Because the Migrant and Seasonal Agricultural Worker Protection Act (AWPA) refers to the definition of ''employ'' in the Fair Labor Standards Act, the proposed law may also apply to AWPA. 29 USC §1802(5). AWPA is the principal federal employment law for farmworkers, regulating employment contracts and the use of farm labor contractors.

Many agricultural workers suffer violations of the Fair Labor Standards Act's minimum wage and other basic labor protections. Often, when such workers try to remedy illegal employment practices, they run into a problem: the farm operator that really determines their job terms and has the capacity to prevent abuses, denies that it is their ''employer'' for purposes of the minimum wage and other labor protections. Instead, the farm operator claims that a ''farm labor contractor'' or other intermediary is the sole ''employer'' of the farmworkers on its farm. Often a labor contractor competes for business by promising low labor costs and when sued by victimized workers cannot afford to pay a court judgment.

In most such cases, the definition of employment relationships in the FLSA enables courts and the Department of Labor to ensure compliance with the law by considering the farm operator and the farm labor contractor to be ''joint employers'' and jointly responsible for meeting FLSA's obligations. This issue has been the subject of numerous lawsuits in which farm operators have been held to be joint employers with their farm labor contractors.

This Committee played a historic role in addressing abuses of migrant workers at the hands of farm operators and their labor contractors and recognized the importance of the joint employer concept in ensuring a law-abiding, prosperous agricultural sector. The Farm Labor Contractor Registration Act of 1964 was passed in part in response to the powerful documentary by Edward R. Murrow, ''Harvest of Shame'' that aired during Thanksgiving weekend in 1960. Congress revised its provisions and replaced it with the Migrant and Seasonal Agricultural Worker Protection Act of 1983, 29 U.S.C. §1801 et seq. At the heart of this Committee's motivation was ensuring joint employer responsibility.

''This broad scope of joint employment—and joint employer liability—is one of the AWPA's most important features. The AWPA's legislative history indicates that Congress considered the joint employer doctrine ''a central foundation'' of this new law. 29 C.F.R. §500.20(h)(5)(ii); citing House Report, n.2 at 4552. It is the ''indivisible hinge'' that allows workers to hold accountable all those responsible for violating the AWPA's protections. Id, citing H.R. Rep. 97–885, 97th Cong., 2d Sess.1, reprinted in 1982 U.S.C.C.A.N. 4547, 4552 (1982) (''House Report'').

The economic reality is that few farm operators will risk their profitability and the survival of their business by delegating all responsibility to a labor contractor. Most farm operators who engage labor intermediaries exercise substantial decision-making regarding the impact of subcontracted workers on their business. If strawberries or grapes are harvested when they are over-ripe or under-ripe, are subjected to pathogens transmitted on the footwear or hands of farmworkers, or are not handled carefully to prevent bruising, huge financial losses could result. A farm operator generally makes these and other major decisions to ensure its profitability, even if it uses a farm labor contractor, instead of its own supervisor, to ensure that its decisions are carried out. Such farm operators should not be able to avoid complying with the minimum wage or child labor requirements by blaming a labor contractor as the sole employer. In most cases, there is shared responsibility among the farm operator and the labor contractor so that the workers on the farm ensure the profitability of that business. That shared responsibility means shared liability is appropriate.

The joint employer concept does not deprive farms or other businesses of the ability or right to engage labor contractors or other intermediaries such as staffing agencies. Nor does it prevent businesses from entering into agreements that require labor contractors to comply with all employment-law obligations, purchase liability insurance against employment-law claims and hold the larger business harmless for any litigation and liability that may result.

Joint employer liability creates an incentive to ensure that a business selects its labor contractors, as well as its directly-hired supervisors, wisely and ensures compliance with employment laws. In addition to ensuring protections for workers, joint employer liability helps protect law-abiding businesses from unfair competition by unscrupulous employers that keep their labor costs low by using labor contractors that violate employment-related obligations. The joint employer concept is an important, longstanding approach to minimizing sweatshops and its elimination would result in a return to an era in which sweatshops are more prevalent.

The joint employer concept also helps create consumer confidence regarding their purchases. People want to feel good about the food they eat. Agriculture has a reputation for poor treatment of farmworkers that would be exacerbated by the increases in abuses that would flow from this legislation.

Congress should reject the Save Local Business Act because it contradicts 130 years of experience in preventing sweatshops in factories and at least 50 years of consensus regarding policies needed to remedy and prevent abuses of the people who labor on our farms and ranches to produce our food.

Ms. FOXX. Mr. Speaker, before I yield to the gentleman from Texas (Mr. CUELLAR), I want to take just a minute to express my deepest sympathy to him, as the representative of the people of Sutherland Springs, for this Sunday's tragic events. He is here today to do the job they sent him to do, but we all know his heart is very much in that community. I thank him for being here, and I hope he knows that so many people are praying for him and the people he represents.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Speaker, I thank the chairwoman for her condolences and her prayers for Sutherland Springs.

Mr. Speaker, I also thank Mr. BYRNE and, of course, Chairman FOXX, for their work on this particular bill. I thank Mr. CORREA, Mr. PETERSON, and the other supporters of this legislation.

Prior to August 2015, the joint employer standard used by the NLRB

made it easy to understand who is and who is not a joint employer. For decades, a joint employer relationship existed when one company exercised ''direct and immediate'' control over another company's workforce.

However, as you know, under the case Browning-Ferris Industries, the NLRB departed from many years of legal precedent in August of 2015 by establishing a new, expanded joint employer standard. This standard could trigger employer liability by a company exercising vaguely defined indirect control over an employee.

We have heard from local businesses from my district and across the State of Texas, and it is clear that this decision is causing them significant confusion.

In my district—let's say in Laredo, Texas, there is a local restaurant owner who says that his restaurant currently employs close to 1,000 local employees.

□ 1700

This expanded joint employer standard has limited his investment in his business and the number of workers that he has. Reverting back to the former joint employer standard that we had for so many years would allow him to hire the employees that he needs to hire and reinvest money.

This new expanded standard makes it difficult for local franchisees like this one in Laredo to offer the employer relationship support from franchisers for the fear that these benefits could be used against them in a joint employer lawsuit.

Those fears are well founded. For example, the Progressive Policy Institute, known for its pragmatic ideas, says that the expansion of this joint employer doctrine ''may do more harm than good.''

This is why I am supporting this legislation. We are asking that it revert back to the legal standard that we used for many years.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. TAKANO), the ranking member of the Subcommittee on Workforce Protections.

Mr. TAKANO. Mr. Speaker, I thank the ranking member for yielding and for his continued leadership on behalf of America's workers.

Mr. Speaker, more and more employees today are working for a company whose name is not on the front of their office building. Instead of hiring employees directly, companies are renting employees from staffing agencies. Let me say that again. Companies are renting employees from staffing agencies and then evading responsibility for upholding the rights of those workers, even as they profit from their work.

For decades, sensible joint employment standards under the Fair Labor Standards Act have ensured that workers can hold employers accountable for violating wage and hour laws.

Instead of refining those standards to reflect the complex relationship between workers and employers in today's economy, this legislation sets a dramatically and intentionally narrow standard so that no large corporation can be held accountable if their contractors violate workplace laws.

Mr. Speaker, I include a letter of support in the RECORD, a letter by the National Employment Law Project and signed by more than 200 organizations opposing H.R. 3441 because it opens the door to widespread wage theft and hurts law-abiding small businesses.

Hon. PAUL RYAN,
*House of Representatives,*
*Washington, DC.*
Hon. NANCY PELOSI,
*House of Representatives,*
*Washington, DC.*
Hon. VIRGINIA FOXX,
*House of Representatives,*
*Washington, DC.*
Hon. ROBERT C. SCOTT,
*House of Representatives,*
*Washington, DC.*

DEAR SPEAKER RYAN, LEADER PELOSI, CHAIRWOMAN FOXX AND RANKING MEMBER SCOTT: The undersigned organizations write in opposition to H.R. 3441, the so-called Save Local Business Act, which would amend the Fair Labor Standards Act (FLSA) and the National Labor Relations Act (NLRA) to prevent workers from holding more than one employer jointly accountable for wage theft, child labor, equal pay violations, or unfair labor practices even when the employers jointly exercise and share control over working conditions.

Under our nation's long-standing laws dating back as far as the late 1800s, employers who share control with their subcontractors over working conditions may also share accountability as joint employers for violations of workers' rights so that they will provide better oversight of working conditions, and in so doing, ensure broader compliance with basic labor and employment laws.

H.R. 3441 seeks to dramatically narrow the long-standing definitions of ''employer'' in the FLSA and NLRA and it is neither good for workers nor for law-abiding businesses.

H.R. 3441 OPENS THE DOOR TO WIDESPREAD WAGE THEFT AND WORKER HARMS IN OCCUPATIONS ACROSS THE ECONOMY, INCLUDING IN OUR NATION'S GROWTH INDUSTRIES

The bill would undermine protections for millions of workers across the economy, especially in low-wage sectors where subcontracting is common: construction, agriculture, garment, janitorial, home care, delivery and logistics, warehousing, retail, temp and staffing, and manufacturing, just to name a few.

Wage theft and other workplace dangers are prevalent in many of these jobs, and even under current law, millions of workers today are no longer sure who their boss is—and indeed, have no way to navigate the intricacies of companies' contracting relationships to ascertain who is responsible for workplace violations. When there's no clear line of accountability, work conditions are more likely to deteriorate: pay declines, wage theft increases, and workplace injuries rise. In addition, outsourced jobs pay less—sometimes as much as 30 percent less—than in-house jobs, likely due to a lack of worker and subcontractor bargaining power. In today's economy, we should be looking for ways to increase workers' pay and economic security, not laying the groundwork for more sweatshops.

When a subcontractor cannot pay, joint employer standards ensure that workers have remedies against the contracting company for the legal violations. Workers should be able to recover when cheated out of wages, exposed to dangerous working conditions, or otherwise treated unlawfully.

This bill would also impede workers from bringing equal pay claims to close the gender pay gap. Because the Equal Pay Act is a part of the FLSA, and uses the FLSA's definition of an employer, H.R. 3441 would make it harder for subcontracted workers to hold their employers accountable for gender-based pay discrimination.

THE BILL ACTUALLY HURTS, NOT HELPS, LAW-ABIDING SMALL BUSINESSES

Although framed as a bill to help protect the independence of small businesses, including those that operate as franchisees, the bill would in fact insulate corporations, including franchisors, from liability. Unscrupulous businesses that employ abusive labor contractors to cheat workers would gain a competitive advantage over law-abiding businesses. In addition, franchisees whose business practices are all but dictated to them by larger corporations will be hung out to dry for decisions that aren't their own, without any indemnification from the entity that often all but forces labor and employment violations on them.

Corporations that engage low-road contractors and then look the other way gain an unfair advantage over companies that play by the rules, resulting in a race to the bottom that rewards cheaters. It's one reason why the job quality of what were formerly middle-class jobs in America is suffering today. Working people struggle enough in today's economy.

Don't let Congress make this worse by legislatively rigging the system in favor of corporations that don't care about the workers who build their businesses. Oppose H.R. 3441.

Sincerely,

9to5 Colorado; 9to5 Wisconsin; 9to5, National Assoc of Working Women; A Better Balance; Advocates for Basic Legal Equality, Inc.; AFL-CIO; American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers, AFL-CIO; Arizona Employment Lawyers Association; Asian American Legal Defense and Education Fund; Barkan Meizlish LLP; Bricklayers & Allied Craftsmen Local 3 MA/ME/NH/RI; California Employment Lawyers Association; Center for Law and Social Policy (CLASP); Center for Popular Democracy; Center for Worker Justice of Eastern Iowa.

Centro de los Derechos del Migrante, Inc. (CDM); Centro Legal de la Raza; Change to Win; Chicago Jobs Council; Cincinnati Interfaith Workers Center; Coalition for Social Justice; Coalition of Labor Union Women; Coalition on Human Needs; Colorado Fiscal Institute; Columbia Legal Services, Washington State; Communications Workers of America (CWA); Community Labor United; Community Legal Services in East Palo Alto; Community Legal Services of Philadelphia; Community, Faith & Labor Coalition, Indianapolis; Congregation of Our Lady of Charity of the Good Shepherd, US Provinces.

Congregation of Our Lady of the Good Shepherd, US Provinces; Connecticut Legal Services, Inc.; Council on American-Islamic Relations (CAIR); Democratic Socialists of America; Demos; Disciples Center for Public Witness (Disciples of Christ); Economic Policy Institute Policy Center; Economic Progress Institute; El Comite de Apoyo a los Trabajadores Agrícolas; Employee Rights Center; Equal Justice Center;

Equal Rights Advocates; Fair Work Center; Fair World Project; Faith and Justice Worker Center; Family Values @ Work; Farmworker Association of Florida.

Farmworker Justice; Florida Legal Services, Inc.; Food Chain Workers Alliance; Forward Community Investments; Franciscan Action Network; Friends Committee on National Legislation; Fuerza del Valle Workers' Center; Fuerza Laboral; Futures Without Violence; Genesis Masonry Contracting, LLC; Getman, Sweeney & Dunn, PLLC; Good Jobs First; Good Jobs Nation; Greater Boston Legal Services; Greater Hartford Legal Aid, Inc.

Greater Rochester Coalition for Immigration Justice; Greater SE Mass Labor Council; Hardin & Hughes, LLP; Head Law Firm, LLC; Hudson Valley Justice Center; Immigrant Solidarity DuPage, Casa DuPage Workers Center; Immigrant Worker Center Collaborative (IWCC); In The Public Interest; Indianapolis Worker Justice Center; Interfaith Coalition for Worker Justice of South Central WI; Interfaith Worker Justice; International Brotherhood of Teamsters; International Federation of Professional & Technical Engineers (IFPTE); International Union of Painters and Allied Trades District Council 35; IWJSD.

Jewish Community Relations Council, Milwaukee; Jobs With Justice; Justice in Motion; Kansas City Workers' Rights Board of Missouri Jobs with Justice; Kentucky Equal Justice Center; Kids for College; Kids Forward; Labor Justice Committee; Labor Project for Working Families; Laundry Workers Center; Lebau and Neuworth; The Leadership Conference on Civil and Human Rights; Legal Aid at Work; The Legal Aid Society.

Legal Services of Central New York; Legal Voice; Local 3, Bricklayers & Allied Craftsmen; Los Angeles Alliance for a New Economy; Madison-area Urban Ministry; Main Street Alliance; Maine Labor Group on Health; Maine Women's Lobby; Maintenance Cooperation Trust Fund; Massachusetts Coalition of Domestic Workers; Massachusetts Interfaith Worker Justice; Massachusetts Law Reform Institute; MassCOSH (Massachusetts Coalition for Occupational Safety & Health); Mechanic Law Firm, Portland OR; Metrowest Worker Center; Miami Workers Center.

Michigan League for Public Policy; Missouri Jobs with Justice; Moms Rising; NAACP; National Advocacy Center of the Sisters of the Good Shepherd; National Asian Pacific American Women's Forum (NAPAWF); National Center for Law and Economic Justice; National Center for Transgender Equality; National Council for Occupational Safety and Health; National Council of Churches; National Domestic Worker Alliance; National Education Association; National Employment Law Project; National Employment Lawyers Association; National Guestworker Alliance; National Immigration Law Center.

National LGBTQ Task Force; National Partnership for Women & Families; National Women's Law Center; National Workrights Institute; NETWORK Lobby for Catholic Social Justice; New Haven Legal Assistance; New Jersey Citizen Action; New Jersey Policy Perspective; New Jersey Time to Care Coalition; New Jersey Work Environment Council; New Labor; New Mexico Center on Law and Poverty; New Mexico Voices for Children; North Carolina Justice Center; NWA Workers' Justice Center; Oregon Center for Public Policy.

Oxfam America; Patriotic Millionaires; Phillips Dayes Law Firm PC; Pilipino Workers Center of Southern California; Policy Matters Ohio; PolicyLink; Pride at Work; Progressive Congress Action Fund; Project IRENE; Public Citizen; Public Justice Center; Restaurant Opportunities Centers United; Safe Harbor Law, LLC; Sargent Shriver National Center on Poverty Law; SE Mass Building Trades Council; SEIU Local 888.

Service Employees International Union; South Central Federation of Labor, AFL-CIO; South Florida AFL-CIO; South Florida Interfaith Worker Justice; Southern Poverty Law Center; St. Louis Workers Rights Board, Missouri Jobs with Justice; Stephan Zouras, LLP; Teamsters Joint Council 7; Teamsters Local Union 350; Teamsters Local Union 469; The Commonwealth Institute for Fiscal Analysis (Virginia); The Law Offices of Gilda A. Hernandez, PLLC; The North Dakota Economic Security and Prosperity Alliance; The Rhode Island Center for Justice; The Stolarz Law Firm; The Warehouse Worker Resource Center.

UltraViolet; Union for Reform Judaism; Union of Rutgers Administrators, AFT Local 1766; Unitarian Universalist Association; United Auto Workers (UAW); United Community Center of Westchester, Inc.; United Food and Commercial Workers International Labor Union; United Food and Commercial Workers Union Local 1445; United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied; Industrial and Services Workers International Union (USW); Washington State Budget & Policy Center; Wayne Action for Racial Equality; WeCount!; Werman Salas PC; West Virginia Center on Budget and Policy; Winebrake & Santillo, LLC.

Wisconsin Alliance for Retired Americans; Wisconsin Alliance for Women's Health; Wisconsin Coalition Against Sexual Assault; Wisconsin Community Program Association (WISCAP); Wisconsin Council of Churches; Wisconsin Faith Voices for Justice; Wisconsin Network for Peace, Justice, and Sustainability; Women Employed; Women's Law Project; Workers' Center of Central New York; Workers Defense Project; Workers' Rights Center of Madison WI; Workers' Rights Project, Main Street Legal Services. Inc; Working Families Party; Working Partnerships USA; Workplace Fairness; Workplace Justice Project at Loyola College of Law Clinic; Worksafe; WV Citizen Action Group; Yezbak Law Offices.

Mr. TAKANO. Mr. Speaker, from 2001 to 2013, Wal-Mart was contracting with three warehouses in my community, and those warehouses contracted out their staffing to a company that was accused of committing egregious wage and hour law violations.

Thanks to the FLSA joint employer standard, 1,700 warehouse workers were able to reach a $22 million settlement to collect the pay that they were owed from their employer. Under this bill, they would likely have gotten nothing.

The questions we face today are: Will millions of workers, like the warehouse workers in my district, lose what little power they have left to fight against wage theft; will organized workers lose the basic right to bring all responsible parties to the table to collectively bargain for better wages and workplaces; will shrewd corporations be allowed to claim immunity from the laws that protect employees; and, most of all, will the people's House stand with the people or stand with the corporations that continue to rig the economy against the American worker?

Mr. Speaker, I strongly urge my colleagues to oppose H.R. 3441.

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), the chair of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I rise today in strong support of H.R. 3441, and I want to commend our colleague, Mr. BYRNE, for sponsoring this legislation. I also want to commend Chairwoman FOXX for her leadership on this very important issue. I am proud to be an original cosponsor myself.

As chairman of the House Small Business Committee, I have had the opportunity to see firsthand how the National Labor Relations Board's new joint employer standard threatens the ability of small-business owners to remain independent and responsible for their own employees.

At a Small Business Committee hearing last year, an Army combat veteran and small-business owner testified that: ''Local business owners may effectively be demoted from entrepreneur to middle manager, as they are gradually forced to forfeit operational control of the stores, clubs, inns, or restaurants that they built.''

At the same hearing, another small-business owner testified that: ''I would cease to be an independent small-business owner . . . ultimately, I would become a de facto employee of the corporate brand.''

These are merely two examples of the consequences real American small-business owners face because of the decisions of Washington bureaucrats and activist judges. The Obama-era joint employer scheme threatens small businesses, the engines of American economic growth.

Small businesses, after all, create the majority of the new jobs in this Nation; they spur innovation.

Enacting this legislation would help ensure continued freedom for America's best job creators.

Mr. Speaker, I urge my colleagues to support H.R. 3441. Passage of this legislation is necessary to restore certainty to America's small-business owners and their employees so that they can continue to operate their businesses locally and independently.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I include in the RECORD two letters of opposition, one from the North America's

Building Trades Unions, and one from the United Brotherhood of Carpenters and Joiners of America.

NORTH AMERICA'S BUILDING TRADES UNIONS,
*Washington, DC, November 6, 2017.*

DEAR REPRESENTATIVE: On behalf of the 3 million skilled craft professionals who comprise the 14 national and international unions of North America's Building Trades Unions (NABTU), I urge your opposition to H.R. 3441, the Save Local Business Act. If enacted this piece of legislation would have a devastating impact on the construction industry which is dependent upon a variety of contractor and subcontractor relationships.

Unfortunately, many low road contractors in the construction industry are becoming increasingly skilled in shielding themselves from legal liabilities through layers of subcontractors. Contractors use subcontractors or labor brokers that either pay their employees off the books or intentionally misclassify them as 1099 subcontractors. When that is done, income taxes are not deducted, and Social Security and Medicare taxes are not paid, as well as unemployment contributions, workers' compensation premium and overtime.

H.R. 3441 purports to save businesses by making it extremely difficult for the National Labor Relations Board (NLRB) and U.S. Department of Labor to find employers jointly liable for violations of the law. If enacted it would have the unintended consequence of promoting a low road contracting model in which those who willfully commit labor violations are unaccountable, to the disadvantage of law-abiding employers and their employees.

This piece of legislation would further induce bad actors to perfect their efforts to undermine the labor standards in our industry, making it more challenging for American workers to achieve access to the middle class. It would also create a competitive disadvantage to high road contractors who obey the law. As such, I strongly urge your opposition to this harmful legislation.

Sincerely,

SEAN MCGARVEY,
*President.*

---

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
*Washington, DC, September 19, 2017.*

Re Opposition to HR 3441, the Save Local Business Act.

Hon. VIRGINIA FOXX,
*Chair, Committee on Education and the Workforce, Washington, DC.*

Hon. ROBERT C. SCOTT,
*Ranking Member, Committee on Education and the Workforce, Washington, DC.*

DEAR CHAIR FOXX AND RANKING MEMBER SCOTT: I write to respectfully express our opposition to HR 3441, the Save Local Business Act, because it will provide a safe haven for unscrupulous contractors in the construction industry who use a system of subcontractors to deliberately shield themselves from liability for abusing workers and stealing jobs away from law-abiding businesses, even as they knowingly profit from it.

Regrettably, while most companies in the construction industry are legitimate, responsible employers, we are also home to many who excel in illegal employment practices. This fact is well known and widely acknowledged. The trend is for contractors to use subcontractors or labor brokers who either intentionally misclassify employees as independent contractors or, more often, pay employees off the books. They find two benefits in their schemes. First, through violating wage, tax, immigration, workers' compensation and other employment laws, they can shave up to 30 percent off of their labor costs and underbid law-abiding businesses. Second, if laws are enforced, contractors use the subcontract relationship as a shield against liability and replace offending subcontractors or labor brokers with others that will do the same.

There is one vulnerability to their schemes. Under the Fair Labor Standards Act (FLSA) and National Labor Relations Act (NLRA) these contractors are frequently joint employers with their subcontractors or labor brokers. The contractors keep time, supply building materials, discharge workers, provide training and daily supervision.

H.R. 3441 closes that door by making it exceedingly difficult to find joint-employer liability. Under the bill, businesses cannot be joint employers unless they have direct, actual and immediate control over the essential terms and conditions of employment—a remarkable reversal of decades of law. Moreover, a contractor and labor broker need only split up responsibility over essential terms, and joint employment is defeated. Indeed, it is arguable that under such an arrangement there may be no employer at all.

It cannot be forgotten that construction contractors that scheme to cheat workers out of overtime, wages and the right to collective action also fail to comply with federal and state employment tax laws. In Texas alone federal tax losses from cheating contractors has been estimated to cost the federal government over 81 billion.

This is not to suggest that legitimate, law-abiding contractors should not use subcontractors, or that there are not thousands of legitimate, law-abiding contractors and independent contractors across this country. But it must be recognized that abusive subcontracting schemes as described above are also prevalent in our industry and that this bill would make it even harder to crack down on these illegal practices.

Despite its name, HR 3441 is a blue print to violate the law and drive law-abiding employers out of business and make it more difficult for working men and women to reach the middle class. The law needs to protect workers and responsible businesses—not put them in jeopardy.

Very truly yours,

DOUGLAS J. MCCARRON,
*General President.*

Mr. NORCROSS. Mr. Speaker, I thank Ranking Member SCOTT for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 3441, which is falsely called Save Local Business Act. The new name should be ''Crush Local Workers Act.''

I am happy to work with my colleagues on the other side of the aisle. I look forward to helping small businesses and helping them raise wages, but this bill does neither. It empowers corporations, and it depresses wages.

Employers are relying more and more on subcontractors and permanent temporaries. These temporary staffing agencies employ around 3 million people. That is about one-fifth of all the new jobs created since 2009.

I have fought to raise wages for over two decades for workers. This bill lets corporations keep wages low by subcontracting out their work. They are subcontracting their conscience to put profits over people.

This bill makes it nearly impossible for workers to hold temporary staffing agencies responsible for unfair labor practices or wage theft. It denies employees a voice in the workplace. It prevents workers from joining unions, collective bargaining, which go ultimately to help raise wages.

We should be lifting workers' wages up, not trying to crush them.

I will remind our colleagues that, from 1930 to 1984, the courts were the ones who were making these joint employer decisions, and it was Ronald Reagan's administration who first made this change. It was the Reagan administration who first made this change.

The Obama administration brought it back to where it was, yet, apparently, people are forgetting those very important facts.

Mr. Speaker, that is why I urge my colleagues to vote against this crush local workers act.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. ROE), the distinguished chair of the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of H.R. 3441, the Save Local Business Act.

Mr. Speaker, this debate boils down to whether we want local entrepreneurship and community engagement through the franchise model or a one-size-fits-all, top-down model.

When I served as chairman of the HELP Subcommittee, we heard testimony about the effect of this new joint employer standard from Mr. Ed Braddy, who owns a Burger King in inner-city Baltimore. Many of the men Mr. Braddy hires to work at his store have had a run-in with the criminal justice system, and several of the women he hires has been on some form of government assistance.

He hires people to give them an opportunity at a better life, as he described it.

If the new joint employer standard proceeds, the Burger King corporation will be liable for many of the hiring decisions that are made by Mr. Braddy. Why would we expect any corporation to know a community better than someone like Mr. Braddy, who grew up there? Shouldn't we expect that a corporate entity would be more risk averse and less likely to give people a second chance?

Think about the incredible story Mr. Braddy has to tell. He dropped out of high school in the 11th grade before returning when his life was headed in the wrong direction, according to him. He joined the Baltimore Police Department, and then he began working in a Burger King. After the first Burger King he owned closed, he ultimately rejoined Burger King and purchased his current store.

What is remarkable is when Baltimore experienced unrest several years ago, Mr. Braddy's store was at the epicenter, his neighbors stood outside to protect it from being destroyed, and his was one of the only restaurants open for business the next day.

Mr. Speaker, if this is not the American Dream, I don't know what is. On a recent trip that our conference took there, including the chairwoman, we dined with Mr. Braddy at his restaurant in Baltimore. He was a wonderful host, I might add.

Joint employer isn't just about restaurants. Hotel owners, fitness companies, movers, tutoring services, janitorial services, and the list goes on and on, anyone who franchises their business is affected by this ruling.

I am pleased the Labor Department is reviewing this standard, but this can't be a constantly changing standard while long-term damage is done to local entrepreneurship.

Mr. Speaker, I urge my colleagues to support the joint employer standard that protects workers and allows the franchise model to flourish.

Mr. SCOTT of Virginia. Mr. Speaker, could you advise us as to how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. COFFMAN). The gentleman from Virginia has 13½ minutes. The gentlewoman from North Carolina has 15 minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I include in the RECORD page 50 of the committee report, which outlines the exchange with Mr. Braddy, which suggests that the franchisors do not become joint employers under the present law.

In an exchange between Representative Guthrie and Ed Braddy, a Burger King franchisee testifying on behalf of the International Franchise Association, Mr. Braddy was asked:

Representative Guthrie: Do you or do [sic] the franchisor hire and fire and determine the work of your employees?

Mr. Braddy: I schedule interviews every other Wednesday. I sit down with eight people every other Wednesday. Even though I am not hiring, I do the interviews because I always like to have a waiting list of people who want to work. So I do all the hiring. I don't allow my managers or my assistants to terminate anyone because I want to make sure that once I let someone go it is for a good reason.

Mr. Guthrie: But it is you as the business owner, not the—what role does the franchisor play in any of your—those issues?

Mr. Braddy: None at all.

Based on this testimony, nothing in the Browning Ferris decision could establish that these franchisors are exercising sufficient control to be deemed a joint employer with their respective fanchisees.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Labor-Health and Human Services Appropriations Subcommittee.

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this bill, which would overturn the National Labor Relations Board's joint employer decision. It will make it harder for working people to hold employers accountable for abuses, including making it harder to bring Equal Pay Act claims.

In 2015, the National Labor Relations Board ruled in their Browning-Ferris decision that a company can be held liable for labor violations by other employers they contract with.

This definition of joint employers reflects the reality that subcontractors in the workforce face today. In fact, according to the Economic Policy Institute: ''The most rigorous recent estimates find that the share of workers being subcontracted out was 15.8 percent in late 2015. In today's labor market, that translates into roughly 24 million workers.''

The bill we are debating today would fly in the face of the 2015 decision, undermining employee protections.

This bill would create a more narrow and restrictive definition of a joint employer; it would limit workers' ability to hold employers responsible for violations under the National Labor Relations Act, such as attempts to stop collective bargaining; or the Fair Labor Standards Act, such as wage theft, equal pay violations.

Let me talk about what this would mean in just one area: pay discrimination. Pay discrimination in the workplace is real; it is happening everywhere.

□ 1715

Pay inequity does not just affect women; it affects children, families, and our economy as a whole. That is because women in this country are the sole or co-breadwinners in half of the families with children.

The biggest problem facing our Nation today is that families are not making enough to live on. They are not being paid enough in the jobs that they have. Closing the wage gap would help to address that problem.

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

Mr. SCOTT of Virginia. I yield the gentlewoman from Connecticut an additional 1 minute.

Ms. DELAURO. Why would we further undermine a worker's ability to bring pay discrimination cases against their employer? We must stand with workers, defend the current definition of joint employers.

To those who claim that joint employer status is burdensome or confusing for companies, let me just ask you: What about the burden on millions of Americans who are experiencing pay disparity and pay discrimination?

I urge my colleagues, reject this bill. Take a stand for equal pay, for equal work.

Mr. Speaker, I include in the RECORD a letter from our labor leaders rejecting H.R. 3441.

JULY 28, 2017.

DEAR REPRESENTATIVE: We, the undersigned unions representing millions of American workers, are writing to urge you to not support H.R. 3441, the joint employer bill introduced by Representatives Bradley Byrne and Chairwoman Virginia Foxx of the House Committee on Education and the Workforce, which would eliminate the National Labor Relation Board's (NLRB) decision in Browning-Ferris, and greatly restrict the definition of employer under the Fair Labor Standards Act. Congress should be working to strengthen the rights of working people and raise wages. The legislation would accomplish the opposite.

Over the past few decades, the middle class has been struggling to stay afloat. As wages have often been stagnant or declining, more and more companies have used middlemen from staffing agencies, labor contractors and to subcontractors to maintain low wages, avoid accountability and prevent a large percentage of workers from organizing. It is important that when workers try to remedy illegal employment practices or organize to join a union that the party calling the shots is at the table and part of the remedy. And indeed, the current state of the law under both under the National Labor Relations Act and the FSLA balances the interests of workers and employers by requiring a fact specific inquiry to determine whether or not there is a joint employer relationship.

This bill seeks to legislate around a century of consistent case law and established joint employer standards in labor and employment law. It redefines the term 'employer' so narrowly that many workers will have no remedy when their employers violate their union rights or wage laws.

The legislation would overturn the Browning Ferris NLRB decision, a case which found a joint employer relationship between Browning Ferris and Leadpoint their subcontractor. In this case, Browning-Ferris, Inc. (BFI), the employer, controlled the speed of the conveyor belt where employees of contractor Leadpoint sorted materials, prohibited Leadpoint from raising wages above a specified cap without BFI's permission, and determined the shift times and the number of people on shifts. Since Leadpoint was unable to negotiate these employment terms among others without BFI approval, the NLRB found BFI must be at the bargaining table along with its subcontractor in order for the union to negotiate a meaningful collective bargaining agreement. The decision was fact specific and in keeping with the realities of today's workplace.

Further, the bill would drastically change the definition of employment relationships under the FLSA which recognizes that more than one business can be an employer. Currently, under the FLSA employers cannot hide behind labor contractors or franchisees, when they set critical conditions of employment. Because the Migrant and Seasonal Agricultural Worker Protection Act refers to the definition of ''employ'' in the FLSA, this bill will also impact farm workers seeking to redress wage theft and other employment abuses. It is the FLSA definition of employ that has allowed workers to effectively enforce child labor and other laws and to effectively address sweatshops for decades. Today, it is this definition that offers workers hope that when they organize for a union and better wages that the party that can actually effectuate change is at the table.

We urge you to weigh the interests of workers and stand with them in opposing legislation that would rollback the NLRB's decision and restrict workers' rights under the law.

Sincerely,

INTERNATIONAL BROTHERHOOD OF TEAMSTERS (IBT).
SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU).
UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW).
UNITED FARM WORKERS OF

AMERICA (UFW).
UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION (UFCW).
UNITED STEELWORKERS (USW).

Ms. FOXX. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today in support of H.R. 3441, the Save Local Business Act.

Too often, under the previous administration, radical policy shifts were taken by unelected bureaucrats and activist judges, which harmed our society. An example of this was in 2015, when the National Labor Relations Board decided to unilaterally change a longstanding definition of what constitutes an employer-employee relationship. That changed the definition of a joint employer from an employer that has ''actual, direct, or immediate'' control over the terms and conditions of employment to someone who has ''potential'' or ''indirect'' control. It should be obvious to you who your employer is. It is the one who hired you and who signs your paycheck.

As Chairwoman FOXX said in a recent op-ed: ''When you have a hammer, everything looks like a nail.'' That is so true for so many in Washington.

I encourage my colleagues to support this bill because it defines joint employer in a commonsense way in order to do away with the current, convoluted status. This bill will also prevent future overreach from bureaucrats, and allows businessowners to manage their own businesses.

Mr. SCOTT of Virgina. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this bill, H.R. 3441, cripples the right to bargain for better wages and conditions when workers have joint employers. By narrowing the definition of a joint employer, this bill deprives thousands of workers of their right to negotiate with the parties that really exercise control over their wages and conditions; and by undermining collective bargaining, this bill suppresses wages.

One of the biggest problems, if not the biggest problem in the economy today, has been the lack of wage growth over the last decade to two decades. This bill will not improve that problem. It will take an existing problem and make it worse.

Today, workers are under a direct threat from reckless, misleading legislation like this; and that, ultimately, will do nothing to improve their wages, improve their benefits, or improve their working conditions.

Let's reject this bill and, instead, discuss and debate and craft legislation that can improve workers' wages.

Ms. FOXX. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. FRANCIS ROONEY).

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I thank Chairman FOXX and Subcommittee Chairman BYRNE for bringing forth this important legislation, the Save Local Business Act.

Construction is a major employer in the U.S. economy, with over 6 million employees, 650,000 employers, creating over $1 trillion worth of construction every year.

Building a project involves a complex web of subcontractors, vendors, and consultants all working together in a spirit of teamwork to accomplish a difficult task.

I have been in this business for 40 years. The general contractor has to put control terms in its subcontracts and purchase orders to make sure that the subcontractors and vendors execute the work safely, on schedule, and in coordination with the other trades on the project. Lastly, they have to follow all the fitness-for-duty provisions to make sure that they pass drug tests and deal with smoking and health safety issues like that.

These requirements run right into this Browning-Ferris standard. There is no way that you could follow the literal words of those court cases and this horrible Obama rule and not have the argument made to you that all these subs and vendors are part of a common enterprise.

Now employers, including myself and my employees, are left in a big quandary as to their status under Browning-Ferris, under the Obama rule. I can see a scenario where a batch plant located clear across town from a construction project could have a hazardous waste problem. Because of this ridiculous rule, my job or someone else's job using that batch plant to supply concrete could be linked to them. How perverse is that?

So the Save Local Business Act will fix this abuse and be beneficial not only to the American economy, but to the safety and well-being of American workers. I urge my colleagues to support this practical fix to this egregious action, and I thank Chairman BYRNE for introducing this legislation.

Mr. SCOTT of Virgina. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I rise in opposition to this bill, which basically says companies should be protected, not workers.

Imagine, when a firm is jointly owned and operated by the Chinese or the Mexicans or the El Salvadorans, where workers' rights are never protected.

Worker protections in America have long accounted for the reality that the company who writes the check isn't always the company that controls workplace conditions, but if they share control over workplace conditions, they should be held jointly responsible for violations.

I include in the RECORD a letter from the United Auto Workers talking about the parts industry.

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA—UAW,

*Washington, DC, November 7, 2017.*

DEAR REPRESENTATIVE: On behalf of the more than one million active and retired members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), I strongly urge you to oppose H.R. 3441, the ''Save Local Business Act.'' This ill-conceived bill would make it more difficult for workers to join together and collectively bargain to improve working conditions and raise living standards. This is a bad bill for working people because it would make it even easier for businesses to replace full time jobs with precarious temporary employment.

H.R. 3441 overturns long established case law and joint employer standards found in labor and employment law. It does this by redefining the term 'employer' in a way that would make it nearly impossible for workers to hold their employers accountable when their rights are violated.

Disturbingly, businesses and large corporations throughout our economy have avoided responsibility to their employees by hiding behind staffing agencies to claim they are not technically their employer. The net result for working people has been lower wages and fewer job protections. For example, within the auto parts manufacturing sector, the National Employment Law Project (NELP) estimates that temporary workers earn, on average, 29% less than direct employees of manufacturers. We have seen how, in the automotive sector, multinational corporations often hire temporary workers, who work side by side, doing the same job, for years, with full time workers and earning significantly less.

H.R. 3441 would also overturn the National Labor Relations Board's (NLRB) in Browning-Ferris. The Browning-Ferris decision was good for working families because it established that workers could negotiate with their true employer under fact specific circumstances. In that case, a subcontractor for Browning-Ferris Industries (BFI), Leadpoint, was unable to negotiate several basic employment terms without permission from BFI. The NLRB sensibly found that BFI must be at the bargaining table along with its subcontractor Leadpoint. Under the terms of this bill, that would not be the case when similar disputes arise in the future.

Economic inequality and a shortage of good paying jobs has hurt working people and our economy for decades. Unfortunately, H.R. 3441 would make a bad situation worse. Congress should reject this bill and instead work to create more jobs you can sustain a family on.

Sincerely,

JOSH NASSAR,
*Legislative Director.*

Ms. KAPTUR. Mr. Speaker, there couldn't be a more dangerous industry to work in. Do you want to put some of these foreign companies in charge of worker safety in those places? Not I. I have seen too many mangled bodies in places around the world that tell me no.

I am for workers being protected as well as the interests of corporations. Today's action eliminates 80 years of safeguards, safeguards on joint employer responsibility.

What does that mean? It means that a company that subcontracts or franchises work to save a buck can shield

itself when workers aren't paid fair wages or are denied basic employment rights.

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

Mr. SCOTT of Virgina. I yield the gentlewoman from Ohio an additional 30 seconds.

Ms. KAPTUR. Small businesses and workers suffer while large corporate interests escape accountability.

Mr. Speaker, it is time we pass laws that help American workers. Wouldn't that be a sea change in this country?

I urge my colleagues to oppose this legislation.

Ms. FOXX. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I rise to urge support for H.R. 3441, the Save Local Business Act.

I spent my career in business, so I know how damaging uncertainty is for businesses. Job creators need a clear understanding of the rules; otherwise, businesses and employees suffer and our economy suffers.

In yet another incident of unelected bureaucrats overreaching their authority, the NLRB redefined the rule defining joint employers which had been in place for 30 years. Unfortunately, I was not surprised.

The NLRB created a maze of uncertainty. Basic business decisions managed between employers and employees are now put into turmoil by the NLRB redefining what an employer is.

The Save Local Business Act would roll back a convoluted joint employer scheme, restore a commonsense definition of employer, and protect workers and local employees who are most likely to be impacted by yet another confusing Federal rule.

I urge support of the bill.

Mr. SCOTT of Virgina. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, once again the Republican majority is offering a bill that would harm working families. It has nothing to do with saving local businesses, small businesses, and has everything to do with limiting workers' rights and taking away workers' wages.

Between 2005 and 2015, 94 percent of net job growth was in alternative work like temporary, contract, and on-call jobs. This isn't our parents' workplace anymore, where one employer sets the rules and pays the wages. Today, a corporation can set workplace rules while a temp agency or subcontractor pays the wages. Today's workers need to be able to bargain with both and to hold each accountable for labor law violations.

Instead, this bill moves us backward. It would prevent working men and women from bargaining for better wages and benefits and safer working conditions with the corporations that have decisionmaking power over their workplace.

It would allow corporations to rob working women and men of their earned wages without giving those workers the right to recover. The annual cost of wage theft is estimated at $50 billion this year.

It would immunize bad corporate actors and put small and big businesses who respect their workers at a competitive disadvantage.

This bill is a bad deal, and workers know it.

I include in the RECORD a letter from the AFL–CIO and its 12 million members.

If you support better wages and better jobs, vote ''no'' on this bad bill.

AFL–CIO

*Washington, DC, November 6, 2017.*

LEGISLATIVE ALERT

DEAR REPRESENTATIVE: On behalf of the 12 million working women and men represented by the unions of the AFL–CIO, I am writing to urge you to oppose H.R. 3441, the ''Save Local Business Act.''

Proponents of the legislation claim that it is designed to repeal the National Labor Relations Board's (NLRB's) 2015 decision in Browning Ferris Industries, in which the NLRB clarified its legal test for determining whether two employers are joint employers of certain employees. In fact, H.R. 3441 rolls back worker protections so they are weaker than when Congress adopted the National Labor Relations Act in 1935 and the Fair Labor Standards Act in 1938. It is harmful legislation that will undermine workers' pay and protections on the job.

Browning Ferris concerned a group of workers on a recycling line at a facility owned and operated by Browning Ferris. The workers were supplied by a staffing agency—Leadpoint. Browning Ferris controlled the facility, set the hours of operation, dictated the speed of the recycling line, indirectly supervised the line workers, and had authority over numerous other conditions of employment. In order to ensure that the employees' right to form a union and bargain over workplace issues was protected, the NLRB held that Browning Ferris was a joint employer of the line workers along with Leadpoint. This fact-intensive decision reflected the realities of the arrangement at Browning Ferris and was rightly decided in order for the line workers to have a meaningful right to bargain over their terms and conditions of employment.

Before the ink was dry on the Browning-Ferris decision, business groups and Republicans in Congress began attacking the decision, claiming it dramatically changed the law and undermined the franchise business model. (Browning Ferris is not a franchise case, a fact specifically noted by the NLRB in its decision).

In our view, these attacks on the Browning Ferris decision are overblown and misguided. In today's fragmented workplaces, with perma-temps, contracted workers, agency employees, and subcontracting becoming ever more prevalent, it is more important than ever to make sure our laws protect workers and ensure they receive the wages they are due and that their right to join with their co-workers to bargain for improvements on the job is protected.

H.R. 3441 takes the law in the opposite direction, radically changing both the National Labor Relations Act and the Fair Labor Standards Act by instituting a new test for finding employers to be joint employers that is more restrictive than any agency or court has ever adopted. As a practical matter, the legislation eliminates joint employment from the NLRA and the Fair Labor Standards Act, meaning that many workers in subcontracting or staffing agency arrangements will be left without recourse for wage theft and will have no meaningful bargaining rights. The bill weakens worker protections and allows corporations to evade their responsibilities under the law.

We urge you to reject this harmful and misguided proposal.

Sincerely,

WILLIAM SAMUEL,
*Director,*
*Government Affairs Department.*

Ms. FOXX. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, I rise today to express my strong support for H.R. 3441, the Save Local Business Act.

I have heard from employers across my district in many industries—agriculture, higher ed, staffing agencies, hospitality, and construction—about this issue. Under the flawed NLRB standard, not only employers are confused, but employees, as well, have little certainty as to their status with multiple employers.

Mr. Speaker, for 25 years, I owned and operated a construction company in Lancaster County, and we were operated as subcontractors. Back then, the employer-employee relationship was clear. There was no question about which employer was responsible for each employee.

The Browning-Ferris decision creates confusion about who works for whom, discouraging many larger contractors from giving small subcontractors a job for fear of increased liability. Mr. Speaker, had that existed when I was growing a company, it would have made it more difficult to expand our business and create more jobs in our community.

The Browning-Ferris decision was politically motivated and upended a decades-old standard that worked very well among employers and employees. According to the HR Policy Association, litigation regarding the joint employer standard is at a record high. This decision, Mr. Speaker, has been a jackpot for trial lawyers.

It is time Congress takes action to provide clarity for the thousands of businesses, both large and small, who are ready to expand and create jobs. The Save Local Business Act will provide this clarity, and I urge my colleagues to support this important legislation.

Mr. SCOTT of Virgina. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, yes, there is now uncertainty about the definition of joint employer. This uncertainty has the potential to undermine the franchise model, which has given so many Americans the opportunity to own a business and create millions of jobs.

But this bill goes too far in narrowing the joint employer definition and also applying it to the Fair Labor Standards Act. We need to ensure that workers are treated fairly and companies are held accountable, but I am afraid this bill could weaken that.

While I will be voting against this bill, it is important to recognize that there is a real issue here. We need to find a compromise. So no matter how we vote today, I urge my colleagues to listen to the concerns of businessowners in their districts because their success is critical to our long-term job growth.

□ 1730

Ms. FOXX. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, before launching into specific comments on this bill, I would like to correct some misconceptions that we heard earlier today.

We just heard a lady from Illinois mention that she felt this bill would put employers who respect workers at a competitive disadvantage. All good employers know that respecting workers puts you at a competitive advantage, and I think it is very wrong that anybody would imply that you are advantaged by not respecting your workers. So I want to clarify that.

The second thing I want to clarify is, earlier we had somebody talk about temporary workers. Now, temporary workers make less money. It is true with temporary workers, you have a middleman who takes the money off the top, and that is unfortunate. But you have to realize that the reason we have more temporary workers is we make it harder and harder to be an employer in the first place. Whenever you make it harder and harder to be an employer, you force more employers to hire temporary employees so they don't have to be employers in the first place.

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

Ms. FOXX. Mr. Speaker, I yield an additional 1 minute to the gentleman from Wisconsin.

Mr. GROTHMAN. Mr. Speaker, now, on with this bill. One of the tragedies we have had in America is the disappearance of small businesses in America. We had more and more big businesses, you know, big conglomerates. One of the ways you can still be a small business is being a franchisee in which you control your own destiny and are able to respect your workers in your own way.

We have to pass this bill to prevent the end—or the practical end of the ability to be your own businessowner by controlling or setting your own contract terms with your own employees. And more than any other reason, that is why I back this bill. I like that we have so many small-business men out there on their own on the franchisor-franchisee model.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time, and I thank him for his leadership on behalf of the America workers.

Mr. Speaker, I rise to express my strong opposition to H.R. 3441. Because of the modern use of temporary staffing agencies and subcontractors, the National Labor Relations Board has properly defined the term ''joint employer'' as two or more businesses who codetermine or share control over a worker's terms of employment, such as rate of pay or work schedule.

If enacted, H.R. 3441 would cripple workers' rights to collectively bargain or seek redress when workers are found to have joint employers. The opportunity to collectively bargain over wages and conditions of employment is diminished if some parties that control employment are given the option to refuse to bargain and avoid liability as employers.

As a result, this bill will open the door to widespread wage theft and equal-pay violations, and it will harm workers across the United States.

Some of my Republicans continue to argue that H.R. 3441 will provide stability for workers. As a former union president and as a labor attorney dealing with issues before the National Labor Relations Board, I urge my colleagues to stand with the American worker and oppose this disastrous bill.

Ms. FOXX. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. FERGUSON), our distinguished colleague.

Mr. FERGUSON. Mr. Speaker, I rise today in support of the Save Local Business Act. I have heard from dozens of businesses and employees in my district that have faced uncertainty under the expanded joint employer definition, which threatens job creation, it increases costs, and discourages entrepreneurs from opening up new businesses.

The National Labor Relations Board's decision ignored decades of settled labor policy by changing the joint employer definition and putting all businesses and their workers at risk. We should be making America the most competitive place in the world to do business, not saddling our job creators with unnecessary and confusing regulations.

This bill would take the right step to reinstate sound, widely accepted standards, and I urge all of my colleagues to support its passage.

Mr. SCOTT of Virginia. Mr. Speaker, how much time is remaining for both sides?

The SPEAKER pro tempore. The gentleman from Virginia has 4 minutes remaining, and the gentlewoman from North Carolina has 7½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI), the ranking member of the Committee on Education and the Workforce.

Ms. BONAMICI. Mr. Speaker, I thank Ranking Member SCOTT for yielding.

Mr. Speaker, I rise in opposition to the so-called Save Local Business Act. This administration and this Congress have already weakened workplace protections that keep Americans safe from discrimination at their jobs, and make sure that they receive fair pay and provide additional opportunities to save for a secure retirement.

Joint employer provisions make sure that employers cannot escape liability for violating worker protection laws. This standard makes our laws on overtime pay, on safe workplaces, on minimum wage enforceable.

What this bill does not do is turn franchisors into employers unless they act like employers. I spent years as a lawyer representing franchisees, and I know this won't turn franchisors into employers.

Mr. Speaker, I include in the RECORD a letter from the Signatory Wall and Ceiling Contractors Alliance. They oppose this bill because it would put law-abiding small businesses at a competitive disadvantage with unscrupulous companies that don't respect worker's rights and don't pay workers the wages they have earned.

SIGNATORY WALL AND
CEILING CONTRACTORS ALLIANCE,
SAINT PAUL, MN, *October 5, 2017*.

Hon. PAUL RYAN,
*Speaker of the House,*
*House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,
*Minority Leader,*
*House of Representatives, Washington, DC.*

DEAR MR. SPEAKER AND LEADER PELOSI: I am writing on behalf of the Signatory Wall and Ceiling Contractors Alliance (SWACCA) to express our strong opposition to H.R. 3441, the ''Save Local Business Act.'' This legislation will not benefit honest small businesses that create good jobs with family-sustaining wages and benefits. It will actually place such employers at a permanent competitive disadvantage to unscrupulous companies that seek to thrive solely at the expense of their workers and taxpayer-funded social safety-net programs.

SWACCA is a national alliance of wall and ceiling contractors committed to working in partnership with our workers and our customers to provide the highest-quality, most efficient construction services. Through the superior training, skill, and efficiency of our workers SWACCA contractors are able to provide both cost-effective construction services and middle class jobs with health and retirement benefits. Our organization prides itself on representing companies that accept responsibility for paying fair wages, abiding by health and safety standards, workers compensation laws, and unemployment insurance requirements.

Unfortunately, however, we increasingly find ourselves bidding against companies that seek to compete solely on the basis of labor costs. They do so by relieving themselves of the traditional obligations associated with being an employer. The news is littered with examples of contractors who have sought to reduce costs by willfully violating the laws governing minimum wage, overtime, workers compensation unemployment insurance, and workplace safety protections. The key to this disturbing business model is a cadre of labor brokers who claim to provide a company with an entire workforce that follows them to job after job. It is a workforce that the actual wall or ceiling contractor controls as a practical matter, but for which it takes no legal responsibility. In this model workers receive no benefits, are rarely covered by workers compensation or unemployment insurance, and are frequently not paid

in compliance with federal and state wage laws. The joint employment doctrine is an important means for forcing these unscrupulous contractors to compete on a level playing field and to be held accountable for the unlawful treatment of the workers they utilize.

As an association representing large, medium, and small businesses, we oppose H.R. 3441 because it proposes a radical, unprecedented re-definition of joint employment under both the FLSA and the NLRA that goes far beyond reversing the standard articulated by the NLRB in Browning-Ferris or returning to any concept of joint employment that has ever existed under the FLSA since the Act's passage. H.R. 3441's radical and unprecedented redefinition of joint employment would proliferate the use of fly-by-night labor brokers by ensuring that no contractor using a workforce provided by a labor broker would ever be deemed a joint employer. This is because the bill precludes a finding of joint employment unless a company controls each ''of the essential terms and conditions of employment (including hiring employees, discharging employees, determining individual employee rates of pay and benefits, day-to-day supervision of employees, assigning individual work schedules, positions and tasks, and administering employee discipline)''. H.R. 3441 goes further by expressly countenancing a company using labor brokers retaining control of the essential aspects of the workers' employment in a ''limited and routine manner'' without facing any risk of being a joint employer.

Simply put, H.R. 3441 would create a standard that would surely accelerate a race to the bottom in the construction industry and many other sectors of the economy. It would further tilt the field of competition against honest, ethical businesses. Any concerns about the prior administration's recently-rescinded interpretative guidance on joint employment under the FLSA or the NLRB's joint employment doctrine enunciated in Browning-Ferris can be addressed in a far more responsible manner. Make no mistake, H.R. 3441 does not return the law to any prior precedents or standards. It creates a radical, new standard. This standard will help unethical employers get rich not by creating more value, but instead by ensuring their ability to treat American workers as a permanent pool of low-wage, subcontracted labor that has neither benefits nor any meaningful recourse against them under our nation's labor and employment laws.

On behalf of the membership of SWACCA, thank you in advance for your attention to our concerns about this legislation. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

TIMOTHY J. WIES,
*President.*

Ms. BONAMICI. Mr. Speaker, this legislation would leave workers behind and would give a free pass to unscrupulous companies that violate labor laws. Please oppose this legislation.

Ms. FOXX. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. BRAT).

Mr. BRAT. Mr. Speaker, I rise today to enthusiastically support H.R. 3441, the Save Local Business Act. This bill will return clarity and certainty to all businesses. Small-business owners all around Virginia's Seventh Congressional District have been asking for tax and regulatory relief that will free them from the tyranny of government control.

Take, for example, two employers in my district: a home care franchisee called BrightStar Care of Richmond, and a daycare center called Rainbow Station at the Boulders.

Mark Grasser, president of BrightStar Care, had this to say to me about the unworkable joint employer standard: ''We have a franchisor who wants to work with a franchisee to provide services. Unfortunately, that is not possible because that would violate the current joint employer standard. This ends up hurting everyone in the process. This standard is forcing employers and employees to make decisions that are not best for everyone involved, but what is best to satisfy government.''

John Sims, the owner of Rainbow Station at the Boulders, similarly said this: ''Having the proposed standard reversed allows small businesses like mine to thrive, knowing exactly where everyone stands.''

I am happy to report that the House is taking a bold step forward on defending businesses and workers today. The vague and convoluted joint employer scheme enacted in the Browning-Ferris decision under the Obama administration's National Labor Relations Board has caused employers and employees harm.

Decades before the radical NLRB overturned what worked, businesses and employees knew the rules and thrived. It is time to roll the government back and return to what worked. Mr. Speaker, I urge my colleagues to vote in favor of this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I am prepared to close, so I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of the Save Local Business Act, legislation that will protect our small business operations and end harmful and excessive government overreach.

For 30 years, small businesses operated successfully under a joint employer policy that was fair, stable, and crystal clear. Unfortunately, in 2015, the National Labor Relations Board, under the previous administration, decided to insert itself and overcomplicate the important employer-employee relationship. The unelected bureaucrats at the NLRB stifled small businesses when they decided to step in and blur the lines of responsibility.

Sadly, our working families were impacted when the NLRB decided to empower labor union special interests. The last thing our independent businessowners need is more government red tape that will prevent them from reaching their full potential.

The NLRB's expanded joint employer scheme discourages large companies from doing business with our smaller local companies. The effects are incredibly far-reaching. The expanded joint employer rule harms countless industries across the country, particularly small franchisees, construction companies, and service providers.

For example, ServiceMaster, a global company with more than 33,000 employees, has chosen to locate its headquarters in Memphis, Tennessee. A great deal of my constituents work for ServiceMaster Franchise Service Group, and the NLRB rule change has put their job security in jeopardy.

We have all heard concerns from our constituents, and now we can do something to get government off our backs. We must look out for hardworking Americans and roll back these oppressive job-killing rules. I am pleased that the Save Local Business Act will undo this unreasonable regulatory burden, and I thank Congressman BYRNE for his leadership in this effort.

Ms. FOXX. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN), another distinguished member from the committee.

Mr. ALLEN. Mr. Speaker, I rise today to support Congressman BYRNE's important legislation, the Save Local Business Act.

As a small-business owner myself for over 40 years, I know how difficult it can be to wade through Federal, State, and local red tape. Sometimes it feels like the government is against growing your business. The Obama administration expanded the joint employer standard under the Fair Labor Standards Act, blurring the lines of responsibility for decisions affecting the daily operations of many local businesses.

According to the American Action Forum, the joint employer scheme could have resulted in 1.7 million fewer jobs. Luckily, President Trump is a job creator, so he knows a job-killing regulation when he sees one. Earlier this summer, his administration rescinded this terrible rule.

However, we have to make sure no bureaucrat is empowered to redefine a joint employer standard again. Small-business owners are already facing an uphill battle. We should not be threatening the freedoms of independent businesses, owners, and entrepreneurs, making it even harder for them to achieve the American Dream. That is why I urge all of my colleagues to support this legislation.

Ms. FOXX. Mr. Speaker, I understand my colleague from Virginia is prepared to close. I reserve the balance of my time to close.

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

Mr. Speaker, in conclusion, this bill will undermine employees' ability to secure recourse for unfair labor practices and wage theft when there should be a joint employer. It undermines the workers' freedom to negotiate for better wages in return for their work. It inflicts damage to prime contractors who play by the rules and are forced to compete against unscrupulous other employers who save money by failing to pay wages. And it exposes franchisees to liabilities they should

not have to shoulder alone because it allows franchisors to exercise more control over franchisees without incurring any liability.

Mr. Speaker, therefore, I urge my colleagues to oppose the bill, and I yield back the balance of my time.

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

Mr. Speaker, this legislation is a no-brainer. Today, Congress has a chance to stand up for jobs, opportunity, and local businesses in each of our districts. This legislation rolls back an unworkable joint employer policy that is hurting both workers and employers. Contrary to some of the misleading rhetoric we have heard today, nothing in this bill undermines worker protections. In fact, the bill ensures workers know exactly who their employer is under Federal law.

I urge all Members to do what is best for the workers and local job creators in their district by voting in favor of H.R. 3441, the Save Local Business Act.

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

Mr. SABLAN. Mr. Speaker, I rise today in opposition to H.R. 3441.

The right of workers to collectively bargain under the National Labor Relations Act is essential for them to secure fair wages and working conditions. For workers to be able to bargain effectively they have to have someone across the table to bargain with, the party or parties that control their hours, wages, benefits and work environment. Negotiation with themselves would be a futile exercise.

H.R. 3441 would eviscerate the definition of an employer to the point that not only might the true employer not have to come to the table but it might be possible that no employer would have to come to the table.

Current joint employer standards take into account modern hiring trends, where about three million people work for temporary staffing agencies, working for companies that do not directly pay them, and ensure employee protections.

The recent NLRB General Counsel determination in Freshii—where a restaurant franchisor with over 100 stores was not held to be a joint employer because its control over its franchisees was generally limited to brand standards and food quality and did not exercise control of the terms and conditions of employment of its franchisee's employees—illustrates the pathway available to franchisors. I am concerned that this legislation actually harms franchisees by making them responsible for decisions dictated by their franchisors.

I urge my colleagues to oppose H.R. 3441.

Mrs. COMSTOCK. Mr. Speaker, I rise today in support of the bipartisan H.R. 3441, the Save Local Business Act, and the 1.7 million jobs it would save on enactment.

This common-sense legislation, which I cosponsored, restores the proper relationship which served small business owners for decades—providing stability for employers and employees.

By enacting this legislation, small business owners in Northern Virginia can again exercise control over the operations of their business rather than dealing with additional legal complexity layered on by the National Labor Relations Board.

With all members' support for this legislation to help Main Street, Congress can correct the misdirected regulatory policies of the past which were overly harmful for business operators, restrictive on entrepreneurs, and resulted in increased cost's for consumers.

There are over 2,000 locally owned franchise businesses in my district. After hearing the concerns of many of them at Abrakadoodle headquarters in Sterling this past year, I am proud to stand up for these job creators and support this legislation today.

I will continue to advocate for policies which promote local ownership and control—and permit my constituents to strive for the American dream.

I urge my colleagues to do the same—support the rule and vote in favor of the underlying bill, H.R. 3441.

I commend the distinguished gentleman from Alabama, Mr. BYRNE, and the Committee on Education and the Workforce for their work on this great bill.

The SPEAKER pro tempore (Mr. RUSSELL). All time for debate has expired.

Pursuant to House Resolution 607, the previous question is ordered on the bill, as amended.

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

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

□ 1745

MOTION TO RECOMMIT

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

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

Ms. BONAMICI. I am in its current form.

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

The Clerk read as follows:

Ms. Bonamici moves to recommit the bill, H.R. 3441, to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendments:

Page 3, line 21, strike the closed quotation marks and following period and after such line insert the following:

''(C) Subparagraph (B) shall not apply when a franchisee takes an action at the direction of a franchisor, and such action by the franchisee violates this Act, in which case the franchisor shall be considered a joint employer for purposes of such violation.''.

Page 4, line 7, strike the closed quotation marks and following period and after such line insert the following:

''(3) Paragraph (2) shall not apply when a franchisee takes an action at the direction of a franchisor, and such action by the franchisee violates this Act, in which case the franchisor shall be considered a joint employer for purposes of such violation.''.

The SPEAKER pro tempore. The gentlewoman from Oregon is recognized for 5 minutes in support of her motion.

Ms. BONAMICI. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, the bill we are debating today is another assault on hard-working Americans who are desperately trying to put food on the table for their families, scrape together enough money to pay for child care, and have a roof over their heads.

My colleagues on the other side of the aisle are saying that they need this bill to save local businesses. We all support local businesses in our community. But my colleagues suggest that unless they pass this law, franchisors will become joint employers. Well, if they act like franchisors and control brands and standards, and they don't do things like hire, fire, and supervise the franchisees' employees, they won't be. In other words, if they act like a franchisor and not an employer, they won't be considered a joint employer.

In fact, this bill could actually harm franchisees and take away their independence because it would allow franchisors to indirectly control the labor relations of its franchisees, but be insulated from liability for violations that might arise from that control.

Now, my amendment would require that if a franchisor directs a franchisee to take an unlawful action that would violate labor laws, then the franchisor shall be considered a joint employer for the purpose of the violation.

In other words, if a franchisor acts like an employer, then they should be held accountable for their actions as an employer. Workers must be able to get their hard-earned overtime pay and the wages they are owed. This is common sense.

This motion would protect small businesses, promote the independence of franchisees, and, importantly, cure the defect in the bill that insulates franchisors from liability for exercising control over their franchisees' labor or employment relations.

Mr. Speaker, this legislation currently is an attack on workers' rights.

Mr. Speaker, I urge my colleagues to adopt my amendment, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, this motion is just another attempt to ignore the real damage caused by the NLRB's expanded and unworkable joint employer standard which continues to hurt local businessowners and their workers.

Let's not get distracted by this motion. Instead, let's focus on the bipartisan solution which is pending: H.R. 3441, the Save Local Business Act, which simply restores a commonsense definition of employer to provide certainty and stability for workers and employers.

Mr. Speaker, I urge my colleagues to vote ''no'' on the motion to recommit and ''yes'' on the Save Local Business Act, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on:

Passage of the bill, if ordered; and

The motion to suspend the rules and pass H.R. 3911.

The vote was taken by electronic device, and there were—yeas 186, nays 235, not voting 11, as follows:

[Roll No. 613]

YEAS—186

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—235

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

NOT VOTING—11

Black
Brady (PA)
Bridenstine
Bustos
Ellison
Garrett
Hudson
Johnson, E. B.
Pelosi
Pocan
Roybal-Allard

□ 1814

Ms. STEFANIK, Messrs. POSEY, THOMAS J. ROONEY of Florida, BRADY of Texas, and Mrs. COMSTOCK changed their vote from ''yea'' to ''nay.''

Messrs. THOMPSON of Mississippi, KENNEDY, and HIGGINS of New York changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. CHENEY). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SCOTT of Virginia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 181, not voting 9, as follows:

[Roll No. 614]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Correa
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—181

Adams
Aguilar
Barragán
Bass
Beatty
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Black
Brady (PA)
Bridenstine
Ellison
Garrett
Hudson
Johnson, E. B.
Pocan
Roybal-Allard

□ 1823

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table

## RISK-BASED CREDIT EXAMINATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3911) to amend the Securities Exchange Act of 1934 with respect to risk-based examinations of Nationally Recognized Statistical Rating Organizations on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 32, not voting 11, as follows:

[Roll No. 615]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Cheney
Clark (MA)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gaetz
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schiff
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—32

Blumenauer
Bonamici
Carson (IN)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Cummings
DeSaulnier
Deutch
Espaillat
Gabbard
Gomez
Grijalva
Gutiérrez
Huffman
Jayapal
Jones
Khanna
Lee
Lieu, Ted
Lowenthal
McGovern
Nadler
Pingree
Polis
Schakowsky
Smith (WA)
Speier
Titus
Watson Coleman
Welch

NOT VOTING—11

Black
Brady (PA)
Bridenstine
Ellison
Fortenberry
Garrett
Hudson
Johnson, E. B.
Pocan
Roybal-Allard
Scott (VA)

□ 1829

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GARRETT. Madam Speaker, I was unable to be in Washington, DC. Had I been present, I would have voted "nay" on rollcall No. 613, "yea" on rollcall No. 614, and "yea" on rollcall No. 615.

## RECOGNIZING JOE FRACCOLA

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize Mr. Joe Fraccola of New Hartford, New York, my hometown.

Joe was drafted into the United States Army in 1968, serving in the Vietnam war. On June 7, 1969, Joe was injured during an enemy rocket attack, earning the Purple Heart medal.

After returning home from Vietnam, Joe worked for the United States Postal Service and became active in veterans advocacy in central New York, serving as the commander of Central New York Chapter 490 Military Order of the Purple Heart.

Under Joe's leadership, the chapter has visited wounded soldiers, sailors, airmen, and marines at Walter Reed; supported military honors at funerals and events; assisted in honor flights to the World War II Memorial in Washington, D.C., and helped to commemorate the 50th anniversary of Vietnam.

Joe is also active in the Vietnam Veterans of America and supports our local Gold Star Mothers.

Our community owes Joe our gratitude for his service and sacrifice for this country and for all he has done to support veterans and their families after his service.

## NATIONAL ADOPTION MONTH

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

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of November as National Adoption Month in honor of the 111,000 children waiting to be adopted from the foster care system.

As a co-chair of the Congressional Foster Youth Caucus, I strongly believe that every child deserves a forever family. The love and stability that a family provides leads to far better outcomes for youth of all ages, and we must work to ensure that we have this support system.

But adoption does take a toll on families, both financially and emotionally. They need assistance, and the adoption tax credit provides them with up to $13,570 in tax refunds for adoption expenses. I am truly disturbed, Mr. Speaker, that Republicans have introduced a tax bill that would eliminate the adoption tax credit.

During National Adoption Month, I call on my colleagues to support adopted children and families by rejecting this misguided measure.

Mr. Speaker, we need to make sure that adoptions are affordable, that they are possible, and that, long-term, they are successful, and the adoption tax credit does exactly that.

## VOTING RIGHTS

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

Mr. PAYNE. Mr. Speaker, 1 year ago today, the United States held an election for President.

Going into that election, there were 251 million Americans old enough to vote, but only 139 million people actually voted. That means that just 55.3 percent of the voting-age population took part in the selection of the person to fill our Nation's highest office.

Mr. Speaker, we should break down barriers to voting, not build them. We should make registering to vote easier, not harder. We should ensure elections are competitive, not guaranteed.

Mr. Speaker, we must restore the Voting Rights Act. We must restore voting rights for people who have served their prison sentences. We must end partisan gerrymandering. We must protect the sanctity of our elections. We must do this before the next Federal election.

## IT IS ALL ABOUT GUNS

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

Ms. JACKSON LEE. Mr. Speaker, there are so many things that the American people have to deal with, and I think you have heard many of us offer our sympathy and concern for the tragedy that happened in my State, and, clearly, one more thing that we don't want to deal with, the shooting of those people of faith praying on their day of worship, which is what happened in Texas on Sunday.

So, today, I am introducing H.R. 4268, the Gun Safety Not Sorry Act of 2017, that addresses a 7-day waiting period for purchases or sales of semiautomatic firearms, silencers, armor-piercing ammunition, or large capacity ammunition magazines for purchase or transfer.

And let me respond to those who offered mental health. The data shows that Americans have more mental health problems than do people in other countries with fewer mass shootings. But it shows that it is estimated that only 4 percent of American gun deaths could be attributed to mental health issues.

Let's not keep giving excuses or blaming people with mental health issues. I can assure you that is not the problem. As the article in the New York Times says, it is all about guns—guns, guns, guns.

I ask my colleagues to support H.R. 4268.

## OPPOSE DISASTROUS RYAN-McCONNELL TAX PLAN

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

Mr. TONKO. Mr. Speaker, I rise in opposition to the Ryan-McConnell tax plan that puts the interests of wealthy elites and corporations ahead of the needs of the American people.

This bill tears away protections for Americans with student loans and Americans who choose to adopt children. It strips support for individuals with unexpected health challenges, even those whose homes have burned down.

Under this plan, some 8 million American families will see their taxes go up almost immediately, and millions more will face tax increases in the future.

All this is done while giving permanent tax breaks to millionaires and billionaires and increasing the deficit by trillions of dollars. This puts America's social safety net and our economic future in deep jeopardy.

This is not the type of tax relief the American middle class and working poor need—or deserve—right now.

Mr. Speaker, I urge every one of my colleagues to put the needs of the American people first and oppose the very disastrous Ryan-McConnell tax plan.

## CONGRATULATING THE HOUSTON ASTROS

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

Mr. GOMEZ. Mr. Speaker, I rise today to congratulate my colleague, Congresswoman SHEILA JACKSON LEE, and the Houston Astros for winning the 2017 Major League Baseball World Series. The Astros finally earned history this season by winning their first World Series title.

But they weren't the only ones to earn something by beating my Los Angeles Dodgers. Congresswoman JACKSON LEE also earned some of LA's iconic Philippe's French dip sandwiches as part of our friendly wager.

We may be on opposing teams when it comes to baseball, but we both play for the blue team here in Congress, and I look forward to working with her to fight for working men and women across the United States.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

I couldn't have had a wager with a greater Member of Congress. I love his orange tie. I love him looking at this sign: Beat LA.

All of those players—LA Dodgers and the Houston Astros—had great character and great sportsmanship.

I love the sandwiches. Let's do it again. Let's see them in 2018 in the World Series.

Go Astros.

Mr. GOMEZ. Mr. Speaker, congratulations to Houston: Houston strong, and Houston proud.

## LET'S LEARN FROM KANSAS, NOT BECOME KANSAS 2.0

(Ms. NORTON asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, what happens if Congress goes nuts on tax cuts without paying for them?

Kansas, which did just that, has now had to raise State taxes back to where they were, providing a valuable object lesson for Congress right now: tax cuts about ideology, not economics, do not work.

Yet Republicans seem to be taking a page out of the Kansas tax cuts, authored by Governor Sam Brownback, that crushed that State's economy.

He promised tens of thousands of jobs to fund the State's schools. He guaranteed a progrowth economy that would pay for the tax cuts and then some.

Kansas did grow initially, but then lagged behind all the rest of the States. Now Brownback's tax cuts have produced new taxes for Kansas.

Let's learn from Kansas, not become Kansas 2.0.

## GOP TAX SCAM

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

Mr. NADLER. Mr. Speaker, the Republicans are scamming America. They are offering a facade of lowered taxes that you probably will never see in exchange for massive and permanent tax cuts for the wealthiest Americans and corporations.

And for what?

We are told the corporate and upper income tax cuts will result in more investment and greater economic growth, which will yield more jobs and more revenue for the country and higher wages for the middle class.

But this is bunk. They have run this scam twice before. Reagan passed similar upper class tax cuts and told us the tax cuts would generate such economic growth that they would pay for themselves.

What happened?

The national debt—accumulated from George Washington through Jimmy Carter—went from $800 billion in 1980 to $4.3 trillion 12 years later, and growth was less than under President Clinton.

George Bush's tax cut turned an anticipated 10-year $5.65 trillion surplus into a $10.63 trillion debt in 8 years.

And 3 or 4 years from now, Republicans will use the $1.5 trillion to $2 trillion deficit this scam will create to say: Look at this massive deficit. We have to make savage cuts to Social Security, Medicare, education, and infrastructure.

That is what they are building in now. The Republicans are scamming America, and we must reject this bill.

□ 1845

## WE NEED TO PASS A CLEAN DREAM ACT NOW

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

Mr. SCHRADER. Mr. Speaker, I rise today to share the story of Marco, a DREAMer in Portland, Oregon, and to continue to urge Speaker RYAN to put forth a clean Dream Act bill.

In 1995, Marco was brought to the United States when he was only 3 years old. As a teenager with dreams of going to college, Marco realized he didn't qualify for financial aid because of his immigration status, but he did not allow this to deter him. Instead, Marco worked hard in various minimum wage jobs, allowing him the ability to attend college part-time.

In 2012, after applying for DACA, Marco was granted a work permit, making it possible for him to earn a job with a law firm in Portland, where he worked his way up from the mailroom to be a legal assistant. His salary from the law firm enabled him to enroll in more classes and finally complete his bachelor's degree in accounting.

Marco now works as an accountant for an Oregon nonprofit that helps benefit youth.

This President claims to want only the best. I have news for him: we already have the best and brightest, and it is time we stopped treating them like second class citizens.

Mr. Speaker, we need to pass a clean Dream Act bill.

## VETERANS

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this week we honor America's veterans, a group of men and women with unparalleled courage and love of country.

We owe our veterans an eternal debt of gratitude. We made a promise to look out for them in exchange for their promise to defend our freedom, but gratitude is not enough. That is why I am fighting to maximize the care homeless veterans receive with my bill to improve reporting from our VA hospitals, to make sure no veteran, at any stage in life, falls through the cracks.

I also helped introduce the Patriot Employer Act, which would give tax incentives to American businessowners who employ veterans.

Mr. Speaker, on behalf of Pennsylvania's 13th Congressional District, I would like to thank all of our Nation's veterans for their service on this Veterans Day and every day.

## VETERANS DAY

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

Ms. KAPTUR. Mr. Speaker, I rise in honor of Veterans Day, which we will observe this Saturday, November 11.

Each Veterans Day, we celebrate America's veterans for their unwavering patriotism and willingness to serve and sacrifice above self. How noble for liberty's cause, yet too many veterans, upon their return from service, endure long wait-times at VA health facilities.

That is why I have developed a bill that would reduce the VA physician shortage, which is estimated to be about 5,000.

Our VET MD Act would address this by allowing pre-med students to participate in organized clinical observations at VA medical centers. Future physicians will have exposure to the VA healthcare system, and the VA will create potential medical professionals.

This is just one solution Congress should implement to address the VA physician shortage. It will help lead to decreased wait-times, better care, and healthier outcomes.

Our veterans dedicated their lives for our country. We owe these honorable men and women better basic healthcare.

Mr. Speaker, on this Veterans Day, I urge my colleagues to please join me. Let us affirm a commitment to action for the men and women who have defended our liberty and have lived the words duty, honor, and country.

## WE NEED FAIR AND STRONG HURRICANE RELIEF PACKAGES

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

Ms. MOORE. Mr. Speaker, I rise to highlight the continuing urgency of providing relief and recovery aid for Puerto Rico and the Virgin Islands, which were devastated by Hurricanes Irma and Maria. While U.S. efforts have ramped up after a failed initial response, we can and must do more.

In Puerto Rico, some 70 shelters remain open, access to safe drinking water is a problem, and there are dozens of waterborne disease deaths. Nearly a third of hospitals are still running off generators, bridges remain destroyed, and many roads remain impassable. Nearly 60 percent of the island is without power.

The news is not better for the Virgin Islands, where many still lack access to cell service, power, and clean water. Officials estimate $5.5 billion is needed for the most essential needs there.

Mr. Speaker, there are less than 20 legislative days left on the House calendar. How can we be prioritizing tax cuts for the wealthy? Let's put together fair and strong hurricane relief packages for communities ravaged by these hurricanes, including those in Puerto Rico and the Virgin Islands.

## CONFLICTS OF INTEREST OF SPECIAL COUNSEL MUELLER AND OTHERS IN THE PREVIOUS ADMINISTRATION

The SPEAKER pro tempore (Mr. RUTHERFORD). Under the Speaker's announced policy of January 3, 2017, the

gentleman from Arizona (Mr. BIGGS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BIGGS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

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

There was no objection.

Mr. BIGGS. Mr. Speaker, I stand tonight with a number of my colleagues to shed light and ask questions and discuss the conflicts of interest of Mr. Mueller and several others in the previous administration.

As I recall the events of the past 2 years, it becomes clearer than ever that Mr. Mueller should resign. If he does not resign, then he should be fired.

I believe he has conflicts of interest that do not allow him to proceed with his investigation in an unbiased, independent manner. Further, he has broadened the scope of his investigation far beyond his charge to examine Russian interference in the 2016 Presidential election. In the process, he is helping to attack the integrity, perception, and credibility of the American justice and electoral system.

Mr. Speaker, my constituents want answers. Congress has sought answers from the previous administration for many years. Without exception, the Obama administration stonewalled these attempts.

Hillary Clinton and the Clinton Foundation are the subject of many of these questions and subsequent investigations.

Ms. Clinton did not become President. Some say that, because of this, we should not complete our investigations into multiple allegations of misconduct, but this is misguided.

No American is above the law. Losing an election does not grant immunity for misconduct. Whether Ms. Clinton is Secretary of State, President of the United States, or a citizen of Chappaqua, New York, she should be held to the same standard as everyone else.

I am pleased that the House Judiciary and Oversight Committees share this sentiment. Our committees will soon be launching a joint investigation into the unanswered questions surrounding the allegations that we have mentioned. We intend to get truthful answers to these questions.

Mr. Speaker, I yield to the gentleman from Florida (Mr. GAETZ).

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

Mr. Speaker, we are at risk of a coup d'etat in this country if we allow an unaccountable person with no oversight to undermine the duly-elected President of the United States, and I would offer that is precisely what is happening right now with the indisputable conflicts of interest that are present with Mr. Mueller and others at the Department of Justice.

I join my colleague, the gentleman from Arizona, in calling for Mr. Mueller's resignation or his firing.

Moreover, we absolutely have to see the Department of Justice appoint a special counsel to look into the Clinton Foundation, the Uranium One deal, and the Fusion GPS dossier that I will now have the opportunity to discuss.

I really don't know who is investigating the Uranium One deal right now. I know that, in July, the chairman of the Judiciary Committee, along with 20 members of the Judiciary Committee, sent a letter to Attorney General Sessions asking who would be looking into these critical questions, demanding that a special counsel be appointed to conduct a thorough review. It is extremely disappointing that the chairman of the Judiciary Committee and my fellow members have received no response from the Department of Justice as to that letter.

I don't know whether the Attorney General's recusal on matters related to Russia impacts, influences, or, in any way, covers the Fusion GPS challenge and the incredible threat to national security raised by the Uranium One deal.

I do know that there is no world in which Mr. Mueller could potentially investigate these matters. It is Federal law that even the appearance of a conflict of interest means that someone cannot engage in prosecutorial duties regarding allegations and investigations. That conflict of interest is absolutely present.

As early as 2009, the FBI knew that we had informants alleging corruption into United States uranium assets. There were allegations of bribery, kickbacks, extortion. Even in 2010, Members of Congress were raising these questions and asking the Obama administration to provide answers that were never given.

I don't think it is a coincidence that at the same time we were hearing from sources that there was bribery to influence our uranium assets, you had former President Bill Clinton getting paid $500,000 by a bunch of Russians to go give a speech. It must have been one hell of a speech. It is deeply troubling to me that these circumstances seem to be ripe for corruption and seem to demonstrate an ecosystem of corruption that must be thoroughly investigated.

Now, why can't Mr. Mueller and Mr. Rosenstein conduct this investigation? First of all, Mr. Mueller was the head of the FBI in 2009. He potentially had a role to play in these questions. At the very least, the fact that the FBI never prosecuted any case, never raised objections, never allowed Congress to be able to look into these matters, that would be an act of omission.

So at best, there is an omission that creates a conflict for Mr. Mueller; at worst, there might have been actual malfeasance or active negligence. And in those circumstances, we need fresh eyes and clear eyes to give the American people confidence that our justice system is, in fact, working for them.

It is not only the Uranium One deal that gives us a great deal to question. We also have this Fusion GPS dossier, which we have now learned that the Democratic Party was paying for. The Democratic Party was out paying people to stir up this salacious and inaccurate dirt on President Trump both before and after he was elected.

In his own testimony before the Congress, Mr. Comey said that these allegations were salacious and could not be relied upon. So it begs the question, what was the Fusion GPS dossier relied upon for? Was it relied upon so that there would be FISA warrants issued to go and spy on the President and members of his team? We don't know, but until we have a special counsel, we will never get those answers, because Mueller and Rosenstein are conflicted.

Why did Congress never hear from these informants? Well, it is no surprise to me. You actually have Mr. Rosenstein's name on the signature block of the pleadings that sealed the information that could have shed light on this entire scandal, but we didn't have that opportunity.

Now, it may very well be that these were simply acts of negligence, acts of omission or oversight. If that is the case, let's get someone in who can give us the answers, because certainly the people who are there now cannot give us answers, and they have these tragic conflicts of interest.

The American people are well aware that the Clinton Foundation functioned largely as a money laundering organization to influence the State Department and to ensure that there were special people with special access and special relationships to the Clintons who got special treatment. That is not an America that abides to the rule of law.

As a member of the Judiciary Committee, we have to see the rule of law held up and cherished. We are a model for the world, but if we have circumstances where our President, who was elected, is undermined as a consequence of these things, if we do not replace Bob Mueller with someone who can come in absent of association with the individuals who may be implicated, then I fear this great, special place that we hold in the world may be diminished.

So I have introduced legislation. I am very pleased that my colleagues have joined me in sponsoring that legislation, calling for Mr. Mueller to resign. I have also called for a special counsel to be appointed.

To my colleagues on the other side who say, well, hey, you know, there were a variety of agencies that were involved in approving the Uranium One deal, there were eight or nine groups that could have said no.

□ 1900

Are Members of Congress really taking the position that the Clintons don't have their tentacles in just about every agency of government?

How ludicrous. You are talking about the former President of the United States and, at the time, the lady who was serving as our Secretary of State.

The fact that this was a multiagency process only underscores the conflicts of interest that lie with Rosenstein and Mueller.

I am calling on the Attorney General to appoint a special counsel to preserve the rule of law and to help us save this great country from those who are trying to undermine us and undermine our President.

Mr. BIGGS. I thank the gentleman from Florida and I appreciate his remarks.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Mr. Speaker, why, in 2016, would James Comey call the Clinton investigation a matter, not an investigation?

Last time I checked, he wasn't director of the Federal bureau of matters.

Why, in 2016, would then-Attorney General Loretta Lynch, one day before the Benghazi report is due to come out, 5 days before Secretary Clinton is scheduled to be interviewed by the FBI, meet with former President Bill Clinton on a tarmac in Phoenix? Why would that happen in 2016?

Why, in the days just following that meeting with the former President, would Attorney General Loretta Lynch, when corresponding with the public relations people at the Justice Department via email, not use her real name and, instead, use the name Elizabeth Carlisle?

Again, it seems to me if you are just talking about grandkids and golf, you could probably use your real name.

Why, as we have learned recently, reported in The Federalist, why would the FBI be reimbursing Christopher Steele, the author of the dossier? Why would that be happening all in 2016?

You know, as the previous speakers have talked about, we have had this focus the last several months on potential Russia, Trump campaign collusion and influence, Russian influence on the election.

It seems to me we know something pretty clearly. The Obama administration Justice Department certainly tried to influence the election. I mean, I think we can see that without a doubt.

What did we learn today? The gentleman from Florida was talking about the dossier. What did we learn today?

It was reported today that the cofounder of Fusion GPS, Glenn Simpson, was meeting with the now famous Russian lawyer, Natalia Veselnitskaya, both before the meeting that she had with Donald Trump, Jr., and after the meeting she had with Donald Trump, Jr. I find that interesting. The story keeps getting better.

When James Comey is fired, he then leaks a government document, through a friend, to The New York Times. And what was his objective? What did he tell us?

Under oath, he told us this: Trying to create momentum for a special counsel.

Of course, it can't just be any special counsel. Who is that special counsel going to be?

Bob Mueller, his friend, his predecessor, his mentor and, maybe most importantly, as my good friend from Florida just pointed out, the guy who was running the FBI when the whole Uranium One deal was going down.

I mean, this is amazing. All we are asking for is for the Attorney General to name a special counsel to look into all these questions.

Why was it so critical that James Comey call the matter not an investigation?

Why was it so important that Loretta Lynch not use her real name when she is talking about the meeting she had with Bill Clinton on the tarmac?

Why was it so important that we get a special counsel, and that special counsel be Bob Mueller; so important that James Comey can leak a document, through a friend, to The New York Times, a government document? Why was all this so important?

All we are asking for is to name a special counsel to look into this; and we first asked for this 3½ months ago. Twenty members of the Judiciary Committee sent the Attorney General a letter on July 27, laying out all these questions and saying: Name a special counsel to look into it.

After all, the taxpayers, the American people, would like the answers. I know the ones in the Fourth District of Ohio would. I talk to them all the time.

For 2 months we heard nothing. So five of us went and met with the Attorney General asking about the July 27 letter, and would they appoint a special counsel. To date, we have got no answer, no response.

So I appreciate the gentleman from Arizona for organizing this Special Order. I appreciate my good friend from Florida, the gentleman from North Carolina, the gentleman from Pennsylvania, and the gentleman from Arizona who are going to join us as well this evening.

It is time for a special counsel to be named to get the answers for the American people on these fundamental questions. We haven't said them all. There are lots of other questions, but these are the fundamental ones. It is time we had a special counsel get to the bottom of this. That is what we have called for. That is what we want to see happen. We hope it does, and the sooner the better.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Ohio for his eloquent comments.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Speaker, I thank the gentleman from Arizona for his leadership; and, obviously, for the eloquent words of my colleagues from Florida and from Ohio.

Mr. Speaker, I rise today to join my colleagues in, really, addressing a serious matter of transparency that has left the American people with questions that deserve honest answers.

You know, for the past year, as our government has been mired in a fruitless, aimless, and sometimes laborious investigation on accusations of collusion between the Russian Government and the 2016 Presidential campaign, my colleagues on the other side of the aisle have insisted that Congress follow where the evidence leads in this investigation.

Mr. Speaker, I am here to tell you today that I agree wholeheartedly. Congress should follow the facts where they lead. However, they are leading in a very different direction than many of the mainstream media narratives might suggest.

You see, in the process of this investigation, we have learned a fact pattern surrounding the Clinton campaign and potentially the Obama administration's involvement in a targeted campaign using information from foreign intelligence officials against then-candidate Donald Trump.

Now, as we know from the recent New York Times report, the Presidential campaign of Hillary Clinton and the Democratic National Committee paid for research that was included in the now infamous Russian dossier that was made public in January of this year by Buzzfeed and reported on by CNN.

Now we know that the Clinton campaign and the DNC paid an ex-British intelligence officer, Christopher Steele, to compile this dossier with the research provided from Russian intelligence officials.

Now, much of this dossier contains claims that have either not been verified or have been directly refuted. So, Mr. Speaker, it is suspicious enough that the Clinton campaign and the DNC paid intelligence officials in Russia for this type of material and false information on President Trump.

But we were also beginning to see evidence that raises questions about the very way that the Obama Justice Department may have inappropriately involved themselves into this project, both before and after the 2016 Presidential campaign.

Mr. Speaker, now, if you would, consider the timeline that we are working with here. In April of 2016, the Clinton campaign used the law firm of Perkins Coie to retain Fusion GPS, the firm behind the Russian dossier.

Now, that very same month, in April of 2016, President Obama's campaign began paying more than $900,000 to what law firm?

Perkins Coie, the very same firm used by the Clinton campaign in the creation of the dossier.

Now, we also know that in the weeks prior to the 2016 election, President Obama's FBI tried to reach an agreement with Christopher Steele to pay for the Russian dossier, and the FBI actually ended up reimbursing some of the dossier expenses.

Now, to be clear, the FBI attempted to pay, and then reimbursed, the costs of the Russian dossier that was being orchestrated by Hillary Clinton's Presidential campaign. Now, the FBI has refused to answer questions and resisted any transparency on this issue.

So going a step further, we now know that on January 6, President Obama's intelligence officials, led by then-Director of the FBI, James Comey, briefed President-elect Trump on the contents of the dossier.

Now, following that January 6 briefing, there are reports that the Obama administration's intelligence officials leaked to CNN the fact that the President-elect was briefed on the dossier. Four days later, on January 10, the dossier ended up being published by Buzzfeed.

Now, keep in mind, several media outlets had the dossier in hand prior to January 10, but none of them had printed it since the claims could not be verified.

Now, this timeline leaves us with a myriad of extremely concerning questions, Mr. Speaker, but they can be boiled down into a few specifics: Why did President Obama's campaign begin paying almost $1 million to the very same firm that the Clinton campaign used to fund the dossier in the very same month that the Clinton campaign began paying for the dossier?

The second question: Why did President Obama's FBI attempt to pay Christopher Steele for the Russian dossier? Why was President Obama's FBI involved in paying for a project that the Clinton campaign started and was orchestrating?

Again, the FBI has refused to answer these questions and has resisted transparency on this issue.

And why brief the President at all on the dossier if much of the dossier could not be verified?

Or, I would suggest, if President Obama's intelligence officials had reason to treat the dossier seriously, then why did they wait 2 months after the election to disclose the information on January 6? Why wait?

And why was the President's meeting with President-elect Trump leaked to CNN 4 days after the briefing, if, again, the dossier could not be verified?

Mr. Speaker, the intention of all of this is not to spread theories or to speculate as to what might have happened. The point is to recognize that there are legitimate, unanswered questions about whether the Obama Justice Department involved themselves in a political project targeting then-candidate Donald Trump, a suggestion that has far more evidence behind it than the directionless investigation into the Trump-Russian collusion.

The American people deserve an answer to those questions. They demand answers to those questions, and it is our government's responsibility to find them.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from North Carolina for his remarks, and I am grateful to have him here tonight.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman from Arizona. He and I hold a deep, common conviction that Arizona is the most important and best State in the Union, and I don't think anyone here would debate that.

Mr. Speaker, last Monday, October 30, we were delivered the over-hyped ''bombshell'' story that Special Counsel Robert Mueller would introduce some damning evidence about President Trump's collusion with Russia via indictments.

On Friday, October 27, someone involved in the grand jury investigation—now, don't forget, Mr. Speaker, that the purpose of a grand jury is secrecy, but someone in that organization leaked information to the press, specifically CNN, with no reasonable person being able to count as a friend to the President of the United States; and it caused every political pundit in the country to begin surmising who would be the first to fall.

Reporters were assigned the story, revisiting campaign notes and combing through stacks of research and fact sheets about so-called evidence of Russia collusion.

Then the big reveal: Paul Manafort and Rick Gates were indicted for crimes related to their business dealings with a Ukrainian politician clinging to power in a country undergoing a revolution, back in 2014. The FBI had been trying to indict them ever since. There was no mention of the Trump campaign, not any whatsoever in the 12-count indictment.

In other words, Mr. Speaker the announcement amounted to what many have called a ''nothing burger.''

Mainstream media members, who had spent all weekend promising the viewers and their readers some new damning evidence about Trump, were aghast.

□ 1915

Mueller had let them down. How could they face their audience now with nothing to show? But wait, another indictment snuck in in the last few hours, only a few hours later, right in the nick of time. George Papadopoulos—now, here is our guy. This is the guy. He actually went to Russia, and he proposed Trump meet with Putin. We have got him now.

Well, no. It turns out Papadopoulos was an unpaid intern who possessed a background in researching Russia. When he suggested Trump meet with the Russians, he was shot down quickly and firmly. The indictment against Papadopoulos didn't even have to do with his work on the campaign. He was indicted because he had lied to the FBI—again, no collusion with the Trump campaign found whatsoever.

But that didn't stop the media from sensationalizing the news. After all, they have a job to do. But the American people didn't fall for it, Mr. Speaker. The New Yorker's legal writer, Jeffrey Toobin, and the liberal vox.com have suggested Mueller seems to be conducting his investigation like he is going after a mafia mob boss.

The problem with treating the Trump campaign as an organized crime organization, clearly, is it presumes Trump's guilt. No matter how well-intentioned and full of integrity Mr. Mueller might be, if he is treating Trump like Al Capone, his tactics are wrong.

When trying to pursue charges on a mafia boss, the FBI pulls in the street guys, threatens them with life in jail or some other steep charge, unless they spill the beans on their superior. Once they crack, they bring in the next level, all the way to the top. This is a well-known tactic, and it incentivizes those arrested to invent some spurious testimony against their superiors.

Could Mr. Mueller be acting with vengeance or to vindicate his good friend and colleague, James Comey, who had a very public feud with the President? Well, we don't know, Mr. Speaker, but it is hard to take any charges with this investigation seriously when they are going about it in this fashion.

The main point is this, Mr. Speaker: at least James Comey, the media, and the Democrats desperately want collusion to exist between Trump and Russia. And when you want something that bad, you might even begin to believe it is true, even if it is not.

But there is good news. Anyone sincerely looking for the drama of American officials actually colluding with the Kremlin, need look no further now than the emerging scandal concerning the sale of American uranium reserves to Russia during Hillary Clinton's time at the State Department.

The FBI, in 2009, under the Obama administration, began investigating Russia's use of bribery, kickbacks, and extortion to gain a bigger foothold in the American atomic energy industry. They knew this was happening. The record is clear. Of course, Mr. Speaker, American nuclear resources are a critical component of America's national security. So any detail between Russian companies and U.S. atomic energy resources would require a signoff from the State Department.

After all, Russia is a hostile foreign government. Correct? Democrats certainly seem to believe so now, even though, in past years, most of them couldn't find Russia on a map.

So when Rosatom, a Russian energy group, took control of the Canadian Uranium One, which had control of mining and uranium stakes stretching

from Central Asia to the American West, that deal needed U.S. State Department approval. After all, this meant that Russia, a hostile foreign power, would control 20 percent of America's uranium industry. And, of course, as Obama's FBI was investigating Russia for bribes and extortion related to atomic energy, this deal should have raised a red flag for the State Department.

Vladimir Putin really wanted the deal to go through because, per The New York Times, it would allow him to realize his goal of becoming one of the world's major atomic energy players. The only thing standing in his way was Hillary Clinton's State Department. The month the deal was approved by Hillary Clinton's State Department, Bill Clinton received $500,000 from a Russian investment bank with ties to the Kremlin for a ''speaking engagement'' in Moscow. Then, Mr. Speaker, Uranium One's chairman used his family foundation to make a series of donations to the Clinton Foundation, totaling $2.35 million.

Now, being under agreement to disclose all of their foundation contributions publicly, the Clintons neglected still to reveal the Uranium One donations. That is pretty convenient, Mr. Speaker. Are we paying attention here?

Now, since the media seems to have an insatiable appetite for Russian collusion, let's take a look at the Uranium One deal. That is a story worth looking into, Mr. Speaker. And I would bet the biggest stake in Washington, with anyone in this place, that if a special counsel was appointed to look into it, that investigation would bring some truly legitimate results.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Arizona for his remarks. It is my pleasure now to yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the gentleman from Arizona.

Mr. Speaker, we have been entreated to claims of collusion with our government, people high in our government with Russia for over a year now; since the last election happening this very day a year ago, we have been entreated to this.

So I thought I would bring some sense to this confusion about what we know as the Uranium One deal. Even I didn't know a whole lot about it, so I did a little research to understand the timeline and what exactly happened here. I want to talk to you about that this evening.

On June 8 of 2010, the Russian State Atomic Energy Corporation, also known as Rosatom—the Russian state, not some private organization. It belongs to Vladimir Putin. Make no mistake about it—announced plans to purchase a 51.4 percent stake in the Canadian company Uranium One.

Now, why do we care? Well, we care because this announcement had significant strategic implications for the United States since Uranium One's international assets included 20 percent of the United States' uranium reserves.

Now, due to uranium status as a strategic commodity, the $1.3 billion deal was subject to the approval of the Committee on Foreign Investment in the United States, known as CFIUS; CFIUS, the Committee on Foreign Investment in the United States. And they care because uranium is important. Do you know why? We make nuclear bombs out of it—that is why it is important—and so do other countries. And maybe so do terrorists if they get their hands on it. So we care.

Now, the CFIUS panel is made up of nine department heads and agencies, including, at that time, Secretary of State Hillary Clinton. Okay, fair enough. Now, CFIUS went through the approval process at what we would consider an unusually rapid pace, approving the sale of one-fifth of our uranium reserves, the United States' reserves, to a Russian, Vladimir Putin, state-owned enterprise in less than 5 months. Five months. I mean, they did that in 5 months. We have been investigating allegations of President Trump and Russia for about 12 months now. In earnest, less than 12 months, but, certainly, the claims have been made since the night of the election, yet they got this done in 5 months. Okay, that is good.

CFIUS proceeded at this pace despite national security concerns raised by Congress—people right here said: Hey, 20 percent of our uranium shouldn't go to Vladimir Putin. That doesn't make sense to us.

The FBI had extensive concerns, tying Rosatom's main executive to a U.S. racketeering scheme. My colleague has already talked about bribery, extortion, racketeering. Right. Both Secretary of State Clinton and Attorney General Eric Holder—whose FBI, by the way, produced the evidence—voted in favor of the deal. Interestingly enough, who was in charge of the FBI at the time? Our friend, Robert Mueller. It just is a little too coincidental for me. I am sorry, it is just a little too coincidental.

After the sale, the Nuclear Regulatory Commission, the United States Nuclear Regulatory Commission, assured both Congress and the public that the uranium sold could not be exported because neither Uranium One nor Rosatom, Vladimir Putin's organization, had an NRC export license. So even though we had control of 20 percent, he could never do anything with the 20 percent except leave it in the United States.

And, by the way, the Nuclear Regulatory Commission still hasn't granted a license to export any of that material to Rosatom or to Uranium One to this day.

But despite the public statements, somehow it got exported because an NRC memo showed the agency approved the shipment of yellowcake uranium from the Uranium One mines in the United States to Canada through a third party. Additional shipments of the uranium were made to Europe, and they were authorized as well by the NRC. And where they went from Europe, who knows. The NRC doesn't know. At least if they know, they aren't telling us. We have asked. We certainly don't know. Maybe Rosatom knows.

The question you should have is: Why? Why would the United States do this? What was in our interest to sell 20 percent of our uranium? Was it that we needed $1.3 billion? I suspect not.

In an attempt to avoid congressional scrutiny, the NRC did not provide a direct export license to Uranium One, but, instead, it amended an existing license for a logistics company to allow it to export Uranium One's uranium, which was, in effect, the United States' uranium, our uranium.

The NRC was able to amend this export license because of two policy changes resulting from the Russian reset orchestrated by Secretary Clinton. Again, look, it might be innocent. It might be completely innocent, but it deserves more scrutiny, certainly.

The two things—the two policy changes were: the Obama administration reinstated the U.S.-Russian civilian nuclear energy cooperation agreement in May of 2010. Shortly thereafter, in 2011, the Commerce Department removed Rosatom from a list of restricted companies that could not export nuclear or other sensitive materials or technologies. They still didn't have a license, but they were removed from the list.

Nine months after the Commerce Department did that, the removal of Rosatom from the list, the NRC issued the license amendment to the third party allowing for uranium of the United States to be exported from Uranium One mines through Canada, and eventually on to Europe, and who knows where from there. The license amendment stipulated that the exported uranium must be returned to the U.S. Now, this did not occur. Instead, the Department of Energy approved the movement of uranium from Canada to Europe, and that was it. It is gone, folks. It is just gone.

It is now clear that the previous administration took every conceivable action to clear the path for Rosatom to purchase Uranium One and to enable the export of that uranium. The Russians got it. Vladimir Putin got the uranium.

In taking these extraordinary measures in support of Russian state-owned enterprise, the Obama administration, with the aid of former Secretary of State Hillary Clinton and former Attorney General Eric Holder, put our national security at risk.

Mr. Speaker, it is far past time to thoroughly—marginally, how about to marginally investigate this deal—the Obama administration's actions and the Clinton family's role and their foundation's role. You only need to ask

one question about all this: Why? Why would we do this? Why would the United States agree to this? Why did this deal happen the way it did happen? No other deals happened that way. Why did this one happen this way? Why is there no independent investigation into these matters at this point? Why? And why is there no special counsel?

We are here tonight to call for a special counsel so that we know the truth, so if there is Russian involvement in the United States' national security, whether it is our election, or whether it is our uranium that they could use to make an atomic bomb, the American people need to know. They should know. They should have all of the evidence.

Mr. Speaker, I thank the gentleman for yielding.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Pennsylvania for his remarks, and I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank my friend, Mr. BIGGS. I appreciate your hosting this hour because this is critical stuff here. This is the kind of thing that makes or breaks an experiment in self-government because there is an attempted coup taking place.

We have heard over and over about, oh, gee, Mr. Mueller will come to a fair and just conclusion. Well, the only fair and just conclusion that Bob Mueller could come to would be that he should never have accepted the position of special counsel, that he had conflicts so deep that accepting the role of special counsel could not be ethical and appropriate. You wonder, why would he take it?

Well, when you find out that, as FBI Director, he and U.S. Attorney Rod Rosenstein were involved in the deep cover investigation into Russia's effort to corner the market using American uranium, and that Hillary Clinton and Eric Holder and others in the administration approved the sale to a group, the stockholders of which donated, as I understand, $145 million or so to the Clinton Foundation, in effect, the Clintons hit the Russian megalottery—the megamillions lottery from Russia.

□ 1930

As I understand, $145 million or so to the Clinton Foundation, in effect, the Clintons hit the Russian mega lottery; the megamillions lottery from Russia, and just a little tease was the half-a-million-dollar fee for just giving one little, short speech by Bill Clinton.

But if we look back at what has gone on, just look at some of the facts, it was shocking that FBI Director Comey did not have Cheryl Mills interviewed. She was Clinton's former Chief of Staff at the State Department. Now we are finding out, well, I guess, gee, if Comey was going to draft a statement saying that there was not sufficient evidence to prosecute Hillary Clinton before he ever talked to Cheryl Mills or talked to Hillary Clinton or followed up on the most critical evidence, then clearly it makes sense why Director Comey would not want to make Cheryl Mills' interview recorded, and would make an agreement with Cheryl Mills and the other potential defendants in the case that, gee, if they just got a look at their laptops, they promised they wouldn't use anything in the laptop to prosecute them, and the FBI would then, under Comey's direction, would actually participate in the obstruction and destruction of evidence so that nobody could ever use it against any of them.

Now, originally, we thought that might only be Hillary Clinton. But as we find out, gee, Mr. Mueller, Mr. Comey, and Mr. Rosenstein were in this up to their eyeballs when it came to the Russian investigation regarding uranium. If they were doing their jobs, they should never, ever have allowed that sale of American uranium to go to a company that they knew would end up in Russian hands.

So if you look at Cheryl Mills, Heather Samuelson, John Bentel, Bryan Pagliano, and Paul Combetta, these are people who were potential targets. And what does Director Comey do?

He makes sure that they walk. Because if they were properly interviewed, like good prosecutors or good investigators normally do, you start there and you say: You help us with what happened and what you were told by the person above you, and then we won't prosecute you to the full extent of the law.

That is how deals are made. That is how you get to a Mr. Big in a racketeer organized confederation.

Mr. Comey and the FBI apparently relied on the Fusion GPS investigation knowing where it came from and knowing who paid for it. This is incredible.

If you go back to the Washingtonian article of 2013, it makes pretty clear that Comey and Mueller were basically joined at the hip.

In fact, a quote back in 2013 says: ''The stressed Comey had few people he could turn to for advice; almost no one was allowed to know the program existed, and disclosing the program's existence to someone outside that circle could send him to prison. In fact, there was only one person in government whom he could confide in and trust: Bob Mueller.''

''Comey thought, 'A freight train is heading down the tracks, about to derail me, my family, and my career.' He glanced to his left at his fellow passenger, thinking, 'At least Bob Mueller will be standing on the tracks with me.' ''

''The crisis over, Comey and Mueller shared a dark laugh.''

Well, it is not quite so amusing when you look at the stakes and whether or not this little experiment in self-government will continue. For example, we know that Comey admitted in testimony before Congress before the Senate that he had leaked information in order to get a special counsel appointed. That was his dear friend who would stand beside him through thick and thin, Bob Mueller. This brought memories of when Mr. Comey urged his boss, John Ashcroft, to recuse himself and let them appoint a special counsel. So Ashcroft trusted Comey. He probably shouldn't have, but he did.

Then Comey saw to it that his child's godfather, Patrick Fitzgerald, would be the prosecutor. Much like Mueller, he got massive amounts of money and a great powerful staff so they could go after Karl Rove and Vice President Cheney. They were embarrassed there was no case there, so they made up one on Scooter Libby, and he became the fall guy.

But we know from the leak that Comey admitted that he used an ex-U.S. Attorney, identified as Columbia University professor Daniel Richman, to leak to The New York Times the contents of the memo Comey wrote.

If you look at the FBI contract with agents and with people employed by the FBI, it makes it very clear that memo that Comey prepared about his conversation with the President was not supposed to ever be provided to the press. That is FBI property, and he violated the law in leaking it.

But if you look, then-professor Daniel Richman got that to The New York Times author Michael Schmidt, who later wrote the Comey memo story in which Comey told Congress he directed Richman to leak.

Well, if you go back through and you start looking for this common thread, Michael Schmidt writing stories for The New York Times about leaks, then you find a number of cases where it appears likely. Whether it is March 1, March 4, March 5, March 6, it appears likely that this was James Comey leaking again.

The only question is: Did he commit a crime in one or all of those events?

The answer is: We will never know as long as Bob Mueller is special counsel. He needs to have the decency to say that it was a mistake for me to take this on, it was a mistake when Comey testified there was no evidence of any collusion between Donald Trump and the Russians, it was a mistake for him to leak out that night that now he is investigating the President for obstruction of justice.

Why would he do that?

So he wouldn't get fired, because there was no purpose in his investigation.

Why would he indict people when he did?

Because even The Wall Street Journal and others around this town began to say: Do you know what? Mueller really should resign.

He had to get those indictments out quick so people would not keep calling for his resignation. Well, some of us are. We have got to clean this town up, and it will start with the resignation of Mr. Mueller and a proper investigation of all of this underlying case involving Comey, Lynch, the Clintons, Russia, and Rod Rosenstein who oversaw the Russia case before he decided to seal it.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Texas, my friend, for his leadership on this issue. I appreciate his giving his remarks tonight.

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

The SPEAKER pro tempore (Mr. SMUCKER). The gentleman from Arizona has 13 minutes remaining.

Mr. BIGGS. Mr. Speaker, I yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I thank Mr. BIGGS for putting this very important hearing together. I am going to cut mine a little bit shorter.

After the previous election, a lot of people were angry. They came to our office demanding special investigations into the Trump campaign and the Russia probe. I forewarned them then, and I will make this prediction now: that if it goes there and it leads to the previous administration or Hillary Clinton, are you willing to go down that rabbit hole?

Here we are today. I think we need to follow this because it has led to that.

Without going too much into all the stuff that has already been said, we can talk about how the Obama administration approved the sale of the Canadian mining company with significant U.S. uranium reserves to a firm owned by a Russian Government. The NRC, the Nuclear Regulatory Commission, assured Congress and the public the new owners could not export any raw nuclear material from the American shores. No uranium produced at either facility may be exported, the NRC declared November 2010 in a press release. We found out that is not true.

As has been brought up, over 20 percent of our uranium is going into the hands of Russia. Beyond the mines in Kazakhstan, which are among the most lucrative in the world, the sale gave Russia control of one-fifth of all uranium production capacity in the U.S.

Since uranium is considered a strategic asset with implications for national security, the deal had to be approved by a committee composed of representatives from a number of United States Government agencies. Among those agencies that eventually signed off was the State Department, then headed by Mrs. Clinton. Frank Giustra, a mining financier, has donated $31.3 million to the foundation run by former President Bill Clinton.

As the Russians gradually assumed control of the Uranium One in three separate transactions from 2009 to 2013, Canadian records show how a flow of cash made its way into the Clinton Foundation. We could go on and on about this.

Shortly after the Russians announced their intention to acquire the majority stake in Uranium One, Mr. Clinton received $500,000 from a Moscow speech from a Russian investment bank with links to the Kremlin that was promoting Uranium One stock. Very interesting. I remember when President Clinton was asked about his high speaking fees. He kind of brushed it off with a laugh and said: Well, there are people who like to hear me speak.

Fordham University professor Zephyr Teachout, a highly regarded law professor who has written extensively about political corruption—and she is a Democrat—said:

> As a Democrat, I am concerned about Hillary Clinton as a general election candidate. These questions aren't going away. There is a pattern of foreign donations and speaking fees that the Clinton Foundation and her husband have found their ways to the Clinton Foundation.
>
> Bill Clinton made 13 speeches between 2001 and 2012 in which he was paid $500,000 or more. The interesting part is 11 of those speeches were made after Hillary Clinton became Secretary of State—pay to play.
>
> Why did the Clinton Foundation change its name to the Bill, Hillary, and Chelsea Clinton Foundation?
>
> It is surmised that it was because the public and large corporation donors backed away from the questionable, if not unethical, and possibly illegal activities.

I just want to speak as an American. We come up here from different backgrounds. I see people who are here tonight who spoke tonight all from different backgrounds. The thing we hear about over and over again is that we want transparency and accountability. We demand that, but we never see it. So as these investigations go forward, my hope is that there is a conclusion to an investigation and that the people who broke the law are held accountable so that we don't have to talk about another investigation that spends the American taxpayers' money without somebody paying the price for misrepresenting the American people and turning over strategic products of this country—uranium in this case—to a foreign entity that doesn't want the best for America.

Mr. Speaker, I appreciate the gentleman from Arizona for putting this on and leading this.

Mr. BIGGS. Mr. Speaker, I appreciate the gentleman being here and speaking tonight.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JODY B. HICE), my good friend who has been waiting like patience on a monument.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I would like to thank my good friend from Arizona for holding this Special Order. What an incredibly important issue.

Over the past year, we have heard nearly on a daily basis accusations of what Russia tries to do to undermine the United States. I think most of my colleagues would agree that Russia's actions over the past 2 years, which include everything from cyber attacks to supporting Assad's bloody regime in Syria, all of it demonstrates that their intention is to disrupt the stability both of the United States and the entire world.

□ 1945

But here is the deal: none of this happened overnight. No one in Russia flipped a switch on their foreign policy and it suddenly changed from being friendly to the United States to trying to cause us harm.

The fact is the United States did not remain vigilant. Our foreign policy suffered. We ignored the fact that Russian interests and goals are not our interests and goals. Nothing demonstrates this more than the Uranium One case.

In 2010, the Committee on Foreign Investments of the United States approved a partial sale, as you have heard this evening, of a Canadian company to the Russian-owned nuclear giant Rosatom. We have heard about all of this. One-fifth of our uranium capacity gone.

In the United States, we have been long aware of the fact that the Russian Government's request is, among other things, to control the production of energy, both at home and in other nations, and then use that energy as a source of leverage during conflicts.

Furthermore, striking information has been uncovered that Federal agents used a confidential U.S. witness working inside the Russian nuclear industry to gather extensive evidence that showed Moscow had compromised an American uranium trucking firm with bribes and kickbacks, all, of course, in violation of the law.

Rather than bringing these charges up, however, the FBI kept this secret. They didn't tell anyone about it for 4 years. That is unacceptable. We need to know why the FBI didn't share this information. Why was this crucial information about Russia's actions in our nuclear energy sector not shared? This is absolutely unacceptable.

Then, as we have been hearing tonight, we have the cases where Russian officials spent millions of dollars to benefit former President Bill Clinton's charitable family foundation while Hillary was Secretary of State.

These are all extremely serious allegations, and it is absolutely our responsibility to investigate them. There was a fundamental conflict of interest here, and I think you would have to be blind not to recognize that. Our Secretary of State was making decisions that impacted the entire world while, at the same time, receiving massive amounts of money from foreign donations.

As the Russians assumed control of Uranium One, the company's chairman was giving tons of money to the Clinton Foundation. Of course, none of this was disclosed as it was supposed to be.

So from what we know, the decision to allow the Clinton Foundation to continue soliciting foreign donations was, at best, naive, if not criminal. This seems to be a pattern of the previous administration. It is absolute cluelessness and self-interest, at best, perhaps even worse than that. It is hardly surprising that Russia believed it could pull the wool over our eyes with impunity and increased its malicious behavior.

I look forward to this investigation going forward, and I thank my friend

from Arizona for having this Special Order.

Mr. BIGGS. Mr. Speaker, I thank my friend from Georgia.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 4 minutes remaining.

Mr. BIGGS. Mr. Speaker, I will do my best to sum up.

What you have heard tonight, those who have been listening, are the outlines of the scandal of our lifetime—the scandal of our lifetime that began in 2009 and proceeded forth even to revelations in the last 36 hours of Mr. Comey changing the wording in his draft from the statutory culpable mental state requirement of gross negligence to merely carelessness.

That is a huge change as he prepared his draft report on Mrs. Clinton and the misuse of her email server giving access—which we don't even know. We don't have access to that. But you take this back from the Uranium One situation, the transaction that should never have happened, the money that changed hands, and you look at the common thread throughout.

Well, oddly enough, it is Robert Mueller. Robert Mueller sits today as the investigator of the supposed collusion between the Trump administration and the Russians to influence the election.

Oddly enough, it has turned on its head. We have found out now that it is the DNC and the Hillary Clinton campaign that was funding Fusion GPS, trying to influence the American electorate. It is upside down.

Yet the person who is tied throughout all of this is Robert Mueller. He is the guy conducting the investigation. Is there any clearer conflict of interest than what we see in this special investigator?

Again, with my colleagues—I thank all of them who have spoken tonight—I renew my call for his resignation, short of that, his termination of employment.

This is the scandal of our time. It affects our national security, the views of the American people for justice, and our elections.

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

## TAX POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I came here to talk about tax policy, and I will; however, having listened for the last 60 minutes to the most remarkable admission that Russia is meddling in America in many, many ways, even an admission that Russia somehow wants to influence America's elections—in this case, America's elections for the last year—I am pleased that my Republican colleagues are so adamant in pursuing Russian influence and, perhaps, controversial influence in the United States. I am pleased that they are doing that.

I am also pleased that Mr. Mueller is continuing his investigations. I will note that there have been two indictments and one guilty plea that have already come forth from his investigation having to do with people that are very, very close to President Trump's administration.

More will come of that, and I certainly hope our Republican friends will continue to focus on the fact that Russia is playing very serious and, quite possibly, illegal games or activities here in the United States.

We will carry on. I firmly believe that Mr. Mueller is not about to resign or be fired. If he were to be fired, I would suspect that there would be far more serious consequences than the kind of yapping we just heard for the last hour here on the floor.

Let me go back to my original point, which has to do with tax policy. As interesting as Russia might be, tax policy is going to be far, far more consequential in the long term. Whatever comes of the Russian situation in the election and conspiracies or other kinds of conflicts will bear themselves out over the next several years or months. Tax policy, however, is something that America is going to live with for a long, long time, were it to pass.

There are many things we could say about it. One is that, yes, the top 1 percent of America's wealthiest people—you take 360 million of us Americans and take the top 1 percent—are going to get 50 percent of all of the tax cuts that are in this multitrillion-dollar tax cut legislation.

So a trillion and a half dollars over the next 10 years to the top 1 percent ought to really drive up that problem that we call income disparity in the United States, you know, what we used to talk about: the rich get richer and the poor get poorer, or that America has a real problem with the superwealthy controlling most of the wealth and the rest of Americans really left behind.

So this tax bill is going to make it even worse. Now, that is really good. How does it do that?

Well, let's see. By eliminating the estate tax. Yes, five members of President Trump's Cabinet, including the President, would benefit in the billions. You see, the estate tax would be eliminated in just 4 years, about the same time they would be leaving the administration.

What does that mean?

Well, if you have a billion-dollar estate and there is a tax on that, you can eliminate the first $10 million, $11 million of that, but you have a 40 percent tax on the remainder. Well, that is about $400 million in estate tax.

Who would have a billion-dollar estate?

The President, Mr. ROSS, the Treasury Secretary, maybe the Education Secretary, maybe others.

So who is going to benefit from this?

The superwealthy, to the tune of millions upon millions or hundreds of millions of dollars of the estate tax itself.

There is much more to that. American corporations would see their top rating from 39 down to 20. Who is going to benefit from that?

Well, we heard the Treasury Secretary say the American workers will.

Where is the evidence for that?

There is no evidence for that, none at all; in fact, quite the contrary. The Treasury Department's own tax analysis section says that 70 percent of the after-profit taxes now go to, guess who. Stockholders and executives, not to the workers.

It used to be that way back in the sixties and seventies. Maybe 70 percent went to the workers, went to increasing plants and equipment, investments in the United States. It is not that way anymore. Quite the contrary. The American workers will be left behind once again by those tax reductions.

That is not to say we shouldn't reduce the nominal tax rate for corporations. Yes, we should, but we should do it in a way that actually helps American workers. It keeps investments in the United States. But, no, not this tax proposal. This one actually creates what is called territorial accounting for international corporations.

Let's suppose that you have an international corporation located in Silicon Valley. We have some really big ones there. Territorial taxes would be that all of the earnings that that corporation has outside of the United States would be beyond being taxed by the United States, even though it is an American corporation that can manipulate the price of its goods and services to actually push, overseas, its profits. Brilliant.

You want to bring jobs back to America? Don't do territorial tax reform. It doesn't work for the American worker. It works for the stockholders. Their stocks and stock prices will go up. They will be able to receive even more benefits.

That is only $3 trillion over 10 years of reduction for corporation taxes.

Who benefits?

Wall Street corporate executives.

Who loses?

The American worker loses.

One more thing that is on my mind is that I used to hear last year, the year before last, the year before that—in fact, for the last two decades—a lot of talk from about more than half of the Members of this House of Representatives who would talk about the horrible impact of the American deficit and that it would lead to ruin for the American economy, our grandchildren would be left to pay it off, and all the horrible things that the deficit would bring to the United States, ultimately leading to the collapse of the American economy.

Well, there is some truth in that. The hyperbole was a little bit more than necessary, but, indeed, it is a problem to see our deficit ever increasing.

Every now and then, we come up against the debt limit, and, oh, my goodness, the debate that took place here: We have got to stop it. We have got to stop deficit financing. We have got to bring our budget back into balance.

Not a bad idea. In fact, it is the right thing to do. And, by the way, it was actually done during the Clinton administration.

For 2 years, almost 3 years, the American Federal Government ran a surplus, and it was estimated that in the 2000 to 2010 period, if that surplus were to continue, it might lead to a significant and troublesome reduction in the American debt. That is a complex question as to why that would be troublesome, but, nonetheless, it was said.

□ 2000

So what happened?

George W. Bush came in, cut taxes, decided we would go to war, first war ever in America's history that was not financed by taxes but by borrowing, mostly from China, and the deficit began to explode. And then there was the great collapse in 2008, and the deficit went right through the roof.

So we have been living, since that time of the George W. Bush tax cuts with a deficit, a structural deficit that has not been solved despite all the rhetoric from the deficit hawks.

Now, I guess the deficit hawks, like the Canadian geese, have somehow migrated to the far south of Washington, D.C., because I don't hear any around here today. They have migrated somewhere far away from Washington. But what I hear from those previous folks that called themselves deficit hawks is that they want to drive up the American deficit, that they have a proposal to actually increase the American deficit.

Oh, wonderful, they say, not to worry. We can increase the deficit by well over $1.5 trillion in the next decade and it will be lovely. We will create more jobs.

I am going: Excuse me. I must have missed something in this debate. You just said a year ago that those deficits would somehow create a calamity for the American economy, that we would lose jobs, we would lose our competitiveness, that we would come to ruin, and now you are telling me I shouldn't worry about a $1.5 trillion increase in the deficit over the next decade?

Wow, how does that work? How does that happen?

I want to share something with you. I became—trying to understand what this was all about, how could it be 6 months ago or a year ago they were deficit hawks and they had to do away with the deficit and now they want to increase the deficit? What is this all about?

So I asked my staff: Give me some numbers. Don't we have what we know as a structural deficit built into the budget of the United States tax revenues significantly lower than the expenditures, and therefore we have this structural deficit? Show me what those numbers are.

So they did, and here they are.

Structural deficit, 2018, the structural deficit is $567 billion. That is half a trillion. That is the structural deficit that exists today without any of this discussion about tax cuts.

Next year, 2019, it is expected to be $689 billion, two-thirds of $1 trillion in 1 year—in 1 year.

And it goes on.

The structural deficit in 2020, $775 billion. That is the ongoing structural deficit in the Federal budget: revenue received, expenditures—expenditures $775 billion more than the revenue in 2020.

This isn't talking about the new tax cuts that are being discussed now here in Congress.

And so it goes.

In 2022, it is $1 trillion annual structural deficit.

So what does this tax cut mean?

Oh, it is only $1.4 trillion or $1.5 trillion over a 10-year period, but that is on top of the existing structural deficit.

So here you have it. This year, the existing structural deficit before any tax cuts, we are talking about $563 billion. Added to that, as a result of the Republican Ryan-McConnell-Trump tax cuts, we are adding $114 billion on top of $563 billion so that the structural deficit, should this new tax cut ever come into place, will be $677 billion—not millions, billions.

Over the next 10 years, by the end of the 10-year period, as that tax cut, this new tax cut goes into effect, with the addition adding to the existing structural deficit, in the year 2027, 10 years from now, you can expect a $1.6 trillion structural deficit.

This is a problem. It is a problem that is made even worse—even worse—by the fact that the benefit of the tax cut does not go to economic growth, but quite the contrary. It does not go to the working men and women, the middle class of America who really do need to have a better way, better wages, more money in their pockets, a better living, a better ability to take care of their family and their children, a better education, a better opportunity, and a better infrastructure. No. No. None of that will happen. Instead, what will happen as a result of the Republican tax cut is that the wealthy will get wealthier.

Remember this: 50 percent of all of the tax cut benefits—and we are talking trillions here, as much as $3 trillion over a 10-year period. Fifty percent of that will go to the top 1 percent of Americans. We are talking the superwealthy here.

That is not a better way. That is an awful way to run a government. That is an awful thing for an economy when you continue to skew the American economy to the superwealthy and leave behind the American worker, the American family struggling to do better, struggling to have a better opportunity for their children in school, a better road or a better bus or a better train on which to travel, a better transportation system.

So here we are. Here we are in the House of Representatives debating in committee today how to make the deficit worse, how to increase the structural deficit over the next 10 years, how to literally run this country into bankruptcy.

No, we are not going to go bankrupt, but what we will do, we will terminate key programs as we struggle to find ways of balancing the budget with so little Federal revenue available to us as a result of these tax cuts. I could probably go on for an hour and just work myself into a rage about the lost opportunity.

We Democrats have proposed a better solution, a better way to deal with the tax policies, one that actually provides benefits to the working families of America, who, as our Republican friends like to say, sit around the kitchen table and worry about their debts. Yes, indeed, they do. They worry about it. We have a better way of providing for the infrastructure, a better way of providing for our national security, our education, and on and on.

The architect of those programs that lay out a better way for the American economy and the American worker and the American family is with us here tonight, our minority leader, Ms. PELOSI.

Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

I accept his compliment on behalf of the House Democratic Caucus, which really developed the better deal. It sprang from our membership, with consensus based on our values that keep us united for America's working families. That is the unifying factor in our Democratic Caucus in the House.

Mr. GARAMENDI, I thank you for your diligence in always coming to the floor and speaking truth about the numbers, about what they mean to America's future, and also about making it in America. So much of that is violated by what the Republicans have put forth.

I thank you for starting with the budget, because a budget should be a statement of national values. What is important to us as a nation should be reflected in how we allocate our resources. That is how we Democrats have always thought of it and acted upon it.

That is not what is present in the Republican budget on which these taxes are predicated.

Would it be a statement of your values to take $1.5 trillion from Medicare and Medicaid and give a $1.5 trillion tax cut to corporate America while, at

the same time, saying to working families you are going to have to pay what little—hit them on their deduction on SALT, the State and local taxes, and rubbing salt in the wound by saying that corporations don't have that deduction taken away from them and, at the same time, in this tax plan, making it advantageous for corporations to send jobs overseas by having them pay a lower tax for a factory they set up abroad than they would pay in the United States?

It is just not right. It is just not fair.

You have been a champion, along with Mr. HOYER, on making it in America. Again, this tax proposal that the Republicans are putting forth does violence to all of that.

And thank you for pointing out the structural nature of what they are doing to the budget. The Republicans, our colleagues, are supposed to be deficit hawks. We agree that we must pay as you go. That has been our modus operandi until the Republicans came along and removed that: You want something? Pay as you go.

Republicans contend to be deficit hawks, but that must be an endangered species because none of them seem to recognize or acknowledge the damage they are doing to our fiscal soundness as we go out not just in the first 10 years, which is damaging enough and structurally horrible enough, but in the following 10 years. And we in Congress, when we make proposals that have a budget impact, have to account for not only the first 10 years, but the second 10 years.

Mr. Speaker, in the second 10 years, the horror of what the Republican tax bill does to the budget is a hemorrhaging—a hemorrhaging. This tax bill, when Members vote for it, if they do, will be an assault on our children's future. It is not only fiscally unsound, it is morally ungrounded because it says to our children and, in my case, our grandchildren: You are going to have to pay the bill.

The sad part of it is it has an impact on the budget. It comes back and says, well, we have so much deficit and so much debt service, so much interest on the national debt, we are now going to have to make further cuts in education, in research and development, in all of the initiatives that produce innovation.

Innovation begins in the classroom. They make an assault on the classroom in this tax bill. It is going to get worse when they try to pay for it.

Then, of course, it is fiscal engineering so that they can go after Medicare and Medicaid, Social Security once again. They have never really believed in Medicare. They say it should wither on the vine, and in this bill, they do violence to it.

But let's just talk about what this does to the State of California, my colleague, because our Golden State, which we are proud to represent, is a great economic resource to the Nation—to the Nation. It contributes enormously to our balance in trade, whether it is agriculture from your area, innovation, entertainment, whatever it is. California is a big producer of favorable balance of trade for America.

Without California and without the industries that it has spread throughout the country, we would be in an even worse trade situation than we are now for all the giveaways that the Republicans are giving in the trade issue.

But let me just talk about this and what it means to people in their homes at their kitchen table when they are trying to pay the bills, establish their own priorities, make ends meet.

It is shocking, Mr. Speaker, it is absolutely shocking that 14 of our colleagues from California voted for a budget, and now many of them are proposing to vote for a tax bill, that will hurt their constituents to the tune of tens of thousands of their constituents.

DOUG LAMALFA, the First District of California, around 100,000 households in his district claim the SALT deduction to the tune of thousands of dollars, and they will lose that.

TOM MCCLINTOCK, around 100,000 or more claimed the deduction, and that is 36 percent of the households in his district, and they will lose thousands of dollars.

How does PAUL COOK explain to his constituents, 57,000 of them who have claimed the deduction, that he is going to cost them thousands of dollars by increasing their tax bill?

□ 2015

JEFF DENHAM, he is really going to have to explain it very hard to a large percentage of his constituents as to how he is increasing their tax bill by thousands of dollars.

DAVID VALADAO, tens of thousands of his constituents will get the bad news if he insists on voting for this bill, which will cost them thousands of dollars.

DEVIN NUNES, tens of thousands of his constituents will pay the price for his lack of courage in a vote to go down the line with the Republicans to give a tax break to the wealthiest corporate America at the expense of their constituents, a direct expense and cost to their constituents.

KEVIN MCCARTHY says to corporate America: We will give you $1.5 trillion tax cut, and guess who is paying for it? Around over 100,000 of my constituents to the tune of thousands of dollars.

STEVE KNIGHT: Don't worry, my constituents, we are giving the tax cut to corporate America, $1.5 trillion, and we are taking it out of your pocket, you are paying more.

Sadly, ED ROYCE has the largest number of people who will be affected, close to 100,000 people, and they will be spending thousands of dollars more in the taxes that they pay because of SALT.

KEN CALVERT, the same thing, tens of thousands paying thousands of dollars more.

MIMI WALTERS, how does she explain to her constituents, tens of thousands of them, that they will be paying thousands of dollars more in taxes? Why? To give a tax break to the top 2 percent: 80 percent of the tax break goes to the top 2 percent, 50 percent of it goes to the top 1 percent, $1.5 trillion goes to corporate America.

DANA ROHRABACHER, the same thing, tens of thousands of people will be paying thousands of dollars more.

DARRELL ISSA. Hopefully DARRELL won't vote for this. Hopefully some of these constituents will make sure that their Member of Congress knows that they see what is happening. DARRELL ISSA, well over 100,000 constituents paying thousands of dollars more.

DUNCAN HUNTER, the same thing, around the same number. Well over 100,000—well over 150,000 paying thousands of dollars more. That represents about a third of his district.

But, as I said before, to rub salt in the wounds, while they are saying to their constituents, ''You are going to pay more because we are taking away your deduction,'' they are saying to corporate America, ''Your deductions for State and local taxes you keep.'' It is just remarkable.

Mr. GARAMENDI. Madam Leader, if I might, you said SALT. It is like really pouring salt on a wound. But SALT is State and local taxes.

So for California, New Jersey, New York, Illinois, and other States that have big populations, they collect this revenue, and it cannot be deducted. The numbers you have, I understand those came from the Department of the Treasury and the IRS.

Ms. PELOSI. And I underestimated them because I know they would question them, so I gave a conservative view. It is worse.

But you bring up the State and local, what SALT means, State and local taxes. The State and localities, did you see there is a letter—I don't have it right here—from the mayors of scores of cities in California asking the Members of Congress not to vote for this because of the provision that is in there that undermines their ability to address the education needs of their constituents, of the people in those towns and cities, the public safety issues? We had a firefighter come testify as to what it means to public safety, to law enforcement, to meeting the needs of people so that they can learn, that they can work, that they can raise their families, and to do so in a way that everyone pays his or her fair share. That is not the case here.

So, again, it is a boon to the megarich corporate special interest and a bust to the middle class. It also is very harmful to small business.

While the Republicans will say this is good for the middle class, it is not. They give with one hand something and take with another, so they can set the banquet table for the superrich corporate America and throw some crumbs to the middle class and say:

Sucker. I am just telling it the way it is.

Instead, Democrats say: Let's go to the table, let's be respectful of each other's views, let's have a clear objective debate on putting growth in the middle table—what creates growth for our economy, generating good-paying jobs, not stagnated wages, good-paying jobs, and reduces the deficit, instead of taking us into a hemorrhaging state of deficit in the years to come.

That is part of what is now. If time allows, and after the gentleman says his remarks, I will go into some of the specific ways in which cruelty is demonstrated in this budget. But right now, I just want to say this is a letter to the California delegation from 24 cities with their seals at the top and the signature of their mayors, some of them Republican, who have asked not to pass a bill that has this provision in it.

Mr. GARAMENDI. Madam Leader, you raised a very important point early on here about the way in which—I just heard you ask to reach out to Republicans to sit down and talk about how to structure a decent tax reform, not just a tax cut for the wealthy.

My understanding is the Republicans have not even offered a moment—a second—to discuss these tax bills with any of us, nor have they had even one hearing on the most consequential economic policy that this Nation could put forward. Not a hearing at all, but rushing out secretly. Today, I understand they had a markup, but no witnesses, other than someone to answer questions as to the impact.

And there has been discussion about the past major tax cut of Ronald Reagan's in 1986, in which we heard that there were 2 years of hearings all around the Nation and, I guess, more than 30 hearings in Congress before that major tax bill passed in 1986. But now here we are rushing this huge monumental and very detrimental tax bill through.

Now, that is what I have heard, and I am not in the leadership, but, as far as I know, they haven't talked to you.

Ms. PELOSI. No. Well, what you see is they haven't really talked to the American people because they don't want the American people to know what is in this bill.

You would think that at the time when the bill is being marked up in committee, when they came to the floor instead of engaging in their conspiracy theories, they would, instead, brag about what they are doing if they think it is right, but they are not. And the reason is they are going so fast. This is the speed of light, in the dark of night, so that nobody knows until it is too late, but we are going to make sure that everyone does.

Let me correct my statement. I am not sure if any of the Republican mayors signed this letter, but 24 mayors did. I see two prominent mayors lacking on here, and I guess the discipline of the Republican Party is extended to the mayors. But their cities will suffer, and they know it.

Just another point, because you brought up process. I am not into process. This is about what does this mean to America's families. But because you brought it up, it is important to know that they don't want people to know, and that is why their process is so behind closed doors. Their members didn't even know what was in this until a couple of days ago.

Mr. GARAMENDI. You said it. I was astounded that, during the first Special Order hour, there were about 12 members of the Republican Party who came down here on some weird conspiracy theory, and I am going: Wait a minute, guys, why don't you talk about your tax bill; why don't you sit up here and brag about all of the good things you are doing on the tax bill?

Apparently they want to hide.

Ms. PELOSI. Every single one of them is voting to raise the taxes of their constituents.

And in California—not that they were from California—but the nonpartisan Institute on Taxation and Economic Policy estimates that 5.5 million California taxpayers—that is about a third of our taxpayers, and that is families, so that is many people—will see an average tax increase of $4,180; 2.2 million of those receiving a tax increase will have incomes of less than $110,000.

Mr. GARAMENDI. That is middle-income.

Ms. PELOSI. So how can they say to the middle class, this is for you?

Mr. GARAMENDI. You were laying out, Madam Leader, our Republican colleagues from California who seem to ignore or want to not even think about the State and local tax deduction, and also the mortgage interest deduction. Trying to find a house in California that is for less than $500,000 or $700,000 is virtually impossible. Certainly in the bay area, much of southern California, and in the Sacramento region, it is almost impossible.

So by reducing that mortgage interest deduction, together with State and local taxes, you are seriously increasing the tax burden on homeowners and on working men and women in California.

You laid it out so very well. In the district directly to my south—Mr. DENHAM's district—101,000 of his constituents currently have a $7,982 average deduction for State and local taxes, and for the mortgage interest. They will lose that, and they will wind up paying somewhere between 25 to 30 percent on that lost deduction. So let's say 25 percent of $8,000 is what, $2,000? New taxes right there.

Ms. PELOSI. New taxes.

And we all want to encourage homeownership because it is putting down roots. Building community is very important. But it is not just California, it is across the country.

We are speaking from our experience. We are holding the California Republicans accountable. But every one of the Members who votes here is doing an injustice to the ability of States and local governments to do their job. We are cutting taxes. Now you go raise them so you can get the job done. So it makes matters even worse when you see what else is there.

Some of the cruelties that are in the bill, I mean, macrowise we know that this is a big transfer of wealth from middle class people to corporate America and to the superrich. We know that it is unfair to the middle class and will raise taxes on the middle class. It will increase the deficit. It is a legacy assault on our children's future. In addition, it deprives us opportunity cost to our budget in the near-term.

But there are some things in here that maybe are illustrative of the fact that this is not a statement of anybody's values that you know.

Let's talk about education for a moment. First of all, with all due respect, Mr. Speaker, one of the dumbest moves in this bill, with stiff competition, but one of the dumbest moves in this bill is the cut to education. Nothing brings more money to the Treasury than investing in education: early childhood, K–12, higher education, postgrad, lifetime learning. And in this bill, they, of course, make an assault on education.

For example, if you have a student loan, right now you have a $2,500 deduction for your interest payment on the loan. Not in this bill. Make that zero.

What? What did the middle class ever do to the Republicans that they are going to take away a deduction for interest on student loans when it is hard enough to save up and pay for college?

Next, now let's just go down to grade school. You are a teacher and you bring to school supplies for the classroom because your district is too poor to afford all of the things that the children would like to have. Right now, you get a tax deduction for what you bring to the classroom, but not in this bill. They have to take that away so they can give a tax break to the superrich so that schoolteacher isn't even compensated adequately, is sacrificing her personal funds, gets a tax break, but they take it away because the top 2 percent are desperate for their tax cut. But I don't think they are. I have more faith in the people of our country to say: Let us pay our fair share and let's do what is right.

But the list goes on on the things about lifetime learning and employers being able to provide for the training of workers: bye-bye.

Let me just tell you this one, since we are talking about education and children. In the bill, right now you get a tax credit to help you with adopting a child.

□ 2030

Such a joy to a family. If you are adopting a child with special needs, a tax credit. Not now. They have got to take that tax credit away from you. You don't need it anymore because

they have got to give it to corporate America.

If your employer decides that their place of business wants to help you with adoption, they get a deduction for helping you with your adoption. Not under this bill. Say good-bye to that.

Tax credit to the family adopting, tax deduction to the employer all gone so they can give the top 1 percent of our country 50 percent of this benefit at the cost of America's working families.

If you have medical needs, since 1944, you could deduct medical expenses for extraordinary medical needs. Very important to America's families. Not anymore. Say good-bye to that because we have got to take care of the superrich, so the pressure is on you.

The list goes on and on, but it gets personal. For families, it makes a difference as to whether their children can go to college. It makes a difference as to whether they can make ends meet with their medical expenses. It makes a difference if they don't have their State and local tax deduction. Again, this is across the country. We are speaking from our California experience.

It would take all night to go through the sins in this tax bill. I just wanted to give you a touch of some of those and how they directly impact America's working families while they profess that they are helping them. Not true.

Then they say: Oh, it is going to pay for itself.

Never has, never has. Don't take it from us. Bruce Bartlett, who is part of this supply side economics leadership as well as the trickle-down economics, said: We never said it would pay for itself. Anybody who says it does, it is not true. It is nonsense.

He even went on to say it was BS, as I am allowed to say on the floor of the House in its initial form.

These other things they say that just aren't true—oh, they take the name of Bill Bradley and Dick Gephardt in vain, and even President Ronald Reagan: Oh, this is what they did.

No, this isn't what they did. They had over 400 people to testify, 30 hearings over a period of a couple of years, and worked in a bipartisan way to iron out so that it would have sustainability. That is the only way you get a good tax bill, is if it is bipartisan and sustainable.

So, in any event, this is a moment of truth for the American people, and we want the truth to be known.

Mr. Speaker, I thank the distinguished gentleman for calling the Special Order.

Mr. GARAMENDI. Mr. Speaker, I thank Madam Leader for joining us tonight.

I remember here on the floor, when the debate occurred over the budget that did pass the House of Representatives a couple of weeks ago, you spoke eloquently on the floor about what this budget would mean, that it would open the door to some very bad public policies, in fact, public policies that would harm individual Americans as well as the American economy, and you were very passionate about it. You said that about the budget, which passed the House only on Republican votes, no Democrat votes.

Ms. PELOSI. And just barely. Just barely.

Mr. GARAMENDI. Yes. JEFF DENHAM, Mr. MCCLINTOCK, and the other Republicans from California included.

Ms. PELOSI. All 14 California Republicans, like lemmings to the sea, betraying the economic security of their constituents' families.

Mr. GARAMENDI. You laid it out. You made it very, very clear that it would lead to a tax bill that would be harmful. We had some ideas then what it would be, but we had no idea that it would be such a horrendous problem for the American economy and particularly for the American workers and middle class. You laid that out very well.

You also laid out very, very clearly that in that budget was the blueprint for the evisceration of programs that Americans depend upon. You talked about Medicare and you talked about Medicaid, of which 60 percent of Medicaid goes to seniors in nursing homes across this Nation, and the potential cut that would come to Medicare.

You also talked about how it would, as you just did, go after the education system, after research that we need for medical research, and economics, and all of the sciences. You talked about the infrastructure.

You laid out that that budget bill was the template. We are now seeing that template come to reality on the floor of the House first with this tax cut. Probably within months, should this tax bill pass, we are going to see the rest of what you told us to watch out for. Watch out for the cuts coming to Medicare, watch out for the cuts coming to Medicaid, to education, to infrastructure, to the things that Americans depend upon in their daily lives, the Meals on Wheels program, and then the supplemental nutrition programs.

Standing right here, I remember I was in the back of the room here, and I heard you speak about what would happen if that budget bill passed the House. It did. Now we are seeing the first step. There will be another step. They will come back after the Affordable Care Act and medical care and all of that. I wish you were wrong.

Ms. PELOSI. I do, too.

Mr. GARAMENDI. What you did standing here warning us, I wish you were wrong, but you are not. You are absolutely correct. Now we are seeing it play out here in secret without public hearings.

We are going to talk about this, and I hope the American people will hold those accountable who vote for such a horrendous economic policy, one that actually creates a structural deficit that will be virtually impossible for America to get out of, and all of the harm that will come by shifting enormous wealth to the men and women who already are the wealthiest ever in the last 400 years. The wealthy in America have accumulated more wealth in a smaller group than at any time in the last 4 centuries dating back to the Spanish Crown in 1500 and 1600. That is bad economics, bad social policy. That is what they are doing.

Thank you so very much for joining us tonight.

Ms. PELOSI. It was my pleasure.

Mr. GARAMENDI. We are going to drive this and make sure the American public knows what is coming down.

Ms. PELOSI. I thank you, because one thing that we must make sure they know is that this is not tax reform. It is not a tax cut unless you are in the top 2 percent or a corporation. But if you are a middle class American or a working family in our country, you are susceptible to an increase in what you pay in taxes. It is just not fair.

I thank Mr. GARAMENDI for his relentless leadership.

Mr. GARAMENDI. I thank you, Madam Leader.

As I close, I will just say that this is not the last of this debate. We are going to make sure that the American public knows what is happening to them and what this Republican Congress is doing to the American public.

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

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today.

## ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 8, 2017, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3114. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-069, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3115. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-038, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3116. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-040, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3117. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-081, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3118. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-059, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3119. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-072, pursuant to Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3120. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-022, pursuant to Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3121. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-026, pursuant to Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3122. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-061, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3123. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-048, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3124. A letter from the Director, Office of Management, Department of Energy, transmitting the Department's annual list of Government activities that are and are not inherently governmental in nature, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

3125. A letter from the Assistant General Counsel (GLER), Department of the Treasury, transmitting a notification of a vacancy, designation of acting officer, nomination, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3126. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's Inspector General's semi-annual report for April 1, 2017, through September 30, 2017, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

3127. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's annual report concerning the Post-9/11 Educational Assistance Program, pursuant to 38 U.S.C. 3325(a)(1); Public Law 112-154, Sec. 402(a)(1); (126 Stat. 1189); jointly to the Committees on Armed Services and Veterans' Affairs.

3128. A letter from the Deputy Director, ODRM, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Part B for CY 2018; Medicare Shared Savings Program Requirements; and Medicare Diabetes Prevention Program [CMS-1676-F] (RIN: 0938-AT02) received November 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3129. A letter from the Deputy Director, ODRM, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs [CMS-1678-FC] (RIN: 0938-AT03) received November 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3130. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''Mississippi River/Gulf of Mexico Watershed Nutrient Task Force: 2017 Report to Congress'', pursuant to Sec. 604 of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014; jointly to the Committees on Natural Resources and Science, Space, and Technology.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1133. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes; with an amendment (Rept. 115–393). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2123. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes (Rept. 115–394). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 2601. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants, and for other purposes; with an amendment (Rept. 115–395). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 3634. A bill to amend title 38, United States Code, to ensure that individuals may access documentation verifying the monthly house stipend paid to the individual under the Pose-9/11 Educational Assistance Program of the Department of Veterans Affairs (Rept. 115–396). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 3705. A bill to direct the Secretary of Veterans Affairs to require the use of certified mail ad plain language in certain debt collection activities; with an amendment (Rept. 115–397). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 3949. A bill to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs; with an amendment (Rept. 115–398). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1900. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; with an amendment (Rept. 115–399, Pt. 1). Referred to the House Calendar.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 4173. A bill to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line; with an amendment (Rept. 115–400). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCK: Committee on Rules. House Resolution 609. Resolution providing for consideration of the bill (H.R. 2201) to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes (Rept. 115–401). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Natural Resources discharged from further consideration. H.R. 1900 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MACARTHUR:

H.R. 4263. A bill to amend the Securities Act of 1933 with respect to small company capital formation, and for other purposes; to the Committee on Financial Services.

By Mr. BISHOP of Utah:

H.R. 4264. A bill to direct the Secretary of the Interior to convey certain Bureau of Land Management land in Cache County, Utah, to the City of Hyde Park for public purposes; to the Committee on Natural Resources.

By Ms. FOXX (for herself, Mr. DANNY K. DAVIS of Illinois, Mr. GOODLATTE, Mr. BLUMENAUER, Mr. DENT, Ms. SPEIER, Mr. ROE of Tennessee, Mr. RUSH, Mr. CHABOT, Mr. LIPINSKI, Mr. HENSARLING, Mr. GARAMENDI, Mr. SHUSTER, Ms. KUSTER of New Hampshire, Mrs. BROOKS of Indiana, Mr. KIND, Mrs. BLACK, Mrs. BEATTY, Mr. FRELINGHUYSEN, Mr. SCHNEIDER, Mr. BARLETTA, Mr. MEADOWS, Mr. SMUCKER, Mr. LATTA, Mr. SENSENBRENNER, Mr. GOHMERT, Mr. MASSIE, Mr. COSTELLO of Pennsylvania, Mr. BANKS of Indiana, Mr. COLLINS of Georgia, Mr. WOMACK, Mr. DESJARLAIS, Mrs. WALORSKI, Mr. JOHNSON of Ohio, Mrs. BLACKBURN, Mr. ROTHFUS, Mr. BRAT, Mr. KELLY of Pennsylvania, Mr. JOYCE of Ohio, Mr. FLEISCHMANN, Mr. FITZPATRICK, Ms. SHEA-PORTER, Ms. SINEMA, and Mr. STEWART):

H.R. 4265. A bill to modernize the sugar program under the Federal Agriculture Improvement and Reform Act of 1996, to provide for the repeal of the feedstock flexibility program for bioenergy producers under the Farm Security and Rural Investment Act of 2002 and marketing allotments for sugar under the Agricultural Adjustment Act of 1938, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN (for himself and Ms. PINGREE):

H.R. 4266. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. STIVERS (for himself, Mr. SHERMAN, Mr. MCHENRY, and Ms. MOORE):

H.R. 4267. A bill to amend the Investment Company Act of 1940 to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes; to the Committee on Financial Services.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. RASKIN, Mr. LEWIS of Georgia, Ms. DELAURO, Mrs. LAWRENCE, Mr. CLAY, Ms. JUDY CHU of California, Mr. TAKANO, Mr. CICILLINE, and Mr. NADLER):

H.R. 4268. A bill to amend title 18, United States Code, to provide for a 7-day waiting period before a semiautomatic firearm, a silencer, armor piercing ammunition, or a large capacity ammunition magazine may be transferred; to the Committee on the Judiciary.

By Ms. SEWELL of Alabama (for herself and Mr. DANNY K. DAVIS of Illinois):

H.R. 4269. A bill to amend the Internal Revenue Code of 1986 to eliminate the school voucher State tax credit loophole by limiting the double benefit of charitable contributions; to the Committee on Ways and Means.

By Mr. BARR:

H.R. 4270. A bill to amend the Federal Reserve Act to ensure transparency in the conduct of monetary policy, and for other purposes; to the Committee on Financial Services.

By Ms. JUDY CHU of California (for herself, Mr. CONYERS, Ms. LOFGREN, Ms. LEE, Mrs. DINGELL, Ms. MENG, Mrs. NAPOLITANO, and Ms. HANABUSA):

H.R. 4271. A bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), 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. CICILLINE (for himself, Mr. CONYERS, Mr. CRIST, Mr. ENGEL, Mr. EVANS, Mr. GOMEZ, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. KHANNA, Ms. LEE, and Ms. MCCOLLUM):

H.R. 4272. A bill to include community partners and intermediaries in the planning and delivery of education and related programs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DEGETTE (for herself, Mr. GRIJALVA, Mr. ENGEL, Ms. BONAMICI, Mr. GARAMENDI, Mr. COHEN, Mr. BLUMENAUER, and Ms. GABBARD):

H.R. 4273. A bill to prohibit the sale or distribution of tobacco products to individuals under the age of 21; to the Committee on Energy and Commerce.

By Mr. DESANTIS (for himself, Mr. DUNN, Mr. MEADOWS, Mr. WALKER, Mr. LABRADOR, Mr. PERRY, Mr. BRAT, Mr. YOHO, Mr. BUDD, Mr. NORMAN, Mr. LOUDERMILK, Mr. WEBSTER of Florida, Mr. FRANCIS ROONEY of Florida, Mr. GOHMERT, Mr. PALAZZO, Mr. WEBER of Texas, Mr. FARENTHOLD, and Mr. BUCK):

H.R. 4274. A bill to amend the Higher Education Act of 1965 to provide for accreditation reform, to require institutions of higher education to publish information regarding student success, to provide for fiscal accountability, and to provide for school accountability for student loans; to the Committee on Education and the Workforce.

By Mr. DESAULNIER (for himself and Mr. CARTER of Georgia):

H.R. 4275. A bill to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on indicators that a prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DINGELL:

H.R. 4276. A bill to amend the Help America Vote Act of 2002 to require voting systems used in elections for Federal office to produce a voter-verified, auditable paper record of the votes cast in such elections, to require State election officials to audit the results of such elections prior to certifying the results, to provide grants to States to improve voting system security, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, 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. GUTIÉRREZ (for himself and Mr. ESPAILLAT):

H.R. 4277. A bill to ensure that the Federal share of the costs of certain assistance relating to Hurricanes Irma and Maria is 100 percent, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HILL:

H.R. 4278. A bill to ensure that the operations of the Board of Governors of the Federal Reserve System remain independent from the credit policy of the United States, and for other purposes; to the Committee on Financial Services.

By Mr. HOLLINGSWORTH:

H.R. 4279. A bill to direct the Securities and Exchange Commission to revise any rules necessary to enable closed-end companies to use the securities offering and proxy rules that are available to other issuers of securities; to the Committee on Financial Services.

By Mr. KELLY of Mississippi:

H.R. 4280. A bill to provide for the sunset of rules one year after the date on which they are finalized, and for other purposes; to the Committee on Oversight and Government Reform, 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. KIHUEN (for himself and Mr. MOONEY of West Virginia):

H.R. 4281. A bill to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes; to the Committee on Financial Services.

By Mr. KING of New York (for himself, Mr. MCCAUL, Mr. PERRY, Mrs. COMSTOCK, and Mr. DONOVAN):

H.R. 4282. A bill to amend the Homeland Security Act of 2002 to direct the Director of the Office of Refugee Resettlements of the Department of Health and Human Services to establish additional procedures for making placement determinations for all unaccompanied alien children who are in Federal custody by reason of their immigration status, and for other purposes; to the Committee on the Judiciary.

By Ms. KUSTER of New Hampshire (for herself and Mr. LANCE):

H.R. 4283. A bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on House Administration, 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. LATTA (for himself, Mr. MCKINLEY, Mr. BARTON, and Mr. JOHNSON of Ohio):

H.R. 4284. A bill to establish a Federal Coordinator within the Department of Health and Human Services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. NORCROSS, Mr. MACARTHUR, Mr. SMITH of New Jersey, Mr. GOTTHEIMER, Mr. PALLONE, Mr. LANCE, Mr. SIRES, Mr. PASCRELL, Mr. PAYNE, Mr. FRELINGHUYSEN, and Mrs. WATSON COLEMAN):

H.R. 4285. A bill to designate the facility of the United States Postal Service located at 123 Bridgeton Pike in Mullica Hill, New Jersey, as the ''James C. 'Billy' Johnson Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. LOEBSACK:

H.R. 4286. A bill to direct the Secretary of Labor to carry out a grant program for employers to develop and carry out job training programs for veterans; to the Committee on Veterans' Affairs.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. CLARKE of New York, Mr. EVANS, Mr. KHANNA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCNERNEY, Mr. O'HALLERAN, Mr. POLIS, Mr. RUIZ, and Mr. RYAN of Ohio):

H.R. 4287. A bill to establish a broadband infrastructure finance and innovation program to make available loans, loan guarantees, and lines of credit for the construction and deployment of broadband infrastructure, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself and Mr. PITTENGER):

H.R. 4288. A bill to enhance the security of Taiwan and bolster its participation in the international community, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOONEY of West Virginia (for himself and Mr. BARR):

H.R. 4289. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain disclosure requirements related to coal and mine safety; to the Committee on Financial Services.

By Mr. QUIGLEY:

H.R. 4290. A bill to require the Attorney General to study whether an individual's history of domestic violence can be used to determine the likelihood of such individual committing a mass shooting; to the Committee on the Judiciary.

By Ms. STEFANIK:

H.R. 4291. A bill to utilize loans and loan guarantees under the rural broadband access program to provide broadband service for agricultural producers and to provide universal service support for installation charges for broadband service for agricultural producers in order to improve precision farming and ranching, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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. ZELDIN (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 4292. A bill to reform the living will process under the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services.

By Mr. ZELDIN:

H.R. 4293. A bill to reform the Comprehensive Capital Analysis and Review process, the Dodd-Frank Act Stress Test process, and for other purposes; to the Committee on Financial Services.

By Mr. CROWLEY (for himself and Mr. CHABOT):

H. Con. Res. 90. Concurrent resolution condemning ethnic cleansing of the Rohingya and calling for an end to the attacks in and an immediate restoration of humanitarian access to the state of Rakhine in Burma; to the Committee on Foreign Affairs.

By Mr. LEVIN (for himself, Ms. KAPTUR, Mr. FITZPATRICK, and Mr. HARRIS):

H. Res. 608. A resolution expressing the sense of the House of Representatives that the 85th anniversary of the Ukrainian Famine-Genocide of 1932-1933 (Holodomor) should serve as a reminder of repressive Soviet policies against the people of Ukraine; to the Committee on Foreign Affairs.

By Mr. ALLEN (for himself and Ms. ESTY of Connecticut):

H. Res. 610. A resolution expressing support for the designation of November 9, 2017, as ''National Diabetes Heart Health Awareness Day'', coinciding with American Diabetes Month; to the Committee on Energy and Commerce.

By Ms. NORTON:

H. Res. 611. A resolution recognizing the denial of full voting rights in Congress for veterans and their families who are District of Columbia residents; to the Committee on Oversight and Government Reform, 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.

## CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. MACARTHUR:

H.R. 4263.

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

Article 1 Section 8, Clause 18

By Mr. BISHOP of Utah:

H.R. 4264.

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

Article IV, section 3

By Ms. FOXX:

H.R. 4265.

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

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. POLIQUIN:

H.R. 4266.

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

Article IV, Section 3, Clause 2: ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.''

By Mr. STIVERS:

H.R. 4267.

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

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Ms. JACKSON LEE:

H.R. 4268.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. SEWELL of Alabama:

H.R. 4269.

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

Article I, Section VIII, Clause I: The Congress shall have Power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. BARR:

H.R. 4270.

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

(i.e. Article I , Section 8, Clause 3 and 5)

By Ms. JUDY CHU of California:

H.R. 4271.

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

Art. 1, Sec. 8 ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. ''

By Mr. CICILLINE:

H.R. 4272.

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

Article I, Section 8 of the Constitution of the United States.

By Ms. DEGETTE:

H.R. 4273.

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

Article 1, Section 8, Clause 3

By Mr. DESANTIS:

H.R. 4274.

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

Article I, Section 8, Clause 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.''), Article I, Section 8, Clause 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''), and the Tenth Amendment to the Constitution (''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.'').

By Mr. DESAULNIER:

H.R. 4275.

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

Article 1, Section 8, Clause 3

By Mrs. DINGELL:

H.R. 4276.

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

Article 1 Section 8

By Mr. GUTIÉRREZ:

H.R. 4277.

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

Article 1 Section 8

By Mr. HILL:

H.R. 4278.

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

Article I, Section 8, Clause 1

By Mr. HOLLINGSWORTH:

H.R. 4279.

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

Article 1, Section 8, Clause 18

By Mr. KELLY of Mississippi:

H.R. 4280.

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

This bill is enacted pursuant to the power granted Congress under Article I of the United States Constitution, including the power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, and the power granted to each House of Congress under Article I, Section 5, Clause 2, of the United States Constitution.

By Mr. KIHUEN:

H.R. 4281.

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

Article I, Section 8 of the United States Constitution

By Mr. KING of New York:

H.R. 4282.

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

Article I, Section 8, Clause 4—To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; and

Article I, Section 8, Clause 18—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. KUSTER of New Hampshire:

H.R. 4283.

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

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. LATTA:

H.R. 4284.

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

Article I, Section 8, Clause 3: Congress shall have the Power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''

By Mr. LOBIONDO:

H.R. 4285.

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

Article 1, Section 8, Clause 7, ''The Congress shall have Power to . . . establish Post Offices and Post Roads . . .''

By Mr. LOEBSACK:
H.R. 4286.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I of the Constitution
By Mr. BEN RAY LUJÁN of New Mexico:
H.R. 4287.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. MCCAUL:
H.R. 4288.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
By Mr. MOONEY of West Virginia:
H.R. 4289.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.'').
By Mr. QUIGLEY:
H.R. 4290.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution
By Ms. STEFANIK:
H.R. 4291.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, of the Constitution of the United States of America.
By Mr. ZELDIN:
H.R. 4292.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.
By Mr. ZELDIN:
H.R. 4293.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. COSTELLO of Pennsylvania.
H.R. 176: Mr. GAETZ, Mr. PERRY, and Mr. BIGGS.
H.R. 535: Mr. GOHMERT.
H.R. 559: Mr. MOONEY of West Virginia, Mr. DAVIDSON, and Mr. KING of Iowa.
H.R. 592: Mr. MOULTON.
H.R. 620: Mr. COMER, Mr. KNIGHT, Mr. COOK, Mr. COLE, Mr. MARINO, and Mr. BARTON.
H.R. 632: Mr. PEARCE.
H.R. 644: Mr. WEBER of Texas.
H.R. 747: Mrs. DEMINGS.
H.R. 754: Ms. ADAMS and Mr. GONZALEZ of Texas.
H.R. 785: Mr. HOLLINGSWORTH.
H.R. 820: Ms. GABBARD, Mr. COLE, Mr. GRAVES of Georgia, Ms. HANABUSA, Mr. ARRINGTON, Ms. MCSALLY, and Mr. HUIZENGA.
H.R. 843: Mr. LUETKEMEYER.
H.R. 846: Mr. MOONEY of West Virginia.
H.R. 952: Mr. COFFMAN.
H.R. 959: Mr. HECK.
H.R. 1017: Mr. DAVID SCOTT of Georgia.
H.R. 1094: Ms. BORDALLO, Mr. NOLAN, and Mr. KILDEE.
H.R. 1133: Mr. MESSER.
H.R. 1136: Mr. WOODALL.
H.R. 1153: Mr. DUFFY.
H.R. 1155: Mr. COLE.
H.R. 1164: Mr. JOYCE of Ohio.
H.R. 1178: Mr. MEADOWS, Mr. PERRY, Mr. BUCK, Mr. DUNCAN of South Carolina, Mr. YOHO, Mr. NORMAN, Mr. HARRIS, Mr. DAVIDSON, Mr. PALMER, Mr. ROKITA, and Mr. PALAZZO.
H.R. 1276: Mr. POCAN.
H.R. 1357: Mr. COLLINS of New York.
H.R. 1450: Mr. POSEY.
H.R. 1478: Mr. LOEBSACK.
H.R. 1494: Mr. LEWIS of Georgia, Mr. BERA, and Mr. DANNY K. DAVIS of Illinois.
H.R. 1498: Ms. SÁNCHEZ and Mr. RYAN of Ohio.
H.R. 1552: Mr. BIGGS.
H.R. 1676: Mr. AGUILAR and Mr. MULLIN.
H.R. 1817: Ms. SLAUGHTER and Mr. PERLMUTTER.
H.R. 1828: Mr. POLIQUIN.
H.R. 1953: Mr. COSTELLO of Pennsylvania.
H.R. 1987: Mr. PERLMUTTER and Mr. WELCH.
H.R. 2076: Mr. TED LIEU of California.
H.R. 2092: Mr. LONG.
H.R. 2101: Mr. ALLEN.
H.R. 2150: Mr. BRADY of Pennsylvania.
H.R. 2152: Mr. MARINO.
H.R. 2198: Mr. PAYNE, Mrs. DINGELL, and Mr. TIPTON.
H.R. 2436: Mr. POCAN and Mr. LARSEN of Washington.
H.R. 2452: Mrs. BUSTOS.
H.R. 2465: Mr. COMER.
H.R. 2472: Mr. ROSKAM.
H.R. 2482: Mr. MARSHALL.
H.R. 2584: Mrs. MIMI WALTERS of California and Ms. BORDALLO.
H.R. 2641: Ms. ESHOO and Ms. PLASKETT.
H.R. 2723: Mr. COLE.
H.R. 2740: Ms. SLAUGHTER, Mr. CRAMER, Mr. SIMPSON, Mr. PAYNE, and Mr. LOEBSACK.
H.R. 2759: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2788: Mr. KHANNA.
H.R. 2800: Ms. SLAUGHTER.
H.R. 2851: Mr. ZELDIN and Mr. RUTHERFORD.
H.R. 2858: Mr. FITZPATRICK.
H.R. 2862: Mr. PETERS, Mr. KIND, Mr. HUNTER, and Mr. THOMAS J. ROONEY of Florida.
H.R. 2925: Mr. DESAULNIER and Ms. MCCOLLUM.
H.R. 2956: Mr. BIGGS.
H.R. 3032: Mr. PERLMUTTER, Ms. JAYAPAL, and Mr. POLIQUIN.
H.R. 3107: Mr. RUSH and Mr. COLE.
H.R. 3124: Mr. COHEN and Ms. GABBARD.
H.R. 3160: Mr. CRIST, Mr. GONZALEZ of Texas, Mr. ESPAILLAT, and Mr. COHEN.
H.R. 3222: Ms. ADAMS, Mr. HECK, Ms. TITUS, and Mr. DEUTCH.
H.R. 3317: Ms. CLARK of Massachusetts.
H.R. 3345: Mrs. NAPOLITANO, Ms. NORTON, Mr. SUOZZI, and Mr. RYAN of Ohio.
H.R. 3380: Ms. SPEIER.
H.R. 3444: Mr. POCAN, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. DEFAZIO, Ms. MOORE, Mr. MCGOVERN, Mr. VEASEY, Ms. ADAMS, Mr. BLUMENAUER, and Mr. EVANS.
H.R. 3447: Mr. PERLMUTTER and Mr. KIND.
H.R. 3459: Mr. POCAN.
H.R. 3530: Mr. BRAT.
H.R. 3596: Mr. RATCLIFFE, Mr. WEBSTER of Florida, Mr. KING of Iowa, Mr. RUSSELL, Mr. KELLY of Mississippi, Ms. KUSTER of New Hampshire, Mr. RUSH, and Mr. BARLETTA.
H.R. 3642: Mr. KHANNA.
H.R. 3664: Mr. CARSON of Indiana.
H.R. 3681: Mr. RUSH, Mr. CARTWRIGHT, Mr. TAKANO, Mr. KHANNA, Mrs. DINGELL, Ms. SINEMA, Ms. LEE, Ms. JUDY CHU of California, Ms. LOFGREN, Mr. DELANEY, and Ms. HANABUSA.
H.R. 3711: Mr. SMUCKER and Mr. COLE.
H.R. 3738: Ms. PINGREE and Ms. SINEMA.
H.R. 3751: Mr. QUIGLEY.
H.R. 3759: Mr. KRISHNAMOORTHI.
H.R. 3761: Mr. NOLAN.
H.R. 3767: Mrs. MURPHY of Florida and Mr. COFFMAN.
H.R. 3780: Mr. ENGEL.
H.R. 3797: Mr. BIGGS.
H.R. 3798: Mr. OLSON.
H.R. 3814: Mr. WEBER of Texas and Mr. POLIQUIN.
H.R. 3828: Mr. JOHNSON of Georgia, Mr. PERLMUTTER, Ms. DELAURO, and Ms. KUSTER of New Hampshire.
H.R. 3831: Mr. COLE.
H.R. 3843: Mr. DONOVAN.
H.R. 3887: Mr. CLAY and Mrs. COMSTOCK.
H.R. 3928: Mr. ROE of Tennessee and Mr. ABRAHAM.
H.R. 3940: Mrs. HANDEL.
H.R. 3983: Mr. EVANS.
H.R. 4007: Mr. GROTHMAN and Mr. SHUSTER.
H.R. 4036: Mr. CARTER of Georgia.
H.R. 4082: Ms. MENG.
H.R. 4092: Mr. SMUCKER.
H.R. 4114: Mr. AL GREEN of Texas.
H.R. 4131: Mr. ROSS.
H.R. 4143: Mr. POLIQUIN, Mr. AGUILAR, and Mr. GOMEZ.
H.R. 4145: Ms. ESHOO.
H.R. 4155: Ms. MENG, Mr. HECK, Mr. TAKANO, Mr. QUIGLEY, Mrs. MIMI WALTERS of California, Mr. GALLEGO, Ms. FRANKEL of Florida, Mrs. TORRES, and Ms. TSONGAS.
H.R. 4173: Ms. GABBARD.
H.R. 4184: Mr. DIAZ-BALART.
H.R. 4207: Mr. POLIQUIN and Mr. YODER.
H.R. 4223: Ms. JENKINS of Kansas.
H.R. 4229: Mr. PAULSEN, Mr. DESJARLAIS, Mr. HUDSON, Mrs. ROBY, and Mr. DENHAM.
H.R. 4232: Mr. O'HALLERAN, Mr. NOLAN, and Ms. PINGREE.
H.R. 4239: Mr. LAMBORN, Mrs. RADEWAGEN, Mr. WEBER of Texas, and Mr. LAMALFA.
H.R. 4240: Mr. WALZ, Mr. LIPINSKI, Mr. CUMMINGS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. COURTNEY, Mr. MOULTON, Mr. MCGOVERN, Mr. SARBANES, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. O'ROURKE, Mr. SMITH of Washington, Mrs. LAWRENCE, Mr. LARSEN of Washington, Mr. SERRANO, Mr. LARSON of Connecticut, Mr. LANGEVIN, Mr. GOTTHEIMER, Mr. NOLAN, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. MCCOLLUM, Mr. SHERMAN, Mr. DELANEY, Mr. BEYER, Mr. BLUMENAUER, Mr. LOEBSACK, Mr. RICHMOND, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. CLARK of Massachusetts, Ms. DEGETTE, Mr. MEEHAN, and Mrs. LOWEY.
H.R. 4248: Mr. HOLLINGSWORTH.
H.R. 4253: Mr. CONYERS, Mr. SERRANO, Mr. CUMMINGS, Mrs. CAROLYN B. MALONEY of New York, and Mr. QUIGLEY.
H.R. 4254: Mr. SMITH of Texas.
H.J. Res. 65: Mr. LOWENTHAL.
H.J. Res. 120: Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Con. Res. 59: Ms. MAXINE WATERS of California.
H. Res. 129: Mr. FRANCIS ROONEY of Florida.
H. Res. 161: Mr. NORCROSS.
H. Res. 367: Ms. DEGETTE and Mr. LOEBSACK.
H. Res. 495: Mr. POCAN.
H. Res. 564: Mr. BURGESS.
H. Res. 571: Mr. THOMPSON of California.
H. Res. 604: Mr. LANCE, Mr. MOULTON, Mr. FITZPATRICK, Ms. FRANKEL of Florida, Mr. ROYCE of California, and Ms. KUSTER of New Hampshire.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, NOVEMBER 7, 2017 No. 181

# Senate

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

## PRAYER

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

Let us pray.

O God, our Father, help us this day to love and serve one another in ways that honor Your Name.

May our lawmakers manifest a courtesy that brings about constructive change. Grant our Senators a tolerance so that they may not be quick to condemn ideas that differ from their own. Lord, give them such integrity so that their work may be their best whether there is anyone to see it or not.

Bless and keep us all. Shine Your wisdom upon us, doing for us more than we can ask or imagine.

We pray in Your great Name. Amen.

## PLEDGE OF ALLEGIANCE

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

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

## RECOGNITION OF THE MAJORITY LEADER

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

## NOMINATIONS

Mr. MCCONNELL. Mr. President, as we all know, the Senate has been quite busy. Legislatively, we have been hard at work on everything from budgets, to disaster relief, to consumer protections, to tax reform.

On the nominations front, we have taken strong action to strengthen the judiciary, including confirming a slate of very-well-qualified nominees in recent days. This week, we are continuing our work to staff up the rest of the government as well. This is one of the Senate's most important functions and one we take seriously.

We are currently considering men and women who have been nominated to serve in many different roles at many different agencies. The one thing they all share in common is this: They are ready to get to work, and the sooner we confirm them, the sooner they can get on the job for our country.

First, we will vote to confirm John Gibson as Deputy Chief Management Officer at the Department of Defense. He will be responsible for increasing efficiency throughout the Department's business operations.

Afterward, the Senate will continue its consideration of Steven Engel, who will, as I discussed yesterday, serve as the Deputy Attorney General in the Department of Justice Office of Legal Counsel.

The next nomination we will consider is that of Peter Robb to serve as the General Counsel of the National Labor Relations Board.

For most of its 80-year existence, the NLRB has had the important responsibility of supporting stable labor relations by acting as a fair and impartial umpire in the resolution of labor disputes. Unfortunately, that changed under the previous administration, which wielded its Board majority as an anti-worker political cudgel at the behest of special interests and union bosses. Instead of the Board's historic commitment to impartially applying the law, the NLRB's Obama-appointed Democratic majority put forward policies that diminished the rights of employees, hurt small businesses, and rewarded entrenched political elites at the expense of workers and the middle class.

Thankfully, this Senate recently confirmed a new majority to the NLRB that is already beginning to undo the damage of the past 8 years. Now we have the opportunity to build upon that good work with the nomination of Mr. Robb.

The NLRB's General Counsel is responsible for investigating cases of unfair labor practices and for advancing cases before the Board and its members. Mr. Robb will fulfill these duties under the aegis of a new Board majority that is returning the NLRB to its true mission once more.

Labor policy is not simply some theoretical abstraction for Mr. Robb; he knows what it means to work as a hospital orderly or a construction worker, welder, truckdriver, forklift operator, or highway sign maker because he himself has worked in all of those jobs before. After law school, Robb gained valuable experience in employment law. His previous leadership roles, including as an NLRB regional field attorney and chief counsel to a Board member, contribute to making Robb an ideal candidate to serve as the Board's General Counsel.

I look forward to voting to advance this nomination, and I urge my colleagues to join me in helping restore the NLRB to the neutral umpire of labor disputes it was meant to be.

## TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, our complex Tax Code is in desperate need of reform, and we now have a once-in-a-generation opportunity to overhaul it. We all want an economy that reaches for its full potential again. We all want to support small businesses and the middle class. Tax reform represents the single most important action we can take today to advance goals such as these.

I have heard from many Kentuckians calling out for relief from our outdated and burdensome Tax Code. Listen to this small business owner from Murray, KY, who wrote to my office about his struggles under our current Tax Code. This is what he said:

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



Printed on recycled paper.

I am writing to stress the importance of tax reform for small businesses. As a small business owner, I have been saddle[d] with tax burdens since I began my business over 8 years ago. Tax reform for small business and families need[s] to be done immediately [so] we can have some economic hope once again.

Small businesses just like this one are calling out for relief. So are families. So are middle-class workers all across our country. Instead of better opportunities, our Tax Code gives them a complicated web of schedules, deductions, and regulations, a byzantine system that is easy for the wealthy and well-connected to exploit and impossible for almost anyone else to understand. It is time for a system that actually helps the middle class succeed and actually encourages small businesses to grow, invest, and hire.

We want to help families plan for their future. We want to get the economy going again and growing again. Most of all, we want to take more money out of Washington's pockets and put more money in the pockets of the middle class. To accomplish these goals, both the House and the Senate are continuing to move forward to deliver tax reform. Yesterday, the House Ways and Means Committee completed its first day of discussing the House legislative proposal unveiled last week. That bill, the Tax Cuts and Jobs Act, builds upon the unified tax reform framework and reflects goals shared by President Trump, Republicans in the House, and our conference here in the Senate—priorities shared by Americans of both parties all across our country.

Later this morning, a group of Senators, administration officials, and tax reform advocates will highlight the benefits of relief for families, small businesses, and the American economy. They will share their constituents' calls for tax reform.

As they do, the Senate Finance Committee will continue its work on this important issue as well. Chairman HATCH will continue to lead the committee through an open process, giving members the opportunity to provide their input, offer amendments, and work together to take another big step forward.

I am grateful for the work of both Chairman BRADY and Chairman HATCH to get us to this point. We still have a lot of work to do, but we are committed to passing tax reform to help our Nation's economy reach its full potential.

## RESERVATION OF LEADER TIME

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

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 11 a.m., with Senators permitted to speak therein.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

## REPUBLICAN TAX PLAN

Mr. SCHUMER. Mr. President, later this week, the House will begin marking up the Republican tax plan in record speed, with no hearings, no real discussion. Unfortunately, Senate Republicans are mimicking the House in trying to rush through their bill as well. It is said, the Senate Republicans will unveil a plan of their own, although I don't expect there to be that much difference between the two.

What has united the Republican tax reform efforts so far in this Congress has been a stubborn desire to reduce taxes paid by big corporations and the superrich. That is the core. The middle class ends up with the leftovers. Shockingly, millions in the middle class will actually see a tax increase, not just a handful but a large number. This morning's New York Times did an analysis. According to them, one-third of all middle-class families would pay more in taxes next year under the House bill, and by 2026, nearly half of all middle-class families would pay more in taxes—almost half.

Here is the newspaper article. This is the New York Times. They defined the middle class as households between $50,000 and $160,000—the backbone of America. Here is their headline. I don't know if you can see it. ''Republican Plan Would Raise Taxes on Millions of Middle-Class Families.'' Here is the headline again printed a little larger so everyone here in America can see it. ''Republican Plan Would Raise Taxes on Millions of Middle-Class Families.''

That is the case. They did their analysis. By the way, you say: Well, that is mainly in the coastal States. No. Even if it is not one-third, it is probably about 20 percent in the poorest of States. Large numbers of middle-class taxpayers in every State in this Union—coastal, noncoastal, New York, California but also Wyoming, Utah, and Nebraska—would pay a significant tax increase.

Looking at the House bill, you can see why. Republicans either reduce or eliminate several middle-class tax deductions. The elimination of the personal deduction, for example, which lets families deduct roughly $4,150 for each person in the household, would be costly to families of three or more. If you have a lot of kids, this bill is bad for you. Taxwise—if tax policy influences behavior—they are trying to discourage bigger families. What does that say? Ending the personal exemption makes the Republican tax plan an anti-large family bill.

In many cases, the new benefits provided to the middle class are insufficient to fill the gap created by the loss of popular deductions, and, worse, many of the benefits are temporary, expiring after several years. So while some in the middle class may get an initial tax break, down the line, the break disappears, and taxes start to go up.

As pointed out by David Kamin, a professor of tax law at NYU—and they have a great tax department, proudly from New York—Republicans have reduced the value of middle-class tax breaks significantly over time.

To meet their desires not to increase the deficit by too much—although $1.5 trillion is a heck of a lot—instead of reducing the tax breaks on the biggest corporations or the very wealthiest, they reduced them on the middle class. So in 5 years' time, the $300/person family credit is gone. The child tax credits—unlike the personal exemptions they replaced—lose value over time because they are not indexed. They only increase with inflation. The Republicans use the same gimmicks to make the value of middle-class deductions, like the standard deduction, lose value over time.

So while some middle-class families may see a tax decrease in the very short run, a considerable number see a hidden tax increase a few years later. They have front-loaded the benefits to disguise a tax hike in the outyears.

Look at this chart. Now, our Republican colleagues picked the perfect family to benefit from their tax break. This middle-class family, when they proposed it, is a family making $59,000 a year. Well, the Institute for Taxation and Economic Policy looked at the Republican plan and found over one in five taxpayers, those earning between $56,000 and $150,000—the heart of the middle class—would see an average increase of $1,350 by 2027. Here it is. This is not a family who has medical expenses or kids in college—they lose those deductions—or a large mortgage or from a State with high personal income and sales taxes. This is the plain-vanilla, hand-picked family chosen by the Republicans to highlight the benefits of their plan.

It is true. In the first year, they get a break around $1,100, but over the years, they get an increase. By 2027, even this hand-picked Republican family gets a tax increase. The bottom line is, the Republican tax plan is like a ticking timebomb for many hard-working, middle-class families. Working middle-class families see a tax increase because the Republican plan reduces their benefits over time.

Meanwhile, tax giveaways for the wealthiest Americans and huge corporations get better over time. The estate tax exemption goes up from $11

million to $22 million for a couple, and then it is permanently repealed by 2023. The corporate rate cut and pass-through cut also stays permanent—a boon to wealthy shareholders. Middle-class tax deductions and credits expire. Deductions for corporations and the wealthiest are permanent or even get better.

As Mark Mazer, the director of the Independent Tax Policy Center, said, ''You could create a plan that just cuts taxes for middle-class people. That's not what this is.'' Yet that is how Republicans are selling it.

A few days ago on Hugh Hewitt's show, my friend the majority leader said that ''at the end of the day, nobody in the middle class is going to get a tax increase'' under the Republican bill. Again, that was MITCH MCCONNELL: ''Nobody in the middle class is going to get a tax increase.'' Well, if Leader MCCONNELL was referring to the House bill, that is just a bold-faced lie, and he ought to retract it, but to give the Senator the benefit of the doubt, maybe he is referring to the Senate tax bill still under consideration. Let's see.

In the Republican bill, will nobody in the middle class get a tax increase? We will wait and see. If past is prologue, I doubt it because the House said no middle-class person would get an increase, then their bill walloped the middle class. One-third get an increase immediately, and then half get an increase over the next 10 years.

I would remind my Senate Republican colleagues that their House Republicans sold their bill as a middle-class bill—a middle-class tax cut—and then put together a plan that raises taxes on millions of middle-class families, one-third of all families making between $65,000 and $150,000.

If the Senate bill follows the same path, promising universal, middle-class tax cuts but delivers smoke and mirrors and hidden tax increases, it will get clobbered in the court of public opinion, as it would deserve.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of John H. Gibson II, of Texas, to be Deputy Chief Management Officer of the Department of Defense.

The PRESIDING OFFICER. Under the previous order, there will now be 60 minutes of debate, equally divided in the usual form.

The Senator from Connecticut.

### GUN VIOLENCE

Mr. MURPHY. Mr. President, we are grieving yet again today another horrific mass shooting in a church in Texas—over 25 dead, others still clinging to life. We were barely past our stage of grief as more than 50 people were shot dead and 500 were injured at a country music concert in Las Vegas. Of course, every single night in this country, parents and brothers and sisters go to bed having lost their loved ones, and 90 people die every day from guns in this country.

I just think it is worth stating that this happens nowhere else other than in the United States. This is not inevitable. This is not something that we should accept. We are not impotent or helpless to try to change the scope of tragedy that is crippling for families that have to go through this.

I want everyone to take a quick look at this pretty simple chart. The United States has more guns and more gun deaths than any other developed country. It is not close, we are not even in the neighborhood of any of our other G–20 competitor nations. While the President told us the other day that this is a mental illness problem, one cannot explain this outlier status through a story of mental illness because none of these other countries have any lower rate of mental illness. There are just as many people who are mentally ill in these countries as there are in our country.

We cannot explain it by the attention we pay to mental illness. We spend more money on treating mental illness than these countries do. This isn't a mental illness problem. We have to do better in treating people who have psychological disorders in this country, but the reason that we are an outlier nation when it comes to the number of gun deaths and the epic scale of our mass tragedies is explained by something else.

Here is a quick story. This graphic shows the States that have background check requirements on all gun sales in the private sector, and here are the States that have no background check laws beyond those that are required in Federal law. It is a fundamentally different story when it comes to gun-related homicides. In the States that have background check laws, the average rate of homicide is substantially lower—substantially lower—than in States that haven't background check laws. That is because in this country, with the loosest, most lax gun laws in the industrialized world, private citizens are able to get their hands on weapons that are designed not for hunting and not for shooting for sport but to kill. These tactical assault-style weapons are being used over and over in these mass tragedies, and more people end up in harm's way.

Smarter gun laws—just making sure that the right people have guns, not the wrong people—lead to less gun deaths. It is time for us to admit that this is a uniquely American problem and that it deserves our attention rather than our silence, which has been our response every single session that I have been a Member of Congress.

This poster shows but a few of the faces that have been lost to gun violence in this country. My small town of Sandy Hook is a broken community. It is a beautiful, wonderful community, but it is a broken community. The ripples of grief that come with losing that number of children—beautiful children—all at one time never really gets repaired. That small community in Texas, Sutherland Springs, will suffer that same fate. It will be a community that will not ever truly repair itself, having lost so many beautiful people at one moment. You can't rewind the clock.

It is increasingly impossible for me to continue to go back to Newtown, CT, and tell the people of that community that even after mass murder after mass murder in this country, at a scale that occurs in no other Nation, our response as a body is to do nothing. It is a level of callousness that is frankly unexplainable to the victims of this violence, and this macabre club of families that have had to deal with the consequences of gun violence is getting bigger and bigger and bigger.

Why? Because the number of people who die by guns is not going down. It is not leveling off. It is exploding. Every year, more people—not less people—are killed by guns in this country, and it seems to be the only problem in which there is zero interest in this body to solve. When a terrorist plows into civilians with a truck in New York City, Republicans in this body are talking about policy change within hours, but after somebody walks into a school or a church or a shopping mall, we are told that there has to be a restraining order on policy debate for days. It is ridiculous, and it is offensive to the families who have gone through this.

So, let's just for a moment set aside the issues that I will admit are unlikely to come up for a vote in this body between now and the end of this session. I think it is unbelievable that universal background checks, supported by 90 percent of Americans, can't get a vote here. I don't think there is another issue like that in the American public, where 90 percent of Americans agree on something and Congress can't even conceive of getting it done.

The only place where background checks is controversial is in the Congress. Every single gun owner I talk to

in my State wants to make sure that criminals and people who are seriously mentally ill can't buy guns.

Similarly, let's admit what is happening here. It is not a coincidence that the same kind of weapon is used every single time in these shootings. These are copycat shootings in which people see the kind of destruction that comes with an AR–15-style weapon, and they use it again in order to maximize the lethality.

Wake up. Wake up to the reality that these weapons are being used to murder with speed and power, and the killers are watching what happens in Sandy Hook, what happens in Texas, what happens in Orlando, what happens in Las Vegas, and they are repeating the process. They are replicating the weapon. They shouldn't be in the hands of civilians. You can have plenty of fun hunting without an AR–15 or AR–15-style weapon. So let's set aside universal background checks and assault weapons for a moment. I get the politics of this place. I understand those are unlikely to pass.

Why, then, can't we work on the things that we know we agree on? I have listened to dozens of Republicans in the House and the Senate claim that they are for making real the prohibition on automatic weapons. People shouldn't have fully automatic weapons in this country. Nobody should be able to do what that guy did at an upper story window in a hotel in Las Vegas, and the law that we all passed is being ignored by companies that are selling these aftermarket modifications that turn semiautomatic weapons into automatic weapons. The company that sold the modification took it off the market, but only for a couple of weeks. They are back to selling bump stocks again because we have signaled that we are not going to do anything about it.

It is not enough to just tell the ATF to do it. Why? Because the law is vague. The ATF said it was vague in 2010. All we have to do is clarify it, but aftermarket modifications that turn semiautomatic weapons into automatic weapons shouldn't be legal. It seems we have agreement on that because I have listened to many Republicans saying they are willing to take that step. Let's take it and stop talking about it. Put legislation on the floor that says you cannot have an automatic weapon in this country. Let's do it. We agree on it.

I didn't agree with the President yesterday when he said it is a mental illness problem, but similarly we could work together to make sure that people who are seriously mentally ill don't buy weapons. That is the second noncontroversial policy proposal on which we could work together. Let's just admit we are going the wrong way, not the right way.

Earlier this year, Republicans passed a piece of legislation that allowed for 75,000 people in this country who have serious mental illness to be able to get off the list of prohibited purchasers and start buying guns again. These are people who were judged to be so mentally ill that they couldn't deposit a check. They were given conservator status for Social Security purposes. These are people who were so mentally ill, so limited in their cognitive abilities that they couldn't take a Social Security check and deposit it. Those people were prohibited from buying guns. This Congress passed a law earlier this year to say that those people who can't deposit a check should be able to go buy an assault weapon.

If we are serious about trying to stop people with mental illness from getting weapons, let's work together on that instead of moving backward.

Finally, it is an open secret that the existing background check system is broken. Let's not pretend we just woke up yesterday in amazement that the records of people who are seriously mentally ill or have been convicted of crimes aren't ending up on the background checklist.

I am holding in my hand the data that is available to every single one of us about the records that are being uploaded onto the background check system. For the Department of Defense, it is a whole bunch of zeros. The Army, the Navy, the Air Force—zero, zero, zero, zero, zero, zero, zero.

Similarly, States aren't doing their part either. Connecticut uploaded 363,000 felony records onto the NICS system over the course of 2016. Colorado uploaded 10 felony records in 2016. New York uploaded 57,000 domestic violence records in 2016. North Carolina uploaded 261. There weren't 261 people in North Carolina who were convicted of domestic violence crimes in 2016; it is just that only 261 people went up on the list. Many other States, like the Department of Defense, have zeros in all of these columns. Many States are uploading no records onto the system.

Now, admittedly, NICS tries to get those records through other means when States don't give it to them, but it is an open secret that the NICS system is broken. Congress at least tried to make some changes. After the Virginia Tech shooting, Congress did pass a NICS improvement bill, but it has not worked. It gave the Department of Justice the power to withhold Federal funding if States don't upload records. Despite the fact that there are a handful of States that have uploaded no records to NICS—zero—no State has been penalized under that 2007 law. That is not a Republican or a Democratic problem. The Obama administration didn't penalize States, and Republican Presidents didn't penalize States. Why don't we work together on that?

A couple of years ago, the House passed additional funding to help States, other jurisdictions, upload records. Why don't we find a way to work together to at least make the existing background check system work?

This feeling of helplessness that people have in this country, this feeling of impotence that nothing can be done to change the trajectory of violence in this country, the regular scroll across the bottom of your TV screen telling you news of the latest mass shootings where little kids and senior citizens are being gunned down in churches and schools—that sense of helplessness isn't real; it is a fiction, an invention of the gun lobby designed to make this place feel as if there is nothing that can be done in order to make sure that they can continue to make these obscene amounts of profits. There are things we can do.

I understand that despite the popularity of background checks with the public, we are probably not going to get a vote on that, but let's work together to make sure that automatic weapons can't be in the hands of civilians. Let's make real the very simple premise that seriously mentally ill people shouldn't be able to buy guns. Let's fix the background check system so that, as Republicans tell us over and over again, at least we can enforce existing law. There are ways that we can stop this slaughter, and I don't know how we live with ourselves, how we sleep at night as a body if, in the face of these massacres, we don't even do the stuff we all agree on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

TEXAS CHURCH MASS SHOOTING

Mr. CORNYN. Mr. President, I come before this body a second day in a row to talk about an event that the Senator from Connecticut has been referring to that has shocked all of us. It has rattled us to the very core and shocked the conscience of the entire Nation.

I didn't get a chance to hear everything he said about this today, but I was encouraged to hear him make comments about fixing the background check system, which I think failed us terribly here, and it failed, of course, the 26 people who lost their lives and the 20 more who were injured in this terrible shooting in Sutherland Springs, TX, during a Sunday morning church service at First Baptist Church.

Of course, at times like these, we need to respect the right and the need of people to mourn and to grieve their loss and to express our solidarity with those families who were torn apart. One woman who has lived in Sutherland Springs for nearly 70 years described the community as a place where ''everybody knew everybody.'' She said that before Sunday, most people didn't even keep their doors locked because the town never experienced any significant crime. Well, now that has changed.

Sutherland Springs has suffered at the hands of a man whom initial reports have described as having a known history of violence, a man whose victims included his own grandmother-in-law as well as the visiting pastor of the church. No community finds it easy to deal with unexpected heartbreaking

losses like this, but the fact that this crime involved so many tightly knit friends and neighbors and occurred in a house of worship on a Sunday morning and harmed so many innocent children makes the task much harder.

As each new detail emerges from what is still an ongoing investigation, we need to study the whole puzzle and ask ourselves how this happened, why so many lives were lost, and what, if anything, could have been done to prevent it. We know, for example, that the gunman was court-martialed by the Air Force and convicted of seriousness domestic abuse, fracturing the skull of his own son. Under the relevant Federal law, the Gun Control Act of 1968, this should have prohibited him from ever purchasing a gun in the first place, but we know it didn't in this instance. This critically important information from the suspect's criminal history was not uploaded into the relevant background check databases even though a Federal law clearly requires that it be done.

Finally and most troublingly, we know what happened next: Mr. Kelley unlawfully purchased four firearms after passing Federal background checks that did not turn up his Air Force convictions. Of course, the shooter lied on his paperwork. He was asked about these convictions—that is part of the background check system—but because there was no record of it, he was able to lie his way into getting these firearms. This is very clearly a problem, and the Air Force has now admitted that Kelley's convictions should have barred him from ever purchasing or possessing firearms. What appears to have happened is that the records of the convictions were not uploaded into the National Instant Criminal Background Check System. They are required to be uploaded by Federal law already.

There are still some questions to sift through, but I plan to introduce legislation—and I would be happy to work with my colleague from Connecticut—to ensure that all Federal Departments and Agencies, including the Department of Defense, upload the required conviction records into the national database. This legislation will also encourage, to the greatest extent possible under the Constitution, State and local governments to do the same. We can make the Federal Agencies do it. We can only request that the States do it, as the Senator from Connecticut pointed out earlier, and their record of compliance is lousy. It is lousy.

Justice Department records indicate that some Federal Agencies and State governments are failing to comply with the Federal law. According to the Department of Justice, the number of these records that are actually uploaded is staggeringly low. That is unacceptable, and it must change.

What is important to note, though, is that when the dust settles, the appropriate answers won't necessarily be the easy ones. The fact remains that under existing law, this atrocity should have been prevented. This gunman should not have been allowed to purchase firearms and should have been arrested when he tried to do so. We need to better understand why our existing laws didn't work in this instance, and that is what my proposed legislation will do. After analyzing the problem, we will try to ensure that everyone is complying with the law.

In 2015, I introduced legislation called the Mental Health and Safe Communities Act that addressed a related issue: the failure of State and local authorities to upload valuable mental health records into the NICS background check database. I hope this demonstrates my willingness to work together with anybody who is willing to meet these problems head-on.

Right now, we need time and clarity. We need to know and continue to study the facts. Then, as we have already started to do, we need to consider all existing laws and regulations, both State and Federal, in light of this new information.

Mr. President, I know we are coming up on a deadline. I ask unanimous consent to speak for an additional 5 minutes.

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

Mr. CORNYN. Mr. President, as we wait for additional details, I want to say a few more words about the strong community of Sutherland Springs, one just 35 miles from my hometown of San Antonio, TX, where I grew up.

First Baptist Church, where the shooting occurred, has served as a mainstay in the town since 1926. It is the site of church services every Sunday, weddings, social gatherings, and even some funerals. We hope the First Baptist Church can bounce back from this tragedy, and I am confident they can because faith, hope, and love can never be extinguished no matter the depravity, the evil that tries.

We are not sure what will happen to the building or the congregation itself, but no matter what, the unique spirit of this community will no doubt endure. I am hopeful that the town of Sutherland Springs will come back too. If people like Stephen Willeford are any indication, it will. Stephen, of course, is the plumber who managed to hit the gunman through a gap in his body armor. He was joined by Johnnie Langendorff. In a truck, the two chased the gunman at high speeds for 11 miles into neighboring Guadalupe County. What these two men displayed is that in the worst circumstances, we won't let evil have its way. We won't let sick individuals like this shooter escape the consequences of their crimes. Strangers will come together and act quickly and courageously to defend the communities they love and in which they live.

Today I join Governor Abbott, my colleagues—Senator CRUZ and Representative HENRY CUELLAR, in whose House district this occurred—and so many other Texans in once again pledging my support to the people of Sutherland Springs. I send my thoughts and prayers to those who lost parents, children, friends, and relatives in this unbelievable act of evil.

The biggest danger, though, is that we become numb and we just simply move on to other matters. We can't let that happen. As Sherry Pomeroy, the wife of the pastor at First Baptist, said yesterday, ''Please don't forget Sutherland Springs.'' And when we hear people ask us to do something about terrible tragedies like this, let's do what we can, working together in a bipartisan way, to fix the holes in what is already the law, which says that people like this shooter should never have gotten their hands on a firearm in the first place. But either through human error or some failure of the background check system, he was able to do so. We need to fix that, and hopefully, in doing so, we can bring some small sense of justice to the people who lost so much last Sunday in Sutherland Springs, TX.

I yield back the remainder of my time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the Gibson nomination?

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 7, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—91

| | | |
|---|---|---|
| Alexander | Durbin | Manchin |
| Baldwin | Enzi | McCain |
| Barrasso | Ernst | McCaskill |
| Bennet | Feinstein | McConnell |
| Blumenthal | Fischer | Moran |
| Blunt | Flake | Murkowski |
| Boozman | Franken | Murphy |
| Brown | Gardner | Murray |
| Burr | Graham | Nelson |
| Cantwell | Grassley | Perdue |
| Capito | Hassan | Peters |
| Cardin | Hatch | Portman |
| Carper | Heinrich | Reed |
| Casey | Heitkamp | Risch |
| Cassidy | Heller | Roberts |
| Cochran | Hirono | Rounds |
| Collins | Hoeven | Rubio |
| Coons | Inhofe | Sasse |
| Corker | Isakson | Schatz |
| Cornyn | Johnson | Schumer |
| Cortez Masto | Kaine | Scott |
| Cotton | Kennedy | Shaheen |
| Crapo | King | Shelby |
| Cruz | Klobuchar | Stabenow |
| Daines | Lankford | Strange |
| Donnelly | Leahy | Sullivan |
| Duckworth | Lee | Tester |

| | | |
|---|---|---|
| Thune | Van Hollen | Wyden |
| Tillis | Warner | Young |
| Toomey | Whitehouse | |
| Udall | Wicker | |

NAYS—7

| | | |
|---|---|---|
| Booker | Markey | Warren |
| Gillibrand | Merkley | |
| Harris | Sanders | |

NOT VOTING—2

| | |
|---|---|
| Menendez | Paul |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, JMike Rounds, James M. Inhofe, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—51

| | | |
|---|---|---|
| Alexander | Cotton | Hatch |
| Barrasso | Crapo | Heller |
| Blunt | Cruz | Hoeven |
| Boozman | Daines | Inhofe |
| Burr | Enzi | Isakson |
| Capito | Ernst | Johnson |
| Cassidy | Fischer | Kennedy |
| Cochran | Flake | Lankford |
| Collins | Gardner | Lee |
| Corker | Graham | Manchin |
| Cornyn | Grassley | McConnell |
| Moran | Rounds | Sullivan |
| Murkowski | Rubio | Thune |
| Perdue | Sasse | Tillis |
| Portman | Scott | Toomey |
| Risch | Shelby | Wicker |
| Roberts | Strange | Young |

NAYS—47

| | | |
|---|---|---|
| Baldwin | Gillibrand | Nelson |
| Bennet | Harris | Peters |
| Blumenthal | Hassan | Reed |
| Booker | Heinrich | Sanders |
| Brown | Heitkamp | Schatz |
| Cantwell | Hirono | Schumer |
| Cardin | Kaine | Shaheen |
| Carper | King | Stabenow |
| Casey | Klobuchar | Tester |
| Coons | Leahy | Udall |
| Cortez Masto | Markey | Van Hollen |
| Donnelly | McCain | Warner |
| Duckworth | McCaskill | Warren |
| Durbin | Merkley | Whitehouse |
| Feinstein | Murphy | Wyden |
| Franken | Murray | |

NOT VOTING—2

| | |
|---|---|
| Menendez | Paul |

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

### OUR COUNTRY'S MIDDLE EAST FOREIGN POLICY

Mr. MCCAIN. Mr. President, in recent months, the United States and coalition forces have achieved major gains against Iraq and Syria. Building upon the retaking of Mosul in July, U.S. coalition partners have liberated ISIS's former capital of Raqqa in Syria, the pocket of Hawija in northern Iraq, and, just days ago, the border town of al-Qaim in western Iraq. The so-called caliphate that terrorists claimed would overrun the Middle East is now a shadow of its former self—a shrinking swathe on a map once defined by an open reign of terror.

Unfortunately, however, our challenges in the region remain daunting despite these hard-fought tactical victories. Our relentless focus on destroying ISIS, which is, of course, essential, has obscured a troubling reality: The United States lacks a clear comprehensive strategy that addresses the Middle East in all of its complexity.

This is part of the unfortunate legacy the Obama administration left for its successor, but nearly 1 year into the Trump administration, we lack clarity on essential questions about our Nation's role, and we are left to observe as bystanders the intensifying symptoms of a collapsing regional order. While in some cases we are bystanders who take action, we do so with unclear and often unstated objectives.

The United States has committed to the sale of over $100 billion of weapons to Saudi Arabia. We have announced an outline of strategy to counter Iran while providing only minimal detail. We remain conspicuously silent on the future of our role in Iraq and Syria beyond eliminating ISIS, as the Assad regime and its partners consolidate power.

Our power and influence is diminishing in the Middle East as a result of our lack of direction, and the vacuum has been filled by forces working contrary to American interests. Consider the events that have swept the region in recent months.

In Iraq, Iranian forces are working to sow discord as we recently saw in Kirkuk, where the presence of the Quds Force commander, Qassem Soleimani, exacerbated tensions among the Kurds and the government in Baghdad. Iranian-backed militias continue to gain power and aim to turn next year's election into a setback that drives American influence out of Iraq. Meanwhile, the scourge of ISIS remains despite recent military successes. The terrorist attack last week in Manhattan shows its persistent appeal. Its rise in the wake of U.S. withdrawal years ago demonstrates the danger of leaving before winning the peace.

Across the border in Syria, the Assad regime, backed by Russia, Iran, Hezbollah, and an array of militias, has retaken most of the country, including many eastern areas that are strategically important. The consequences of the resulting humanitarian crisis have spilled beyond its border for years, destabilizing nations far beyond Syria and paving the way for radicalization. Forces that are hostile to both our interests and our values are shaping the future on the ground while we remain silent, focused on the immediate defeat of ISIS.

I want to emphasize, we want to defeat ISIS. We are defeating ISIS, but that is not our only goal in the Middle East.

On Saturday, the Lebanese Prime Minister, Mr. Hariri, resigned, claiming that he faced death threats from Iran, leaving the United States with one less valuable partner in a divided government in which Hezbollah plays a major role. I happen to have become friends with Mr. Hariri over the years. He is a good, pro-democratic, outstanding individual who basically was forced out of office.

A web of Iranian proxies and allies are spreading from the Levant to the Arabian Peninsula, threatening stability, freedom of navigation, and the

territory of our partners and allies, including with advanced conventional weapons. Iran itself continues to menace its neighbors, use its sanctions relief windfall to harmful ends, test ballistic missiles, and spread weapons throughout the region.

According to our allies and partners, just days ago, Houthi rebels in Yemen launched an Iranian-provided missile at the airport in Riyadh. Meanwhile, our Arab allies are embroiled in infighting and diplomatic disputes that weaken regional cooperation and coalition efforts in the face of these pressing threats.

Saudi Arabia itself is in the midst of monumental change. The recent appointment of a new Crown Prince, the arrest over the weekend of a number of prominent Saudi citizens, and the Kingdom's ongoing war in Yemen, which has spawned a humanitarian crisis of its own, indicate a forcefulness that promises progress but also raises concern about internal stability and regional conflict. Ultimately, it could serve to strengthen Saudi rivals.

In Turkey, President Erdogan continues to consolidate power, abuse human rights and the rule of law, and stifle democracy, while growing closer to Russia and straining the relationship with NATO. Meanwhile, Vladimir Putin's Russia casts a long shadow throughout the region as it reestablishes itself as a power broker hostile to American interests and wholly unconcerned about human rights.

These challenges are daunting, confusing, and complex, borne of years of neglect, punctuated by crises and aggravated by weeks filled with the events of decades.

The questions a comprehensive strategy must address are formidable: What are our political and military objectives in the region? How should we prioritize our pursuit of objectives given the numerous regional challenges, and how should we measure our success? What roles and responsibilities should our allies and partners play, and what support will they need to do so? What should be the size, roles, missions, and capabilities of U.S. forces in the region, whether in Iraq, Turkey, the Persian Gulf, or elsewhere? How will the United States facilitate humanitarian relief, stabilization, reconstruction, and political reconciliation where possible?

These questions—many of which we require the President and Department of Defense to answer in the National Defense Authorization Act—are not academic.

The United States is not involved in the Middle East because we labor under the illusion that our presence will solve every problem but because the stability of the region is vital to our national interests and international security alike. Middle Eastern instability tends to travel far beyond its borders. The region's importance to the global economy that Americans benefit from and depend upon cannot be underestimated, but if we keep sleepwalking on our current trajectory, we could wake up in the near future and find that American influence has been pushed out of one of the most important parts of the world, and that we cannot abide.

The world faces an unprecedented array of challenges, of which instability in the Middle East is only one. Most importantly, the United States faces growing threats from Russia and China, both of which are eager to tilt the balance of power in Europe and Asia toward them rather than toward us and the majority of the world that favors greater freedom and openness.

We need to prioritize these critical challenges by rebuilding military readiness, reorienting our force structure, investing in needed capabilities to deter near-peer competitors, and strengthening our alliances with like-minded partners and allies.

If we neglect to consolidate our gains against ISIS and address the threats to American interests throughout the Middle East, our gains will easily be overtaken. As my friend and former Secretary of State George Schultz once observed, ''If you have a garden and want to see it flourish, you have to tend to it.'' We could find ourselves enmeshed in conflicts far more costly in lives, power, and opportunity if we neglect to care for a particularly frustrating part of the world.

Our elected leaders must articulate a comprehensive strategy that reflects these judgments with specificity and detail rather than piecemeal offerings and tactical victories. Congress, with our constitutional role as a coequal branch of government, and, more importantly, the American people, deserve no less.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will confirm Steven Engel to serve as Assistant Attorney General for the Office of Legal Counsel.

The Office of Legal Counsel, which we refer to as the OLC in the Judiciary Committee, functions as legal advisor to the President and executive branch agencies, providing advice on complex questions of constitutional and statutory interpretation. The OLC essentially serves as the general counsel to the executive branch.

Mr. Engel is well equipped to lead that office, both from the standpoint of academics and from the standpoint of background. Mr. Engel received his undergraduate degree from Harvard, his master's of philosophy from Cambridge University, and his law degree from Yale Law School.

Following his graduation, Mr. Engel clerked for Judge Kozinski of the Ninth Circuit Court of Appeals and for Justice Kennedy on the Supreme Court. Mr. Engel joined the law firm of Kirkland & Ellis after clerking for Justice Kennedy. Mr. Engel's practice focused on appellate and commercial litigation matters.

In 2006, Mr. Engel joined the OLC as counsel to the Assistant Attorney General at that time and was later promoted to Deputy Assistant Attorney General. There he provided legal advice to the Attorney General, to the White House counsel, and other executive branch clients on a variety of legal matters.

In 2009, Mr. Engel joined the law firm of Dechert as a partner in the white collar and securities litigation group and later in that same firm as a member of the complex commercial litigation group.

Mr. Engel's nomination has broad support across the legal community. The Senate Judiciary Committee received a number of letters in support of his nomination. One such letter is signed by former Attorneys General Mukasey and Gonzales, as well as former Deputy Attorneys General Filip, Morford, and McNulty. Other letters of support were received from his coclerks on the Supreme Court, a group of Mr. Engel's former colleagues, Yale Law School classmates, and Harvard Law Professor Jack Goldsmith. Mr. Engel also received an endorsement from the Patrolmen's Benevolent Association of the city of New York, which is the largest police union in New York City.

Another letter from former senior government officials and legal officers of the executive branch, including Kenneth Wainstein and Michael Hayden, noted their ''enthusiastic support'' for Mr. Engel's nomination. Wainstein and Hayden wrote: ''We are confident that as head of OLC, Steve will render legal opinions with the highest level of professional integrity and according to his best understanding of what the law and the Constitution require.''

Mr. Engel and I met this summer, and we discussed the importance of congressional oversight and the essential role played by Members of this body and the House of Representatives. He assured me that he agreed that each Member, whether or not a chairman of a committee, is a constitutional officer entitled to the respect and best efforts of the executive branch to respond to his or her requests for information. Further, he committed to review the May 1, 2017, OLC opinion on this very issue and to consider whether a more complete analysis of the issue is necessary.

You may remember that my interest in this whole thing goes back to early in this new administration, when people working for the President and presumably speaking for the President said that the only oversight letters that would be responded to would be those from chairmen of committees. Now, you can imagine that leaves out

at least 30-some Republicans that would never get answers to their oversight letters, and it would leave out 48 Democrats that would never get answers to their letters. Consequently, most of Congress would not be able to do their constitutional role of oversight, making sure that the executive branch is in enforcing the laws and spending the money according to what we require. So I raised that issue through a 7-page letter to the White House, and they came and visited with me about it.

I think they had some misunderstanding of what oversight was all about. They wrote a letter that said they are going to respond to every Member of Congress on oversight issues, which satisfies me from the standpoint of their intent.

As I just said in my remarks here, Mr. Engel committed to review that May 1, 2017, OLC opinion on this issue and to consider whether a more complete analysis of the issue is necessary because every Member of Congress should be able to do oversight, and every Member of Congress ought to expect an answer to their letters from the executive branch of the government, whether they are a chairman or not, whether they are a Republican or not, whether they are a Member of the House or a Member of the Senate. I want to make sure that we follow through on this, although I will give this administration credit for almost totally reversing an opinion that they issued way back in May.

The head of OLC is a highly important role at the Department of Justice, and it is a role whose importance is felt throughout the Federal Government. Just to show you how it is felt throughout the entire government, let me tell you that they issued an opinion in the previous administration on something to do with the work of inspectors general throughout the government, previously, or maybe originally, intended to say what the inspectors general could demand or not demand. We understand that the law passed in 1979 says that an inspector general can be entitled to any information he wants from that department, but they issued an opinion—the OLC person at that time—along the lines of, well, there are some areas that maybe the head of the agency has to review, which means that the 1979 law isn't being carried out in the spirit. That is kind of an example because that opinion from the Justice Department was used by general counsels throughout the administration of Obama to keep Congress from doing its oversight work. That is how important the person who is the head of the Office of Legal Counsel is in determining what goes on in the executive branch of government—enough to stifle the oversight work of the Congress of the United States or the work of the inspectors general of each department.

So I see Mr. Engel as a person who is going to be a friend of congressional oversight and, if he isn't, I am going to be very, very disappointed. He has satisfied me through his testimony before our committee and through the promises he made in letters to me and in the privacy of my office that he is going to do that. So we are ending up with a Mr. Engel who is, as you can see, very well qualified to take on such a role as Assistant Attorney General of the Office of Legal Counsel.

I urge my colleagues to support Mr. Engel's nomination and confirm him to this important position.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in opposition to the nomination of Steven Engel to head the Justice Department's Office of Legal Counsel.

On many occasions, President Donald Trump has made clear that he does not appropriately respect the rule of law in America. We have seen this many times over the last few years, from his bigoted and disdainful comments about Federal judges, to his firing of FBI Director Comey because of what the President called ''this Russia thing,'' to his shameful pardon of Joe Arpaio, a man convicted of criminal contempt for refusing to stop violating the Constitution, to his efforts last week to badger the FBI and Federal prosecutors into doing his bidding.

As Republican Senator BOB CORKER said last Friday:

> President Trump's pressuring of the Justice Department and FBI to pursue cases against his adversaries and calling for punishment before trials take place are totally inappropriate and not only undermine our justice system but erode the American people's confidence in our institutions.

If my Republican colleagues want to restore confidence in our institutions of justice, they can start by making sure that only someone truly independent of Donald Trump serves in the vital position of Assistant Attorney General for the Office of Legal Counsel.

The Office of Legal Counsel, or OLC, is not well known, but it is a critical part of the Federal government. OLC exercises statutory authority to provide legal advice that is binding on the executive branch. In addition to giving legal advice to the President and executive branch officials, OLC reviews all proposed Executive orders and Attorney General orders for form and legality. Essentially, OLC serves as a check to make sure that the President and his administration are faithfully executing the laws.

There have been shameful moments in our history when OLC's leaders have lacked the independence and judgment to stand up for the rule of law. For example, in 2002, under Assistant Attorney General Jay Bybee, OLC produced the infamous torture memo that approved the CIA's use of torture techniques like waterboarding. When this memo became public in 2004, the Justice Department was forced to withdraw it. Jack Goldsmith, a prominent conservative legal scholar who was acting head of OLC at the time said he was ''astonished'' by the memo's ''deeply flawed'' and ''sloppily reasoned'' legal analysis.

Then, in May 2005, OLC had a new leader—Steven Bradbury—and he secretly issued three new torture memos approving the use of waterboarding and other abusive interrogation techniques. Then-Deputy Attorney General Jim Comey strongly objected, saying the United States would be ashamed when the memos came to light, but Attorney General Alberto Gonzales overruled him.

Already, we have seen troubling signs at OLC under President Trump. In January, OLC signed off on President Trump's travel ban Executive order, a decision that was kept secret from then-acting Attorney General Sally Yates. According to Ms. Yates, this was the first time ever that OLC hid its actions from the Attorney General, which it did even though OLC reports to the Attorney General. This Executive order was blocked by multiple Federal courts before it was withdrawn. OLC issued an opinion on Inauguration Day to allow President Trump to employ family members in the White House. This was a reversal of OLC's longstanding position on antinepotism laws.

OLC is likely to face many critical legal issues in the coming months and years. We need OLC to serve as an independent check on this administration, especially since President Trump has shown an eagerness to denigrate the justice system and to criticize those whose views on the law differ from his own. Unfortunately, Steven Engel, the President's nominee to head OLC, has not demonstrated the independence and judgment that our country needs for this vital position.

Mr. Engel has been a law firm partner since 2009. Previously, he worked at OLC under President George W. Bush from 2006 to 2009, rising to the level of Deputy Assistant Attorney General. Mr. Engel admitted that, while he was at OLC, he ''reviewed and commented upon'' a July 2007 memo to the CIA Acting General Counsel which concluded that six CIA enhanced interrogation techniques were legal. These techniques included, for example, extended sleep deprivation by shackling detainees in a standing position while wearing a diaper for days at a time. The OLC opinion said that these techniques did not constitute cruel, inhuman, or degrading treatment. The Justice Department's Office of Professional Responsibility concluded that this 2007 memo was inconsistent with the plain meaning and commonly held understandings of Common Article 3 of the Geneva Conventions. The OLC opinion was withdrawn in 2009.

While at OLC, Mr. Engel also helped draft legislation that would become the Military Commissions Act of 2006. This law included a provision that suspended habeas corpus rights for Guantanamo Bay detainees, a provision that the Supreme Court struck down as unconstitutional in the Boumediene case.

Additionally, Mr. Engel worked on President Trump's transition and Justice Department landing team, but, he would not tell the Judiciary Committee what matters he worked on, which is troubling.

I asked Mr. Engel to provide reassurance that, if he is confirmed, OLC will operate independently from President Trump. His response? He said he was deeply committed to the independence of OLC and said, ''I demonstrated that commitment in my prior service in the Office, as well as in my activities in private practice and my volunteer work for the Trump transition team.'' It is hard for me to understand how Mr. Engel's work for the Trump transition—work that he would not even discuss with the committee—is supposed to reassure us about his independence from President Trump. To the contrary, I fear that by refusing to discuss his transition work, Mr. Engel has already started covering for Mr. Trump.

Perhaps the most telling response Mr. Engel provided when it comes to demonstrating independence from President Trump is this. I asked him this question in writing:

According to news reports, in a January 27th dinner, President Trump asked then-FBI Director James Comey if Comey would pledge his loyalty to President Trump. Do you believe it is appropriate for a President to ask a Director of the FBI to pledge loyalty to the President?

His response? ''I do not have any knowledge concerning the communications between President Trump and former FBI Director Comey.'' This is not a hard question. I wasn't asking Mr. Engel about the specific conversation between President Trump and the FBI Director. Here is the easy answer that he should have given: It is wrong and unethical for a President to ask an FBI Director—or any Justice Department or FBI official—to make a personal loyalty pledge. If Mr. Engel can't get the easy questions right, what will he say when challenging questions come before OLC?

For example, what if President Trump asks OLC to revise the 1974 OLC memo concluding that a President cannot pardon himself? Would Mr. Engel cave to the President's whims? Or what if President Trump asks OLC to justify some pretext for the firing of Special Counsel Mueller? Are my Republican colleagues confident that Mr. Engel would stand strong?

Here is the bottom line. Many of my Republican colleagues talk and tweet about their concerns when President Trump disrespects the rule of law, but talk and tweets are cheap. If they are truly concerned about President Trump's actions, they need to vote in a way that serves as a meaningful check on President Trump. Our Nation needs the Office of Legal Counsel to serve as a check on the President's worst impulses. We need them to stand strong when the President berates the Justice Department and urges it to ignore legal norms and processes.

I am concerned that Mr. Engel has not demonstrated the independence and judgment we need from the head of this critical office. Therefore, I cannot support his nomination.

The PRESIDING OFFICER. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, we are getting close to making tax relief for Americans a reality. Last week the House released its tax reform bill, and this week we expect the Senate Finance Committee to release our version. In the coming days, the tax committees in both Houses will review the bills, and then we will debate them on the floor and develop a final version.

After years of economic stagnation, Americans are ready for relief. They are ready to keep more of their hard-earned money. They are ready to finally see a real pay increase, and they are ready for access to more economic opportunity. That is what our tax reform bill is going to provide.

To start with, our bill is going to put more money in Americans' pockets by lowering their tax rates and doubling their standard deduction. Under our bill, a family making $24,000 a year or less will not be paying any taxes, and families making more than $24,000 a year will be paying significantly less than they are paying today. We are also going to help families by substantially increasing the child tax credit, and we are going to simplify and streamline the Tax Code so that it is easier for Americans to figure out what benefits they qualify for so they don't have to spend a lot of time and money filing their taxes.

But that is only the beginning. Americans don't just want to keep more of their hard-earned money. They also want to be making more of it, but Americans have had a hard time doing that lately. Wages have been stagnant for years, and new opportunities have been hard to find.

So in addition to reforming the individual side of the Tax Code, we are going to reform the business side so that we can give Americans access to the kinds of jobs, wages, and opportunities that will set them up for a secure future. In order for individual Americans to thrive economically, we need American businesses to thrive.

Thriving businesses create jobs, they provide opportunities, and they increase wages and invest in their workers. Right now, though, our Tax Code is not helping businesses thrive. Instead, it is strangling both large and small businesses with high tax rates. Small businesses are incredibly important for new job creation. They play a huge role in the economy in my home State of South Dakota and other States all across the country, but the high tax rates that too many small businesses currently face can make it difficult for them to even survive, much less thrive and expand their operations.

So we are going to lower taxes for small businesses so that they can grow and hire new workers. We are also going to allow small businesses to recover their capital invested in things like inventory and machinery more quickly, which will free up capital so they can use that to expand and create jobs. Right now it can take small businesses years, or in some cases even decades, to recover the cost of their investments in equipment and facilities. That can leave them extremely cash poor in the meantime, and, needless to say, cash poor businesses have a hard time expanding, hiring new workers, or increasing wages. Allowing small businesses to recover their investments more quickly will mean more jobs and more opportunities for American workers.

In addition to high tax rates on small and large businesses, another thing that is decreasing jobs and opportunities for American workers is our outdated worldwide tax system, which is discouraging American companies from investing their profits here at home in American jobs and American workers. Having a worldwide tax system means that American companies pay U.S. taxes on the profit they make here at home as well as on part of the profit they make abroad once they bring that money back to the United States. The problem with this is that American companies are already paying taxes to foreign governments on the money they make abroad. Then, when they bring that money home, they too often end up having to pay taxes again on part of those profits and, I might add, at the highest tax rate in the industrialized world. It is no surprise that this discourages businesses from bringing their profits back to the United States to invest in their domestic operations, in new jobs, and in increased wages.

Between 1982 and 2003, when the U.S. tax rate was much more competitive with those other countries, there were 29 corporate inversions where U.S. companies moved abroad. Between 2003 and 2014, when other countries were dropping their corporate tax rates and shifting to territorial tax systems, there were 47 such inversions.

Our tax plan addresses this drag on our economy by moving from our outdated worldwide tax system to a territorial tax system. What does that mean? By shifting to a territorial tax system here in the United States—a move, I might add, that is supported by Members of both political parties—we will eliminate the double taxation that encourages companies to send their investments and operations overseas. Combine that with a reduction in our high corporate tax rate, and we can provide a strong incentive for U.S. companies to invest their profits at home in American jobs and American workers instead of abroad.

Business tax reform is essential to reversing the economic stagnation that we have seen in recent years. The White House Council of Economic Advisers estimates that the tax reform framework that Republicans have presented will boost economic growth by

between 3 and 5 percent. That is good news for the economy. More specifically, however, it is good news for American workers, who can expect to see their incomes rise as a result. A study from the White House Council of Economic Advisers estimates that reducing the corporate tax rate from 35 percent, where it is today—the highest, as I said, in the industrialized world—down to 20 percent, which is more competitive with our competitors around the world, would increase average household income by $4,000 annually. Think about that. Reducing the tax on businesses in this country would increase average household income for families in America by $4,000.

A Boston University professor and public finance expert, Larry Kotlikoff, found that lowering the corporate tax rate to 20 percent would increase household income by $3,500 per year on average. This was most recently confirmed by Martin Feldstein, a Harvard professor and former Chair of the Council of Economic Advisers, who noted in the Wall Street Journal this week that corporate tax reform is likely to boost household income by $3,500 per year.

There are lots of analysts, lots of experts who are looking at these proposed changes to the Tax Code and the tax reform that we are attempting to get through the Congress this year and onto the President's desk, and they have concluded that not only will it reduce taxes—the tax burden, the amount of tax that is paid by middle-income families in this country—but the reduction in the rates on businesses will also increase the number of opportunities for better paying jobs and higher wages and it will raise that annual income—that average household income—that is so desperately in need of a boost.

It has been a rough few years for the American economy and for American workers. I think all you have to do is to look at the numbers and you know that most Americans haven't seen a pay raise in almost the last decade. But with comprehensive tax reform, the next few years—and the next few decades, for that matter—can look very, very different.

Republicans' tax reform legislation is going to provide direct relief to hard-working Americans, and it is going to create the kind of economy that will give workers access to more jobs, to better opportunities, and to higher wages, not just for the near term but for the long term.

I look forward to working with my colleagues on the Senate Finance Committee, under the leadership of Chairman HATCH, to put the final touches on our bill and to take it up in the committee next week. Then, I hope we can bring that bill to the floor of the Senate and have an open debate, process amendments, and pass something through the Senate that we can conference with the House of Representatives, put it on the President's desk, and move our economy in a direction that will provide a brighter and more prosperous future for American workers and American families.

It is time to give the American people some relief.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. President.

Mr. VAN HOLLEN. Mr. President, I rise today to strongly oppose the legislation that has emerged from the House of Representatives that pretends to provide tax relief to middle-class Americans, but if you take a look at it and you look at the analyses that have already come out, what it really is, is another big tax giveaway to millionaires, billionaires, and big, multinational corporations.

I believe we should do tax reform. We should take our Tax Code and clean up a lot of the junk that has gotten into our Tax Code that is not there for good public policy reasons and is there because someone had a high-powered lobbyist. We need to clean up our Tax Code, we need to reform our Tax Code, and we need to do it in a way that helps the middle class and doesn't add more big breaks for big corporations.

Unfortunately, this Republican plan does the opposite of tax reform. What it does is doubles down on big tax breaks for big corporations and the superwealthy.

There is a headline today based on the analysis. The New York Times looked at it. ''Republican Plan Would Raise Taxes on Millions'' of middle-class families. I can tell you that is very true in my State of Maryland. In fact, it is going to be true in States throughout the United States of America. We are going to see millions of middle-class families paying more under this plan. In fact, this analysis that is discussed in the Times found that 45 percent of middle-class families will see a tax increase under this plan once it is fully implemented. That means that families making between roughly $50,000 a year and $160,000 a year—about half of them are going to end up paying higher taxes under the Republican plan.

Here is one of the double standards that you see continuing throughout the Republican tax plan: Big corporations not only get big tax cuts—$1.5 trillion—but they are going to go on forever. In middle-class families, many people will see an immediate tax increase. Others will initially see a little tax cut. But for individuals and families, it is the great disappearing tax cut—a little sweetener to make the bill look good in the early years, but the bill takes away all those tax cuts for middle-class families, on average, and then actually increases the burden on a family of four making $59,000 under the plan.

For corporations, a $1.5 trillion tax cut over 10 years—permanent. For folks in the middle, many will see an immediate tax increase, and the tax increase will stay in place. Others will see a little tax decrease, but as the years go by, many of those are going to see their taxes go up. It is a major corporate tax cut financed in large part by millions of middle-class families paying higher taxes.

Just to give a sense of how well the folks at the very top will do, there is a headline from the Wall Street Journal—this is not a Democratic-leaning newspaper—''Banks Sidestep a Big Tax-Plan Pitfall.'' Right here in the second paragraph of the Wall Street Journal article, it says this: At a 20-percent corporate tax rate, banks stand to be among the biggest winners from tax reform. That is according to S&P Global Market Intelligence. The five biggest diversified banks alone might have had tax savings of $11.5 billion in 2016 at that rate—the biggest sum for any subindustry group tracked by S&P. The biggest banks do just great under this Republican plan. Middle-class families are left paying the bill.

If you look at this on the individual side, the top 1 percent wealthiest Americans in this country are going to get an average tax cut of $65,000—that is per person, on average. If you are in that top 1 percent, an average family will get a $65,000 tax cut. That means that 48 percent of the benefit of all the tax cuts in this Republican plan goes to the top 1 percent. Let me say that again and just flip it around. The top 1 percent wealthiest households are going to get 48 percent of the dollar benefit of this tax cut. That doesn't sound like a plan focused on improving the situation of middle-class taxpayers. They are the ones who are going to have to finance many of those tax cuts for the very wealthy and big corporations.

I know our Republican colleagues recognize what a vulnerability this is because our colleague, Senate majority leader Mr. MCCONNELL, said about the tax bill in an interview last Saturday: ''At the end of the day, nobody in the middle class is going to get a tax increase.'' To understand what that means, he is saying that not a single middle-class household out there in the country is going to see their taxes go up. Well, I don't know what tax plan he is talking about, but it is certainly one that hasn't seen the light of day yet because the bill that has come out of the House will raise taxes on millions of middle-class families, and that is a fact.

Just the other day, in an interview on FOX News, Speaker RYAN said: ''We are making sure every middle income taxpayer is a winner here.'' Every middle-class taxpayer is a winner here. Well, that is certainly not true of the plan that was just marked up in the Ways and Means Committee of the House because there are a whole lot of families in the middle class who are big losers under the Republican plan—in fact, millions of them around the country.

I don't know what plan they are talking about. I am looking forward to seeing the Republican plan that doesn't raise taxes on any middle-class family in the United States. That should be our policy. We should not be increasing the burden on middle-class families in order to finance a $1.5 trillion tax cut for big, multinational corporations, but that is the way it is right now.

Homeowners are going to be especially hard hit under this Republican plan because a lot fewer homeowners will utilize the mortgage interest deduction, and the Republican plan also slashes the deduction for State and local taxes. In fact, they eliminate your option to deduct State and local income taxes. The result is going to be that a lot of middle-class homeowners are going to pay a lot more. That is why the Realtors oppose this bill. These are the folks in our neighborhoods who are buying and selling homes. They are folks who have their ears to the ground in our communities.

Here is what the president of the National Association of Realtors said about this bill: It ''threatens home values and takes money straight from the pockets of homeowners.''

In fact, they had a study done by PricewaterhouseCoopers that said that if you are a homeowner and your income is between $50,000 and $200,000, adjusted gross income, you will see an average tax increase. They also predicted that home values across the board could drop by 10 percent, and it is not clear when they would recover their value.

The National Association of Home Builders is also opposed to this legislation because of the impact it will have on home ownership and the prices and value of people's homes around the country. They said:

> The House Republican tax reform plan abandons middle-class taxpayers in favor of high-income Americans and wealthy corporations. The bill eviscerates existing housing tax benefits by drastically reducing the number of homeowners who can take advantage of mortgage interest and property tax incentives.

I think all of us know that this is not some left-leaning group. We are talking about the National Association of Home Builders finding that the Republican plan abandons middle-class taxpayers in favor of high-income Americans and wealthy corporations. That is their finding based on their analysis of the bill.

Here is the catch. It is that double standard again. Just as I said earlier, you have the tax cuts for big corporations going on forever, but there is much less tax relief for some middle-income taxpayers, and it takes effect early but then phases out. You also have a situation where, if you are a big corporation, you get to deduct all of your State and local taxes. In fact, if you are a multinational corporation and you are in China, you get to deduct taxes you pay to the Government of China. But if you are a household in Maryland or any of our States, you don't get to deduct the taxes you pay to your State and local governments. So you are paying taxes twice on that dollar—once to the State government and again to Uncle Sam out of the same dollar.

Fitch Ratings looked at this and concluded that it will put dramatic strains on State and local budgets since people in those States are not going to be able to take those tax deductions. Either you are going to see dramatic cuts to school funding or healthcare, or you are going to see State and local governments raise the property taxes in those States. So you get hit coming and going if you are a middle-class homeowner.

This also damages our economic development efforts in many parts of our country. It repeals the new markets tax credit. While it doesn't get rid of what President Trump said was a huge giveaway, the hedge fund loopholes—I can't remember how many times during the Presidential campaign Candidate Trump talked about how the hedge fund tax break was a total giveaway. That is not eliminated in this Republican bill. They keep the big hedge fund loopholes, but here is what they get rid of. They get rid of the ability of people with high medical expenses to deduct those expenses from their taxes.

They even take away the additional standard deduction that currently applies to taxpayers who are at least 65 years of age or who are blind. There are many folks who are in that category who are also going to see their taxes go up. Seniors are going to see their taxes go up, which is why the AARP has raised the alarm about that provision and others.

While they keep the big hedge fund loopholes, they get rid of the ability of families who adopt children to take a tax credit to help cover the costs of adoption.

They get rid of provisions of the Tax Code that help students and teachers and schools. If you are a teacher who has been spending money to buy textbooks and other materials for your class, you used to be able to deduct the costs of what you are buying to help your kids. They take that away in the same bill that they give big corporations a big $1.5 trillion tax break. If you are a student who has been struggling to afford college bills, you no longer get to deduct the interest on your student loans.

If you are an employer who is currently receiving an incentive to employ veterans who have served our country, sorry, that is gone too.

So I want to get this straight. You are going to take away the ability of people with high medical expenses to take a deduction. You are going to take away the ability of college graduates to take a deduction so that their expenses are more affordable. You are going to take away the ability of people to get the adoption tax credit. And you are going to take away incentives for people to hire our veterans. But you are going to keep the hedge fund loophole and you are going to give a $1.5 trillion tax cut to big corporations. That is what this bill is all about.

Finally—and I am going to talk about this at greater length some other time—look at the international tax provisions in this Republican bill and how they are structured. I really urge my colleagues to take a look at this. They actually increase the incentives for U.S.-based businesses and companies to move their operations overseas. That is for two reasons. No. 1 is that when you reduce the international tax rates—when you say, essentially, that a U.S. corporation that moves its jobs overseas now just pays the tax in that country and has no U.S. tax obligation; we, under this bill, are at 20 percent—you still have an incentive, obviously, to move your operations to a very low tax place like the Cayman Islands.

But, then, there is an effort to address that issue in this bill. The problem is the effort to address that provision doesn't work at all. Here is the current situation: A lot of corporations try to park what are known as their intangible assets in the Cayman Islands or other tax havens. These are things like the value of patents. You make a great discovery, and you get a patent from the U.S. Patent Office, and you make royalties off of that patent. Then, you have a lot of good lawyers, and essentially you park that patent in the Cayman Islands. That really has no tax obligations, so all the profits that derive from that patent are not subject to any tax—or maybe 1 or 2 percent tax.

So in this Republican bill, there is an effort to try to address that issue—at least it pretends to address the issue—but the problem is that it doesn't.

Here is what they say. They say: Well, we are going to catch you if you park your money in a place like the Cayman Islands because we are going to have a tax of 10 percent—a foreign high-return tax is what they call it. The way they determine whether you are making an excess profit is you look at your tangible assets in that country and you determine whether the profit you have made is over 8 percent. That is the way it approximately adds up under this bill. But here is the problem: It is an average international minimum tax, not a per-country minimum tax.

So let me tell my colleagues what a company that wants to reduce its tax obligation does. They move their company offshore. They take a company, say in Baltimore, MD, that is worth $100 million, and they are making a $5 million profit today here in the United States and they will be taxed at 20 percent, and then they have this profit from the Cayman Islands at $2 million. Under that previous provision I talked about—this effort in the Republican bill to protect against what they call

high-return tax areas—they would normally have captured some of the income generated from profits in the Cayman Islands. But when I move my company from Baltimore to, say, the United Kingdom, I actually then escape having to pay that tax on my monies in the tax haven.

So the bottom line is that this Republican bill, because it has this average 10 percent minimum tax provision, is going to encourage American businesses and companies to move overseas. If that is not what the intention is, I urge my Republican colleagues to fix this right away. It hasn't been talked about much.

There have been a couple articles recently about it. Gene Sperling, Kim Clausing, and others have gone through the economics of this, and it would make the situation a lot worse compared even to today in terms of these incentives.

The bottom line is, in addition to this being a $1.5 trillion tax break for big, multinational corporations, paid for and financed by folks in the middle—which, even after you see the middle-class families pay more, results in a $1.5 trillion addition to the debt, but even after all of that—after the big tax giveaway to big corporations, it has an incentive to add insult to injury for them to move their businesses and factories offshore.

I hope we will take a big step back and stop rushing a bill through as a matter of political imperative. We need to get this right. We should have hearings. We should have folks from all different walks of life and folks who will be impacted by this bill in many different ways come and testify to Congress about this bill. Then, let's get together on a bipartisan basis and actually do something that works for the American people, not something that is going to clobber the middle class and provide this huge windfall tax break to big multinational corporations, while encouraging them to suck jobs and factories from the United States overseas.

We need to start again on this. I urge my colleagues to do that.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I don't know where to begin. I want to speak about the tax reform proposal but will start by responding to my colleague from Maryland—and he is a colleague and friend—to say that he must be talking about a different tax reform proposal than we are talking about because, frankly, so much of what he said is not consistent with the legislation that I have seen the House proposing and certainly not consistent with the legislation we are talking about here in the Senate.

Let me start with his claim that there is a $1.5 trillion tax cut for big corporations. That is simply not true. You can look at the House proposal because it is now out. You can see the fact that it does have tax relief, and it has tax relief targeted at middle-class families. He is right about the fact that it has a lower rate for our multinational businesses, but he also knows that our current system is absolutely broken, and what is occurring is precisely what he is suggesting might occur if we were to change the code, which is companies and jobs and investment are going overseas.

He talked about the fact that we haven't had hearings. Since I got elected to the Senate in 2010, we have had 70 hearings in the committee I serve on, which is the Finance Committee. I would encourage people to look at what we did 2 years ago. We set up five bipartisan task forces on tax reform. I cochaired one of them. It was actually on the very topic my colleague was talking about.

I would encourage him to look at the working group paper on international tax reform and the need for us to go to a lower rate—20 percent—to be competitive, to get just below the other industrialized countries, and then to have the opportunity to go to a new type of tax system that enables us to bring back the money that is locked out overseas. Unbelievably, there is $2.5 trillion to $3 trillion of earnings that are overseas. Much of that could be brought back, and that is what this tax proposal does.

Significantly, that report my colleagues will see was coauthored by two Members of this body, one Republican and one Democrat, because all of these task forces, these working groups, were bipartisan. My colleague in that effort was a Senator from New York by the name of CHUCK SCHUMER, who now happens to be the Democratic leader.

So I think there is a consensus, at least in the real world, about the fact that our current Tax Code is hopelessly broken and we have to fix it. And if you are against helping our companies to stay American companies, that must mean that you believe that they ought to become foreign companies, which is exactly what is happening. To me, it is an outrage that the U.S. Congress is allowing this to happen.

Ernst & Young, which is a public accounting firm, recently came out with a study showing that 4,700 companies that have become foreign companies over the past 13 years would still be American companies if we had the kind of tax reform proposal that we are proposing. In other words, if you had this 20 percent rate I talked about, this competitive international system, you would have 4,700 more American companies here, providing jobs, making investments, contributing to their communities.

It does matter that a company is headquartered here versus headquartered overseas. We have done an analysis of this. We have done an investigation of this. We have determined that when companies leave, they don't just change their headquarters, they take investment and jobs with them.

I would refer my colleagues to the work of the Permanent Subcommittee on Investigations; again, bipartisan work about the fact that we have to fix this broken Tax Code.

The Congressional Budget Office, which is the nonpartisan group here on Capitol Hill that gives us advice on the impact of tax reform on the economy, on deficits, on revenues, has a report which says that if you do lower the business tax rate to make these companies competitive—again, the alternative is going overseas—the benefit of that goes to shareholders, goes to workers. They say in their analysis that 70 percent of the benefit goes to higher wages and more benefits for workers.

Think about it. That makes sense. If a company is not competitive, they can't pay the kinds of wages we want them to pay. We want to get wages up. They can't pay the kinds of benefits we want them to pay. We want to get benefits up.

So although I hope that we can have a spirited debate about aspects of this legislation, we should stick to the facts. We should not attempt to make this yet another partisan issue in this town, where we are attacking something not so much on the merits but because the other side thought about it.

I will tell you, when you look back historically, it isn't just the working group that Senator SCHUMER and I cochaired on this international front where we have to get this rate down. We have to become competitive. We have to save our jobs here. But look at another bipartisan effort that is talked about a lot and is not agreed to by all Democrats or all Republicans; that is, the Simpson-Bowles proposal. This was several years ago. They looked at the tax policy and deficit issues. Simpson-Bowles—totally bipartisan, supported by a bipartisan group of U.S. Senators who, at the time, were on that commission—said that we ought to go to this lower rate and territorial system. This is not a partisan issue or at least it hasn't been until now. Let's not make it one.

Yes, it is true that there is tax relief in this proposal. The proposal the House has proposed—the proposal the Senate is likely to propose later this week—does have tax relief, and we believe that tax relief is appropriate.

We believe we have to give middle-class families in my home State of Ohio and around the country a little break right now. Why? Because they are seeing their expenses go up, especially healthcare, but also other expenses. I say ''especially healthcare'' because that is the single largest increase in expenses; it is in the healthcare area—deductibles, copays, premiums—but also on food, housing, and other costs, including tuition if you are trying to send your kids to school. These expenses have skyrocketed, yet wages are flat, meaning people are facing this middle-class squeeze.

We hear a lot of discussion on both sides of the aisle about the fact that we want to help the middle class. One way to help is to help the family budget, to get a little relief to these families so they can make ends meet and not just live paycheck to paycheck.

It will also help the economy. It will help get more money into the economy to buy that car, to buy that appliance, to help move the economy forward. It is part of this reform bill—yes, it is—and we are proud of it.

We also provide some tax relief on the business side to help small businesses. These are the so-called pass-through companies. About 90 percent of the businesses in America don't pay their taxes as companies. They are not corporations in that sense. They pay their taxes through their individual tax return. They are called pass-through companies. Some call them LLCs, subchapter S, or sole proprietors or partnerships. These companies tend to be smaller companies, they tend to be family-owned. They need a little help too. So the proposal does provide significant relief for those small businesses. In the House proposal and the Senate proposal, it is hundreds of billions of dollars out of the $1.5 trillion tax relief. We think that is appropriate.

Finally, again, on the business side, it will help make companies competitive to get the rate down so they can attract investment into America rather than having that investment and jobs going out of America, which is what is happening now. There are 4,700 companies that would be American companies today if we had this tax proposal in place over the last 13 years, but we didn't, and we should learn from that. It is Congress's responsibility to act to keep that from happening in the future.

That is what this tax reform is about. It is about three things. It is about a middle-class tax cut allowing people to keep more of their hard-earned money. We think that is appropriate in these times.

It is about helping to make our companies more competitive because we want more jobs and higher wages. Part of dealing with the middle-class squeeze is to provide a little help with the family budget with tax relief. Part is to get wages up. When people look at this tax reform proposal—right, left, or center—they are going to say the same thing: This is going to incentivize more investment. Some think more, some think less, but that investment in a tight labor market, as we have right now, is going to result in more competition for these workers, therefore, pushing wages up. That is what we want. That is what this is about. It is exciting.

Third is to level the playing field internationally so American companies will not be going overseas. That is the whole point. We are not doing this tax reform proposal to encourage companies to go overseas. We are doing this tax reform proposal to incentivize them to stay in America and to attract more foreign investment here in this country so an American company can pay that premium for a foreign subsidiary, rather than the other way around now, where American companies are not just inverting. We have heard this word ''inversions,'' going overseas and buying a foreign company. They are actually being taken over by foreign companies.

That is the reality. We can't let it continue. We have to stand up and be counted, stand up for the middle class, stand up for our workers who are now competing with one hand tied behind their back, whether it is a big auto company like in my home State of Ohio—I toured five of these auto factories over the last couple of weeks, talked to them about the tax reform proposal and how it would work. They gave me their input. It is going to help. By the way, it is going to help whether you are a U.S. company or a foreign company. If you are a foreign automaker here in America or you have other foreign investments, a lower rate and immediate expensing—in other words, being able to write off your investments and equipment as you make them—that is all good for you too. So it will have both, the desired effect of helping American companies be competitive but, also, if you have foreign direct investment in your State and your community, they should be encouraged to put more money in America rather than somewhere else. If you are a Japanese automaker and you are looking around the world asking: Do I put that next investment in China, do I put it in Tokyo, do I put it in Europe and Germany, or do I put it in America, you will like this proposal because you will want to invest and be part of this too. That will help us give this economy a needed shot in the arm.

There has been a lot of talk—and I heard it again today on the floor—that this is going to be bad for the deficit. I think there will be about $44 trillion of new revenue coming in, estimated, over the next 10 years. Yes, out of that amount of money, we are suggesting a $1.5 trillion tax cut relative to the score—the budget—we have to use.

What does that mean? About $500 billion of that is simply saying, the Budget Office says the existing tax policy in place is only temporary. Some of it is only temporary. These are the so-called extenders. We know that is unlikely because we have always pretty much made these permanent, including a big one called bonus depreciation, which is most of that. Right away we think the way it is scored is not fair so we get down to about $1 trillion in tax relief over 10 years, again, with $44 trillion coming in.

What does that mean? It means you have to have a little more economic growth than is projected in order to not have a deficit and actually pay down the deficit through more revenue coming in. I think that will happen. Why do I say that? Because the projections we have to use are very conservative. The Congressional Budget Office is what we are using, and we are obliged to do that, which is fine. It is a nonpartisan group. They are saying economic growth over the next 10 years will average about 1.9 percent of growth. The average over the past 30 years is about 2.5 percent. So they are saying our economy is not going to grow as fast as it has in the last 30 years. We will see. In the last two quarters, the economy grew at 3 percent and 3.1 percent so they don't seem to be on track with where the economy is going right now.

More importantly to me, these proposals are pro-growth proposals—whether it is help with regard to the business rate, which gets it below the rate of other industrialized countries rather than the highest rate in the entire industrialized world, which is where we are now. We have the highest rate in the industrialized world, and we are getting it below the average. That will increase investment and economic activity and jobs and, therefore, revenue.

If it is the immediate expensing,—again, where you can write down your investments right away—that will increase investment in jobs, according to all the economists who look at that. They may differ on how much.

If you look at the international side, where we are going to bring back some of that $2.5 trillion to $3 trillion that is stuck overseas, that certainly is going to be invested here in this country and help with regard to economic growth.

There are a number of provisions. I talked about the small business provisions earlier which will help small businesses to be able to innovate, to be entrepreneurial, which is what we need more of—more new starts. That is going to help.

All of that together is going to help with economic growth. How much? Instead of the 1.9 percent conservative estimate they have made for the next 10 years, let's say it grows 0.4 percent more than projected. I would attribute at least that much to this tax reform proposal because of what we just talked about, but if you believe it is going to grow at 0.4 percent more than projected; in other words, instead of 1.9 percent, 2.3 percent—2.3 percent growth would be below the average over the last 30 years—then you will actually see the deficit start to come down because of this tax reform proposal because the revenue will be there, not just to make it revenue neutral, but beyond that we will actually pay down the deficit. We haven't done that in a while.

Back in 1997, 1998, 1999, 2000, we went through this before. We began to reduce the deficit annually. Do you know how it happened? Constraining spending helped, and that is part of our challenge in the Congress—how do we get our hands around the spending—but second is growing the economy. In that

case, the capital gains rate of taxation was reduced. Then, suddenly, in the late 1990s, about $100 billion of revenue that nobody expected showed up in the coffers. That is how we got to a so-called balanced budget a few years early because tax revenues were greater than expected.

I believe this will happen again. I believe that when you look at this proposal, it is conservative in the sense that it says: Yes, let's provide needed middle-class tax relief. Let's also do these things to grow the economy. Let's assume that because of all this, we are going to be able to improve the economic performance that is projected.

It is a pretty disappointing projection. Let's face it, 1.9 percent growth isn't great for any of us. It isn't great to deal with the issues of poverty. It isn't great to deal with the issues of entrepreneurship and innovation. It isn't going to help us to afford the entitlements that are growing. We need better growth than that, we want more growth, and I think tax relief is the single-most important thing we can do right now.

Yes, we should have more regulatory relief. Yes, we should do better in terms of getting the cost of healthcare under control. People are concerned about costs rising so fast, and we haven't been able to grapple with that issue. Yes, we should do more on worker training. We have a skills gap in this country. We have jobs available, and yet we don't have the skilled workforce to take those jobs. Yes, we can do more in terms of helping grow the economy through education and other things, but the one policy area that is crying out for reform is our tax system. It is antiquated. It is out of date. It is driving jobs overseas. It makes no sense. It can be simplified, and this simplifies the Tax Code. It can be made more fair, and this makes it more fair by helping the middle class more. It can encourage economic growth, and it does so through small business relief and relief for our multinational companies. It can help bring back trillions of dollars stuck overseas. That is what this does. That is the whole idea here.

I am excited about this opportunity. The House of Representatives is working on their legislation now in committee. Next week, that will shift to the Senate and the Senate Committee on Finance. We will have the opportunity for an open process. As I noted, we have already had 70 hearings in the Finance Committee just over the past 7 years since I have been in this Chamber. We have had working groups, including the bipartisan one I mentioned earlier, the five bipartisan working groups of that committee.

We will have the opportunity at our hearing next week to have an open process—anybody can offer an amendment—and open discussion. We will have an interesting debate. It will be spirited. As we saw here today, we have some differences of opinion, but let's stick to the facts. Let's not make this partisan. Let's stick to the merits. Let's try to help the American people and our economy.

Then we will come to the floor of the U.S. Senate, and the same thing will happen—an open process. Every desk you see in here represents a Senator who will have the opportunity, should he or she wish, to offer an amendment, to have a debate, to discuss the issue. It will be spirited at times, but, again, I hope it will lead to a result that actually helps do the things we were elected to do: to give our constituents—the people we represent—the chance to have a better life; to give middle-class families a little relief as they are facing this middle-class squeeze; to help grow this economy from the middle out, from the bottom up, from everywhere; to give us the ability to say, once again, that America is that shining example, that beacon of hope and opportunity for the rest of the world. That is what this is about.

Let's not blow this opportunity. Let's get it done, let's get it to the President's desk for his signature before the end of this year, and let's make good on the commitments we have made to our constituents to help create a better economy and a better future.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4:30 p.m. today, Tuesday, November 7, there be 30 minutes of post-cloture time remaining on the Engel nomination, equally divided between the leaders or their designees; that following the use or yielding back of time, the Senate vote on the confirmation of the Engel nomination; and that if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action; further, that there be 2 minutes, equally divided, prior to the cloture vote on the Robb nomination.

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

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

GUN VIOLENCE

Ms. KLOBUCHAR. Mr. President, I come to the floor today to call attention to the tragedies that have been caused by gun violence across our country, including the most recent attack, which left at least 26 dead after a lone gunman opened fire at a church in Texas on Sunday. I join my colleagues in mourning for the victims and their families. Our thoughts are with them and all those affected by what happened in Texas.

At the same time, we remember that these heartbreaking events came just 35 days after the deadliest mass shooting in our Nation's history, when 58 were killed and hundreds were wounded in Las Vegas last month. But as we look ahead, we cannot escape the fact that we can, and must, do more to keep our communities safer. While no one policy will prevent every tragedy, we need to come together on commonsense proposals that would save lives.

I appreciate the words of my colleagues about mental illness and funding for mental illness. I think that is very important. I come from Minnesota, where Paul Wellstone was one of the leaders in making sure that mental illnesses got covered by insurance, and I think we need to do that and more.

Another area where we have found some consensus in this Chamber is improving background checks. My colleagues Senator MANCHIN and Senator TOOMEY have made that clear, and I supported their background check legislation in 2013. But the fact remains that we didn't pass that bill in the Senate. We fell short, and it was a disheartening day.

I remember having the parents of some of the Sandy Hook victims in my office that morning. Yet what happened that day—you have to contrast it with where the American people are. Consistently, whether it is with public opinion polls or whether it is when you talk to people you meet when you are at home, we have seen that Americans from across the political spectrum support commonsense proposals to require background checks, such as requiring background checks at gun shows. And they support that by wide margins.

By the way, I look at this from a State that has a lot of households that have guns. We are a proud hunting State. And with every proposal I look at, I always think of my Uncle Dick and how he used to love hunting and sitting in his deer stand. I think: Does this hurt my Uncle Dick and his deer stand? And I don't think that the Manchin-Toomey bill would in any way. When I look at these things, I have to evaluate them that way because I know how many proud and law-abiding gun owners we have in our State. But I don't see that closing this gun show loophole by doing something more about background checks would hurt that hunting tradition in any way.

When I talk to law enforcement around Minnesota, they stress the importance of having effective background checks to stop felons, domestic abusers, and people who are prohibited from having easy access to guns from having that access. If you remember, part of the Manchin-Toomey proposal was to do more on sharing data and getting the data out there. These efforts should not and do not have to infringe on Americans' rights to own guns.

Another sensible measure that came out of the tragedy in Las Vegas, which

we should take action on, is Senator FEINSTEIN's legislation to close a loophole that allows bump stock devices to convert semiautomatic firearms into weapons that work like fully automatic guns. Law enforcement recovered 12 of these devices from the hotel room of the shooter in Las Vegas last month.

I hope we can find some common ground. Some of our colleagues across the aisle have voiced some interest in this, and I hope we can do something when we know that would have been helpful in that shooting.

Another area where we can find common ground is in taking action to protect those who are at risk of gun violence from domestic abusers. We were reminded of how important this is again this week, as reports have revealed that the gunman in the Texas shooting had a history of domestic violence, having been court-martialed for assaulting his wife and child in 2012. He was sentenced to 12 months of confinement and received a bad-conduct discharge from the Air Force. There are also reports of ex-girlfriends and others who reported similar conduct.

I am sure the facts will be unveiled, but what I do know, regardless of what the facts show right now, is that this connection between domestic violence, stalking—those kinds of activities—and some kind of homicidal behavior is something that has been well established. According to recent research, more than half of mass shootings between 2009 and 2016—that is 54 percent—involved some kind of domestic or family violence.

Before I came to the Senate, I spent 8 years as the top prosecutor for Minnesota's largest county, so I have seen that connection. And I have seen the connection between a history of domestic violence or stalking that later leads to a more serious crime. That is why it is so important that we have protection orders, and that is why it is so important—as I look at the record of the shooter—that these cases be taken seriously, so you actually get that misdemeanor conviction on the record or you actually get a felony conviction or you do something about the stalking behavior when it is reported to law enforcement.

When I was the county attorney in Hennepin County, we would have cases we would sometimes pursue when a victim had reported it and the police had gathered evidence—even if the victim later backed away and was afraid to testify—because we knew it had happened, we had the original testimony, and we had the evidence at the scene. We trained the police on getting the evidence at the scene so that we were able to actually make those cases. And you think about, in that instant, making those cases; no matter how hard it can be sometimes when you have a scared victim, it is really important.

When I was in the county attorney's office, I made prosecuting felons in possession of firearms one of my top priorities. They weren't supposed to have guns, and when they did have guns, we had to take it seriously. I will tell you, some of the most disturbing cases that we saw involved people with a documented history of harassment—of stalking, of domestic violence—because you would see it building and building, and sometimes it would be against one victim, but often we would find out that there were others and that it was a pattern of behavior, and one horrible case would erupt into homicidal violence.

There was one case I had heard of where a woman was shot to death by her boyfriend. He killed her and then killed himself while both of his kids were still in the house. It was ultimately his 12-year-old daughter who went to the neighbors for help. The worst part of the story is that it could have been prevented. In the 2 years leading up to the murder-suicide, the police had been called to the boyfriend's residence at least five times to resolve domestic disputes. Yet somehow the man, with a history of violence like this, was able to have a gun in his hand on the day he killed his girlfriend.

I wish I could say that it was a rare tragedy, but the truth is, studies have shown that more than three women per day lose their lives at the hands of their partners, and over half—this is an average—of the women murdered by intimate partners in the country are killed with guns. Many times these tragedies begin with incidents of stalking.

Research has shown that one in six women has experienced stalking sometime during her lifetime, and 76 percent of women murdered by intimate partners were first stalked by their partner. It is for this reason that a number of years ago I introduced a bill called the Protecting Domestic Violence and Stalking Victims Act to close some of these loopholes in our existing laws. My bill would make sure that those who are convicted of misdemeanor crimes of stalking are not able to buy guns. It would also expand the definition of a domestic abuser to include dating partners. The second part—when we had a hearing on this bill on these issues in the Judiciary Committee, even the Republican witnesses who were called supported the dating partner idea because so many States have started to do that.

I introduced the legislation this time. It has been bipartisan in the past, but the Republican Senator on the bill is no longer in the Senate, although it is bipartisan in the House. But this time I introduced it with Senator HIRONO and Senator FEINSTEIN, the only other two women on the Judiciary Committee of 20 members. Congresswoman DEBBIE DINGELL from Michigan is leading the same bill in the House, and her bill, as I noted, is bipartisan.

In 2014, we had a hearing on my bill. As I said, even the Republican witnesses agreed that a major portion of the bill was a good idea. At that hearing, we heard from Sheriff Christopher Schmaling of Racine County in Wisconsin. He testified about the connection between stalking and guns being used in violence against women. In his testimony, he told the story of one woman from Wisconsin who, he said, had changed his career. This woman had endured 3 years of a violently abusive marriage before divorcing her husband. She then took out multiple restraining orders against him over several years. That horrible day in 2004, he threatened her with a handgun, beat her with a baseball bat, bound and gagged her, and left her in a storage unit to die. Through what he described as some good breaks and some great luck, the Sheriff and his partner rescued Teri before she died. As a result of the ordeal, she had a miscarriage and had to have her toes surgically removed. In his testimony, the Sheriff talked about the importance of my bill's provision to extend the protections in current law to include dating partners so that abusers would not be able to buy a gun if they are convicted of beating up their girlfriend or boyfriend, regardless of whether they lived together or had a child.

As the sheriff said, ''Dangerous boyfriends can be just as scary as dangerous husbands; they hit just as hard, and they fire their guns with the same deadly force.''

This is a simple point that you would think we could all agree on. Sadly, we still have not been able to pass this bill.

Mr. President, I ask unanimous consent that the sheriff's written testimony be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WRITTEN TESTIMONY OF SHERIFF CHRISTOPHER SCHMALING—JUDICIARY COMMITTEE HEARING: ''VAWA NEXT STEPS: PROTECTING WOMEN FROM GUN VIOLENCE''—JULY 30, 2014

Chairman Whitehouse, Senator Grassley, Senator Leahy, members of the Committee, thank you for hosting this hearing today, and thank you for the opportunity to testify.

My name is Christopher Schmaling. I am the sheriff of Racine County, Wisconsin and have been a law enforcement officer for 19 years. I am a conservative Republican, and I'm here today to ask you to pass two laws that will protect our sisters, our mothers, and our daughters by keeping guns out of the hands of domestic abusers. The first bill is the Protecting Domestic Violence and Stalking Victims Act of 2013, which will block abusive boyfriends and convicted stalkers from possessing guns. The second is a bill that would require criminal background checks for gun sales by unlicensed sellers.

More than half of the women murdered each year are killed by intimate partners or family members. That's 48 women killed by husbands and boyfriends each and every month. We know that people with a history of committing domestic violence are more likely to become killers—and we know the role that firearms play: When a gun is present in a domestic violence incident, the chances that a woman will be killed increase by 500 percent.

These numbers are tragic. As the top law enforcement officer in Racine County and over my two decades on the force, I've seen far too many of these tragic incidents firsthand.

I want to tell you about one such domestic violence incident, a tragedy that changed my career. In 2004, Teri Jendusa-Nicolai was violently abused and left for dead by her ex-husband. Teri had endured three years of a violently abusive marriage before divorcing him, and had then taken out multiple restraining orders against him over several years.

That horrible day in 2004, he threatened her with a .38 caliber handgun, beat her with a baseball bat, bound and gagged her, and left her in a storage unit to die. My partner and I were the lead investigators on the case, and through some good breaks and some great luck, we rescued Teri before she died. As a result of the ordeal, Teri had a miscarriage and had to have her toes surgically removed.

Teri is one of the most wonderful people I've ever known, and has been a tremendous advocate for victims of abuse in the decade since she was nearly killed at gunpoint. We've become very close since then, and my eyes have been opened to the reality of domestic violence and gun violence. I've also become close with Elvin Daniel, who is sitting here beside me today, and have been moved by his sister Zina's story.

I'm proud to say we are the first county in the State of Wisconsin to have a full-time domestic violence specialist. We work closely with victims to figure out how best to protect them. We've made this very intimate and very deadly area a top priority for our department. So much of the crime we face in Racine County is intimate partner abuse, and any cop will tell you that domestic violence calls are the most dangerous calls. The last thing a victim needs, and the last thing my officers need, is for these dangerous abusers to be armed with illegal guns.

We respond to domestic violence incidents differently than other calls, because these are ''heightened risk'' calls—we send more officers, we go ahead and assume that guns will be involved, because they are so often involved. Abusers routinely threaten to shoot my deputies and I upon arrival at domestic violence calls. In fact, according to FBI data, over 150 law enforcement officers have been killed in action while responding to domestic disturbances.

I'm proud to have worked on a great domestic violence bill in Wisconsin in 2014 known as ''The Safe Act,'' a bill that ensures guns are kept out of the hands of domestic abusers. This bill was passed by a bipartisan majority and signed by our Republican governor Scott Walker. This year alone, similar bills were passed with bipartisan support in New Hampshire, Minnesota, Vermont, and Washington. And in Louisiana, where another Republican governor—Bobby Jindal—signed the bill into law.

The first bill I'm asking you to pass today is the Protecting Domestic Violence and Stalking Victims Act of 2013, S. 1290, introduced by Senator Klobuchar. This bill would close a loophole that allows abusive dating partners to buy and have guns—simply because they are not married to their victims. And it would also block people with stalking convictions from having guns.

Why is this bill so important? I can tell you firsthand that domestic violence is horrific, whether or not the abuser and victim are married. When we send our police into danger to respond to domestic violence calls, we send the same folks regardless of the couple's marital status. Dangerous boyfriends can be just as scary as dangerous husbands; they hit just as hard and they fire their guns with the same deadly force. In fact, according to FBI data, more women are killed in America by their abusive boyfriends than by their abusive husbands.

This past March, just a couple hours from Racine County, Cheryl Gilberg was killed by her ex-boyfriend in a domestic dispute. The killer apparently shot Cheryl with her own gun, after a struggle. According to news reports, she had been seeking a restraining order at the time of the killing. But in cases like Cheryl's, a restraining order isn't good enough. If you've never been married to your abuser, federal law likely will not stop him from buying a gun.

If Congress passes this bill, federal law will be catching up with the states. Among the 22 states that prohibit gun possession by domestic abusers subject to restraining orders, 19 of those states already include abusive dating partners. And 42 of our states have recognized that dating partner abuse is a form of domestic abuse by allowing victims to take out domestic violence restraining orders against their boyfriends.

The second bill I'm asking you to pass today would require criminal background checks for gun buyers who shop with unlicensed sellers. Current federal law prohibits many abusers from buying guns, but only requires them to pass a background check if they buy a gun from a licensed dealer. This is a gaping hole in the law: It means a convicted wife-beater can slip through the cracks and get a gun simply by finding a seller who does not have his own gun store.

This is exactly what happened in Dane County: Tyrone Adair was a domestic abuser who had been convicted of battery twice, and was legally prohibited from owning a gun because of a restraining order. So instead of going to a gun store—where he would have had to pass a background check—he found an ad for a 9mm Glock in a local paper, and met the seller at a hardware store. There was no background check, though the seller did ask, and I quote, ''You're not going to go out and kill someone, are you?'' Tyrone Adair used that gun on a horrific murder spree, killing his two daughters—ages 1 and 2—and killing their two mothers.

Background checks work. Sixteen states and DC already require background checks for all handgun sales, and about 40 percent fewer women are shot to death by their husbands and boyfriends in those states. And background checks save law enforcement lives as well: about 40 percent fewer cops are killed with handguns in those states, as well.

These are the cops that risk their lives when they respond to domestic violence calls, rushing into the middle of very dangerous and very intimate situations. We see the terror that abusers can create when they are armed. We see the impact on their wives and girlfriends, and on their children. We're major proponents of community policing in Racine County, and if I have my officers on the street, working closely with our residents, I want to know that our laws are doing everything they can to keep guns out of abusive hands.

So I'm here to speak for victims of abuse and to speak for my cops. I've made it a priority to talk to victims. I've seen the escalation over the years, from yelling, to battery, to homicide. When an abuser has a gun, the victims say to me, ''Sheriff, is not a question of if he'll use the gun to abuse me; it's a question of when.'' And I recognize the value of preventing even one gun from winding up in the hands of an abuser: one gun may translate into one more lives saved.

So today, I'm asking you to pass S. 1290, which will apply the same rules to all abusers, regardless of whether they are married to their victims or not—and will prohibit convicted stalkers from having guns.

And I'm asking you to require criminal background checks for gun sales by unlicensed sellers, and ensure that abusers don't get a free pass when they buy guns from them—often strangers they meet online, at gun shows, or through classified ads. The bipartisan bill introduced last year by Senators Joe Manchin and Pat Toomey would do just that, and it has already received the support of 55 senators.

I'm asking you today to stand up against abuse by fixing our out-of-date laws and passing this common-sense legislation. Thank you for your time and I look forward to answering your questions.

Ms. KLOBUCHAR. I also note that a justice from the Supreme Court of Pennsylvania also testified on that day as the Republicans' witness. Even though he did not agree with everything in the bill, he also said: I absolutely agree that we should have boyfriends, dating partners as a part. We have it in Pennsylvania, OK? It is important. As the sheriff said, they can shoot, and they can beat up people just like anybody else.

He was, actually, the Republicans' witness at the hearing. That is why I am happy that in the House of Representatives it is a bipartisan bill, but I would like to see it as a bipartisan bill here in the Senate. Maybe they will reconsider this now. Just as the NRA has said that it was looking at the bump stock issue, maybe they would be willing to look at this issue because they wrote kind of a fast memo on this—it is only a page long—back when we had the hearing and when we were gaining support for the bill. Remember that this is very narrow legislation that is focused on making sure that dating partners are covered and also people who are not charged but convicted of stalking. They wrote that the legislation ''manipulates emotionally compelling issues such as 'domestic violence' and 'stalking' simply to cast as wide a net as possible. . . .''

I want to make this very clear—and I have never addressed this on the floor before—that this was really focused narrowly so that we could gain Republican support. I didn't really think the NRA would support it, but I thought that maybe they would be neutral, and, sure enough, their witnesses at the hearing supported it. We have had Republican Senators support it in the past, and we have also had Republican House Members support it. In going after the bill by saying that it manipulates emotionally compelling issues, well, I would agree in that I am sure that a lot of people shed tears when watching what happened in Texas, and I am sure that they have shed a lot of tears when they have heard the stories from people in their own communities of the victims, of the women who had died at the hands of domestic abusers after years of abuse. So if they want to call that emotionally compelling and manipulative, that is up to them, but I call it the truth.

The other thing they said about this bill—and this was even more interesting—is the part about the stalking,

which is a major part of the legislation as well. That part of the bill, as I mentioned, just takes what we know as a signal for trouble in the future and violence in the future, and you would actually have to be convicted of stalking to have the gun protections apply.

The example they used—as I said, it did not make any sense to include this, and it is the only example they used—was of two men of equal size, strength, and domestic status, joined by a civil union or merely engaged or formally engaged in an intimate social relationship, being subject to this prohibition for conviction of simple assault arising from a single shoving match.

Actually, this part applies to the domestic partners. I think they are really taking this in a way that has surprised me since whom we are talking about are boyfriends and girlfriends and domestic violence, but they have changed it into a shoving match in a bar with people who might have some kind of social relationship. I just do not think this is a valid reason for my Republican colleagues to oppose this bill, and I am going to keep bringing this up because it does not make sense to me.

They end by saying that, whatever the case may have been 30 years ago, domestic violence is now taken seriously by the legal and criminal justice systems.

That was the reason they gave for opposing the bill. Really? Look at what we just found that happened in the last week when this was not just a minor example of domestic assault but was a felony. The person was court-martialed, and the person was, basically, detained for a year. Yet, somehow, this was not taken seriously enough through our entire system to show up on a record check. How about all of the reports that had been made by previous girlfriends and other people about his behavior, and nothing had seemed to come up then?

As I mentioned, of the many cases that we had had in our office, even when the victim had gotten scared and decided that she had not wanted to pursue anything, we had felt that we had an obligation to her and to the other women we knew would come after her to pursue those cases, and, many times, we had done that if the police had been trained and they had been able to get the evidence at the scene. Sometimes there had been child witnesses and others, and we had been able to pursue those cases and win them, and we did.

So to say that you don't want to support my bill because you think this system is so great, is working so well, and is being taken seriously by the legal and criminal justice systems after you saw what just happened in Texas, I do not think is true. This memo was written 2 years ago. So I hope they will look at this again and consider supporting my bill.

I conclude my remarks by sharing another story about yet another tragic shooting from my State. In this one I truly got to know the widow. She is the widow of a police officer in Lake City, MN. This was a case in which the officer, who was a wonderful man in a small town police department, responded to a domestic violence call from a 17-year-old girl who was being abused by her ex-boyfriend. He went to the scene in the middle of the winter. He had a bulletproof vest on and everything because the domestic violence cases can be much more dangerous than people think, and officers know this. He was shot in the head, and he was killed. The 17-year-old girl lived. This officer literally gave his life to save another.

There was a big funeral, and there were law enforcement people there from all over our State. I will never forget that funeral. I was sitting there in the aisle, and I had learned that the last time that officer had been in that church was to see his own kids—three young children, two boys and a girl—in a Nativity play. He had been sitting right in the front row of that same church, so proud of them at Christmas. Shortly after that, he was shot. At his funeral, there were those three children walking down the church aisle—the two young boys and the little girl in a blue dress that was covered with stars. I always think about that little girl in that blue dress that was covered in stars. This was domestic violence gone bad. He was a police officer who had shown up at the scene.

When you look at these cases—we can look at the numbers; we can look at the stories; we can look at what has gone on on TV—you see this connection between domestic violence and stalking and then, later, either mass shootings or violence against one person, which happens much more often. It is not a coincidence. It is something that has been well documented.

As we extend our sympathies and prayers to all of those who were affected by that tragedy in Texas and, of course, not too long ago in Las Vegas and in so many other communities and to all of those, of course, who were also victims of that act of terror in New York—we think of all of them—we also think: What can we do to make this better? In this case, when it comes to domestic violence and this specific issue that I know a lot about from my past job, we can do something. So let's pass this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

DACA

Mr. MURPHY. Mr. President, whenever a Higher Power is looking down on us as we move through our daily lives, I imagine that He probably doesn't see political borders. I imagine He probably doesn't care much about the distinctions that we create to tell the difference between us and others. He probably doesn't care much about walls and fences. He cares about us as people. He looks at us, at how we conduct ourselves, and at how we treat others.

We spend a lot of time here talking about the arbitrary divisions between us, but in the end, when we face our Maker, it probably is just about how we treated those around us, whether we tried to make their lives a little bit better.

So I am on the floor this afternoon to talk about a handful of my constituents who need our help, young people who we have labeled with the term Dreamers, who came to this country not by their decision but by the decision of their parents, when they were very, very young. They are Americans in every sense of the word. They are beautiful, beautiful young men and women, and they want us to see them as the beautiful individuals they are. They don't want to be labeled. They don't want to be put into the middle of a divisive political dialogue. They just want our help.

We all hear from them because there is no State that doesn't have these kids. There are 800,000 who have officially registered under the existing law that provides them with protection. They are in every single congressional district.

I thought it would be useful for my colleagues to hear from just a few of them today because they can tell the story of why we need to give citizenship, permanent protection, to these kids at the very least, if not their parents and others who have been waiting for a long time for comprehensive immigration reform. They can tell this story better than I can.

Vania from Willimantic is a student at Eastern Connecticut State University. I want to read what she wrote to me. She said:

> I was born in Mexico, and I was brought to the United States at the age of 3 and have been living in Willimantic since. I am 19 now. I grew up in Willimantic, Connecticut, and I consider it my home. It's where I grew up, where I went to school, where I made friends, and where all my memories are.
>
> As an undocumented student in the United States, you are constantly unsure of what your future may hold, but not because you're indecisive or unsure of what you are going to do, but rather because you don't ultimately have power of your own future. At a young age I always knew I wanted to go to college; however, I also knew that because of my status, I might have not been able to carry out that goal. However, I didn't let it discourage me. I like many other undocumented students did the best we could and constantly strived to be the best at anything we did, and now, thanks to DACA, all that hard work has finally begun to pay off.
>
> See, DACA is more than just a legal status; it is the puzzle piece that many of us have been missing in order to reach our goals. It has allowed me to get a Social Security number, a driver's license, but more importantly, a higher education.

Growing up, I constantly had all my teachers say to me: Do good in school, try your best at anything you do, stay out of trouble, and you are guaranteed to go far in life.

Let me step out of her comments for a second. Boy, if that is not an encapsulation of the American dream—''do good in school, try your best at anything you do, stay out of trouble, and you are guaranteed to go far in life''—I don't think I could find a better way to encapsulate what we hope is the story for every single child in this country.

Vania said:

So that is exactly what I did. Most other DACA recipients did the exact same, but it currently doesn't seem enough for this government. There is no longer a fight for a work permit but rather a fight for my human rights. I am just as worthy to live here and carry out my goals as any other natural born citizenship. I have done my best, consistently contributed to society in a positive way. This is my home. I deserve to feel safe here, and I will continue to fight for that until I do.

Mirka is from Wallingford, CT, and she is a Southern Connecticut State University student. She said:

I came here from Mexico sixteen years ago. I am currently a senior at Southern Connecticut State University, studying bilingual education.

We need more good people in bilingual education.

I just started student teaching last week, but all that is in danger. Besides being able to get a license and work permit, DACA has allowed me to follow through on my passion of becoming a teacher. It has given me hope that I have a future career in education and that I can live my life without fear of deportation.

An in-need profession—bilingual educators. Somebody willing to devote their life to our kids needs our help.

Faye in Norwalk says:

I am one of the more than 800,000 DACA recipients in the United States. I am from Trinidad and Tobago and have been in the United States almost 19 years. I live in Norwalk, CT, and I have lived there for about 16 years. It is home to me.

You hear that over and over again: It is home to me.

I am currently a Lead Radiology Scheduler, and I have a second job working at Ulta, both of which I enjoy. My goal in working both jobs is to purchase my first home.

That is another very critical component of the American dream—home ownership.

Growing up, I wanted to be a homeowner. I wanted a place that I could call mine, and with DACA I saw that as a possibility. Now I'm not sure when or if that would come through, but I still will continue to work hard because in my heart I know God is bigger than even this moment, and I know that we will be victorious. Even in a land that would not allow me to claim it as my home, I want to buy a house of my own to call my home. One day I will be called American not just among my undocumented community but by a Nation.

I mean, listen, we have some very articulate people in this body, Republicans and Democrats. I am not sure that any of us could write something that poignant, that beautiful, and that compelling: I am not sure if any of that will come through, but I am going to continue to work hard because in my heart I know that God is bigger than even this moment, and I know that we will be victorious. Even in a land that would not allow me to claim it as my home, I want to buy a house to call it my home. One day I will be called an American not just among my community but by my Nation.

There are 4,900 DACA recipients in just my State alone. I have met a lot of them. Frankly, maybe not everyone is as beautifully articulate as Faye, but, boy, they have done some very impressive things with their lives, maybe in part because they always knew that their status here was in jeopardy and they had to make the most of their time in the United States, not knowing when it would end, knowing that they had opportunities here in the United States that they simply would not and could not have if they ever went home, especially those kids who came here when they were 3 years old, going back home to a place where they might not even speak the language—they certainly know no one—a place where opportunity is farther off even for those who were born there. They worked hard, and they hustled a little bit more, knowing that they might be at risk of some day being pushed out of this country.

They are Americans. Every single one of these students, these Dreamers, use the phrase ''This is home.'' And they want our help.

I think this is a moral issue, first and foremost. It is how we treat each other. These people are our neighbors. They are our coworkers.

Eight hundred business leaders—CEOs from companies such as Walmart, Target, Facebook, Pepsi, Kaiser—want them to stay here because they are their employees. They know how much they add to the economic bounty of this country. They wrote to us and asked for us to provide permanent protection for these kids.

Seventy-five national colleges and universities, including all the ones in my State—Yale, Trinity, Connecticut College, the State universities—said the same thing. They want to educate these kids. They see them. They see what stellar students they are, and they just can't imagine the United States deciding to send 800,000 of these incredibly capable kids away.

One hundred eighty-six civil and human rights groups running the gamut say: This is a moral and civil rights issue. Let these kids stay.

Because of President Trump's decision to telegraph the end of the temporary protection for these students, the burden is now on us, Republicans and Democrats, to do something and do something soon. It is hard to describe the psychological toll on these kids right now. I mean, it was bad enough when they were pushed into the shadows. It got a little bit better when they got temporary protection. But now that we have put a clock on, now that they have revealed themselves to the world and put themselves on a list that can allow them to be targeted, there is a little bit of their soul that atrophies every day as they wonder whether we are going to come together and do the right thing. Part of the reason part of them is crumbling inside is because they see themselves as being made political pawns in a bigger game here.

It would be so easy for us to decide to protect these kids. Just do it now. Don't wait until the end of the year. Don't wait until this issue is mixed together with all sorts of other must-pass legislation. Just come together right now and step up and give these kids some degree of confidence that they can be here.

I have heard so many of my Republican colleagues say they want to do that. Why wait? Why push this up until the last minute? Do it right now. It is the right thing to do.

In the end, whoever is up there does not look at borders. He looks at us. He looks into our soul. He thinks about how we treat those who need our help and our protection. And no one needs our help and protection more than these kids right now—5,000 of them in my State and 800,000 of them across the country.

So my plea is simple, Mr. President: Let's do this and do this now. Let's give permanent protection, citizenship, pathways to citizenship, to these beautiful boys and girls, men and women. Don't make this issue about politics. Don't make it about parties. Don't make these kids a bargaining chip in a bigger game. Just do the right thing. I promise you, if you do, you won't regret it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

CLIMATE DISRUPTION

Mr. MERKLEY. Mr. President, climate disruption is the seminal challenge of our generation. We have seen the impacts occurring all around the world. We see it in the disappearing Arctic ice. We see it in the melting permafrost. We see it in the change of carbon dioxide and methane being emitted from peat bogs, disappearing glaciers, dying coral reefs, and certainly more powerful storms and raging fires.

It is the responsibility of those of us in this generation, in this time, to take action. Indeed, communities across the globe are taking action. They are increasing the energy efficiency of buildings, vehicles, and appliances, and they are replacing carbon-polluting fossil fuel energy with renewable energy. This is such an important issue.

How much do you know about the changes underway? Well, let's find out. Welcome to episode 7 of the Senate Climate Disruption Quiz.

Our first question is, Since the year 2000, the rate of global carbon dioxide pollution has decreased dramatically, decreased slightly, stayed the same, or increased substantially? Lock in your answers.

The answer is D, increased substantially. Many folks think that because of the actions being taken at the local level and by the community of nations and the Paris Agreement, that, in fact, global $CO_2$ pollution has decreased dramatically, but it has not. The rate at which the pollution is occurring is increasing. So it isn't just the total level. For example, in 1990, we had 354 parts per million; 10 years later, in 2000, we were up to 369.64 parts per million; and in 2017, we were up to 408.8 parts per million. The levels are climbing, but the speed is increasing as well. In that period around 1990, we were increasing about 1½ parts per million per year; by 2000, it was about 2 parts per million per year; and now we are at 2½ parts per million per year. So this increase is substantial.

As a community of nations, we have to not only proceed to decrease total carbon pollution, but first we have to get the rate of increase under control.

This brings us to the second question: In September of this year, how many miles did a Proterra bus drive on a single charge? Did this bus set a record by going 270 miles, the distance between L.A. and Las Vegas, or did it set a record by going 600 miles, equivalent from New York City to Columbia, SC? Did it travel over 1,100 miles, the equivalent distance from Arizona to Arkansas? Did it manage to go 2,092 miles, the shortest distance from the east coast to the west coast in America? Lock in your answers.

The correct answer is C. It went 1,100 miles. The electric bus traveled 1,100 miles. This bus was a new version of the Catalyst E2. It is called the Catalyst E2 Max. It is produced by Proterra. It has a battery that is 50 percent larger than the previous version that is being sold commercially—that is the Catalyst E2. That Proterra that is currently being sold has a functional range for the transit agencies that are buying it of over 350 miles, about 350 miles. That is pretty impressive. But by having a battery that is 50 percent lighter and moving quite slowly, driving it slowly, they managed to go 1,100 miles. It is really an indication of the rapid transformation of this particular type of electric vehicle.

Question No. 3: Warmer weather is contributing to what problem in major American cities? Is the problem caused by warmer weather transit delays? Is it exploding rat populations? Is warmer weather contributing to larger potholes or to longer tourist seasons?

Well, the dramatic answer here is that the warmer weather is contributing to exploding rat populations. Rat breeding usually slows in winter, but if you have a mild winter, that doesn't happen.

Since 2013, the pest control company Orkin has reported significant growth in its services—61 percent growth in Chicago, 67 percent in Boston, 174 percent in San Francisco, 129 percent in New York City, and 57 percent in Washington, DC, right here where the Capitol is located. This is a major economic and health problem. Rats caused $19 billion in economic damage in 2000 from, among other things, eating away at buildings and infrastructure, and, of course, they are carriers of rodent-borne diseases like E. coli and salmonella. Plus, we just simply don't like having them in our cities.

Let's turn to the next question, question No. 4. As of today, how many nations in the world are rejecting the Paris Agreement that addresses climate disruption? Is the answer 25 out of the roughly 200 nations in the world or 12 or 3 nations or 1 nation? Lock in your answers.

The answer is not 25 nor 12, and it is not 3. It is now just one nation that is rejecting the Paris Agreement. Now, until recently there were three nations. You had two nations that had not signed up and one nation that had said it was going to withdraw. The two that had not signed up were Nicaragua and Syria, and the one that said it was going to withdraw was the United States of America. President Trump made that announcement. But a short time ago, Nicaragua announced it was going to ratify the treaty, and today Syria announced it was going to ratify the treaty. That leaves the United States standing alone as the only Nation that is saying it is going to reject the Paris Agreement.

Of course, this has a big impact on American leadership in the world, since we worked very hard to bring nations together to craft this agreement. The nations were so impressed that all of them in the world are now participating except us—except the United States.

Let's go to question No. 5. Better management of our lands and forests could help reach what percent of the goals laid out in the Paris Agreement? Could better management of lands and forests contribute to reaching 5 percent, or one-twentieth of the goal; or 12 percent, roughly one-eighth; or 25 percent, roughly one-quarter of the goal; or 37 percent, more than one-third of the goal laid out in Paris? Lock in your answers.

The correct answer to this is D, 37 percent, or more than one-third, a surprisingly high number. An international study released last month said the natural climate solutions in guarding the management of our lands and our forests could help us reach more than a third of the goals laid out in the Paris Agreement. The paper looked at 20 conservation and improved land management actions that help increase carbon storage or avoid greenhouse gas emissions in a cost-effective manner. The single most important factor among them is reforestation.

Years ago I heard an individual say: Wouldn't it be great if we could just invent something that could pull carbon dioxide out of the air. Well, we actually have that already. It is called a tree. Growing trees is a very effective strategy in addressing carbon pollution.

Of course, there are issues related to how we manage our forests and making them more resilient to forest fires, where they are less likely to burn and emit carbon. Certainly, there is how we farm and how we take care of other types of lands, including peat restoration and coastal restoration.

Those are our five questions for this edition, episode 7, of the Senate Climate Disruption Quiz. These questions were ripped from the headlines in regard to the biggest test facing human kind on this planet. It is up to us in this generation to act.

We are the first generation to experience this enormous range of impacts from carbon pollution and a warming planet, and we are the only generation that is able to head off disaster ahead by acting quickly now. We are racing the clock. There is no time to spare. So stay engaged and do all you can to help take this on.

Meanwhile, as we learn more about technology and about the planet, all in the near future, I will bring you Climate Disruption Quiz Episode 8.

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

GUN VIOLENCE

Mr. BLUMENTHAL. Mr. President, we are here in the wake of yet another senseless mass shooting. Again, we continue to watch in horror a community torn apart and families seeking solace and comfort, loved ones deprived of people close to them forever. We know about that feeling in Connecticut because we had been through it in Sandy Hook just 5 years ago, almost to the month. Next month will be the fifth anniversary.

Every day in America in communities across this great country, there are senseless similar acts of violence one by one, person by person. Every day there is a mass instance of people dying of gun violence. The danger is that this kind of incident will become a normal way of life in America. We cannot allow ourselves to become desensitized. We cannot lose hope that action is possible. We cannot allow ourselves to succumb to this supposed normal. We cannot surrender to fear or complacency or hopelessness.

Our hearts and prayers are with the brave souls who are enduring this unspeakable grief and pain. Again, we know about it in Connecticut because I remember well that afternoon at Sandy Hook and the days that followed when families hoped for numbness. They hoped that the rawness and unimaginable pain of that loss would leave. For some, it has lessened, but it will never go away for them or for the families in Texas or Orlando or San Bernardino or Virginia Tech. The list is a long one, and it should include those families in Hartford, New Haven, Stamford, Bridgeport and in other communities—not necessarily urban, but suburban and rural—around Connecticut and around the country that have endured this same grief.

Numbness is not the answer. Action is the answer—honoring those victims by action. That honor is never too soon. That sense of grief will never go away. As much as our hearts and prayers go out to those families, we must also honor them with action.

Our reaction is not necessarily aimed at the last shooting or the last death by gun violence. It should prevent the future ones. The trap of the gun lobbyists is to say: Well, what you are proposing wouldn't have prevented what happened last Sunday in Sutherland Springs, TX. But we do know that 26 people might be alive today if the U.S. Air Force had done its job. Twenty-six people might be alive today if the U.S. Air Force had reported this conviction by court-martial of the shooter to the NICS background system. Twenty-six people might be alive today if the U.S. Air Force had followed the law.

There is a law that requires this reporting. It was passed in 2007. It requires all courts and all jurisdictions to make that reporting.

The law here is also clear that the shooter never should have had access to firearms. There are laws on the books right now specifically designed to help prevent dangerous individuals with criminal records of exactly this kind from getting their hands on guns, and that includes anyone who has a domestic violence conviction in any court, including military court.

As the author of that legislation, Frank Lautenberg, said at the time: It is a very simple principle. Wife beaters and child abusers should not have guns. The statistics bear out that principle now more than they did ever before. The mix of guns and domestic violence is a toxic one. Fifty-five percent of all homicides against women occur during domestic violence disputes, and a woman is five times more likely to die during a domestic violence dispute if there are guns in the house.

The law also prohibits anyone who has been dishonorably discharged from the military or convicted of an offense carrying a sentence of more than 1 year from buying a firearm.

The Department of Defense has a clear legal obligation to have made that report. By the way, that obligation includes military court indictments as well as convictions, because they may disqualify someone from obtaining guns.

We know today that the shooter in Sutherland Springs, TX, also was involuntarily committed to a mental health facility after sneaking guns onto an Air Force base and trying to kill his military superiors. That person should never have been anywhere near a firearm, let alone having the ability to buy one from a licensed firearm dealer, as apparently occurred.

The Air Force's lapse is shocking and inexcusable. It is a lapse that may have contributed to, if not directly caused, that shooting because, otherwise, that shooter would have completely lacked access to the firearms he used so lethally.

The American people deserve to know why the gunman's conviction was not reported in the background check database. The American people also deserve to know what immediate steps the Department of Defense will take to ensure that every court-martial indictment or conviction is reported to the FBI when they disqualify someone from accessing guns.

The American people deserve action. So I have written to the Defense Secretary James Mattis urging him to take immediate action to ensure that guns are prevented from falling into the wrong hands. That means taking specific, concrete steps to identify an individual whose convictions and court-martial disqualify them from obtaining a gun and making sure those records are submitted to the FBI. I want to know what system there will be for identifying those convictions.

I am also planning to introduce legislation because enforcement of that law should be done and reemphasized and reinforced so that there is no question in any mind of anyone in the military about their obligation. They must ensure that people who are convicted of disqualifying offenses in military courts are reported to the national background check database so they are prevented from having access to these firearms by purchasing them from licensed firearms dealers.

As of now, the background check law applies only to those licensed dealers. We need to extend it to include all firearms sales. We need other commonsense measures to prevent and stop gun violence, but at least the military can be compelled to honor this obligation. I know its heart is in the right place, and I know they will diligently reform what they need to do largely on their own because they recognize that obligation.

We have an obligation, as well, to enforce all of these laws more diligently. As a law enforcement person, one who was the State attorney general for 20 years and the U.S. attorney before then, I am proud of the State of Connecticut for classifying domestic offenses so they can be disqualifying under the law. Connecticut is only one of a handful—perhaps three States—that have that disqualifying classification, so the States need to do better as well.

The simple, commonsense fixes to help enforce laws that are already on the books to keep America safe will enable the law to be real and effective. If it is unenforced, it is dead letter. It must be enforced. We need better enforcement, and we also need better laws.

I hope my colleagues on both sides of the aisle will join in this effort, and I hope this new legislation will be bipartisan, just as we grieve together regardless of party.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I first wish to thank my friend, the distinguished Senator from Connecticut, for his very important words.

NOMINATION OF PETER ROBB

Mr. President, I rise at this point to say a few words about one of President Trump's nominees whom we will be voting on in a few minutes.

The National Labor Relations Board is a crucial tool for protecting working men and women in Michigan and across the country. The right to collectively bargain, the freedom to be able to bargain for fair wages, good benefits, retirement security, safe and fair workplaces—all of these things depend on a National Labor Relations Board that works—that works for people.

Perhaps no person at the NLRB is more critical to protecting these rights than is the NLRB's General Counsel. When a worker believes that the law has been violated and brings their concern to the National Labor Relations Board, it is the General Counsel who investigates. If the employee is found to have violated the law or the freedoms and rights of working men and women, it is the General Counsel who takes action to make things right.

Unfortunately, while President Trump talks a lot about having our workers' backs—he certainly said that a lot in Michigan—his actions speak much louder than his words. That is certainly true in the case of his choice for General Counsel, Peter Robb.

Mr. Robb was voted out of the Health, Education, Labor, and Pensions Committee in October without any Democratic support—and there was a reason for that. The reason is that during his career, he has shown so little support for working men and women across our country.

When Dominion Energy's workers at the Millstone Power Station in Connecticut attempted to use their freedom to organize—one of the freedoms in America is to be able to come together, to be able to organize, to be able to collectively bargain on behalf of yourself and others to make sure you are able to get fair pay and a pension and safe working conditions. But when the people at the Millstone Power Station in Connecticut attempted to do that, Mr. Robb, who represented Dominion, delayed the election for more than 2 years. Not only that, he bragged about it on his law firm's website—making people who wanted to exercise their freedom to collectively bargain and to organize wait for 2 years.

Mr. Robb also was lead counsel on the case that led to 11,000 air traffic controllers being fired—people, again, who were part of a union and could collectively bargain for safe conditions and good pay and pensions. They were fired and barred from Federal service. It was a watershed case in the history of union suppression, in taking away people's freedoms.

While he worked for a Reagan-appointed NLRB member, longstanding

policies changed to weaken the government's ability to enforce the rights and freedoms of working men and women.

With stagnant wages and rising healthcare costs and worries about pension cuts and workplace discrimination, frankly, I know working men and women in Michigan and across the country have enough to worry about. They shouldn't have to worry that the person who is supposed to have their back is, instead, looking for ways to strip away their freedom to organize on the job.

That is why I will vote no on Peter Robb, and I encourage my colleagues to do the same.

HEALTHCARE

Mr. President, I wish to turn now to another very important topic. I have been speaking about workers, and now I wish to speak about our children and standing up for our children.

Every year, 9 million children receive health insurance through a very successful program called the Children's Health Insurance Program. Children from low- and middle-income families who do not qualify for Medicaid—working families—are able to receive healthcare through CHIP, and every year, 25 million people, including 300,000 veterans and 7.5 million children, receive medical care from community health centers in cities and towns and rural communities all across Michigan and across the country. That is 9 million children who can see a doctor when they get sick or hurt, and that is millions of parents who don't have to lie awake at night, worrying about what will happen the next time their child falls, breaks an arm, gets strep throat, or something even worse.

Thanks to Republican inaction, these millions of parents do now have to worry.

It has been 38 days since the Republican leadership let funding expire for the Children's Health Insurance Program and community health centers—38 days and counting—38 days when we could have been working together to fund these important programs. Yet that didn't happen, even though they have bipartisan support. That is 38 days of telling children and hard-working families who use these programs that they don't matter as much as other things we are doing.

For the longest time, the Children's Health Insurance Program and community health centers have received strong bipartisan support, and that is true today. If these programs—a bill that came out of the Finance Committee and a bill that Senator ROY BLUNT and I have introduced—were brought to the floor, they would get strong bipartisan support—if we could get them on the floor.

We are hearing from more than 1,000 organizations, including the American Academy of Pediatrics, the American Heart Association, the March of Dimes, and the National Association of Counties, all urging us to take up the CHIP bill and to pass it—the 5-year extension, which is so critical.

Senator HATCH on the Finance Committee, of which I am proud to be a member, has worked with Senator WYDEN, with me, and with others to put together a good bill, a 5-year reauthorization of CHIP, on a bipartisan basis, and 70 Members of this body, led by Senator ROY BLUNT and myself, have signed a letter of support for continuing funding for community health centers. Senator BLUNT and I, with eight other Democrats and eight Republicans, have put in a bill to do that.

We know the support is there. The problem is, we cannot get it brought up on the floor as a priority for the Senate.

As I mentioned, this crucial funding expired 38 days ago—more than a month ago. Over those 38 days, the Senate has taken up 54 record rollcall votes, Republicans passed their budget, and we have considered 16 nominees. But we haven't considered over the past 38 days the 9 million children who depend on the Children's Health Insurance Program to stay healthy and the 25 million patients who use community health centers.

We might be 38 days late, but there is no time like today to make children and families a top priority. These programs are a big deal in my State. Before CHIP, too many hard-working families in Michigan couldn't afford to take their children to the doctor. Now, 97 percent of our children in Michigan can go to the doctor. Moms and dads can take their children to the doctor because of what has been put together around health insurance, making health insurance available in Michigan—the highest percentage ever—97 percent.

Last year, Michigan's community health centers treated more than 680,000 patients, including 12,710 veterans.

Having access to health insurance and healthcare we know is life-changing and even lifesaving.

Just ask Jan of Davison, MI, whose daughter Suzi was covered by MIChild—what we call CHIP, actually MIChild—in Michigan. Suzi was diagnosed with ADHD as a child and later with bipolar disorder. In Jan's words:

> Without having access to quality health care, we would have been lost. And thanks to MIChild coverage, we are able to afford the help she so desperately needed.

Today, Suzi is a high school graduate and plans to go to community college.

Albert, a resident of Owosso, MI, knows the value of community health centers. He had graduated from high school and was taking college classes. He had a great full-time job with health benefits. He said that it was like a dream come true—until it stopped. Work dried up. In a matter of months, Albert lost his job, his insurance, and his home.

He fell into a deep depression—and many of us would have done the same. But Albert was lucky. A friend noticed that he was struggling and urged him to visit Great Lakes Bay Health Centers. Within 2 weeks, he had a medical appointment; 3 days after that, he was speaking with a community health center counselor. As Albert said, ''It happened so fast, there was no time for me to fall through the cracks.''

Today he is running a local business and has his confidence back. He has lost 50 pounds and stopped drinking. He has rebuilt his relationships with his family. And he is now giving back to the very clinic that changed his life, serving on the board of Great Lakes Bay Health Centers.

All of the children and the people who receive coverage and care from CHIP and community health centers can tell their stories.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. STABENOW. Mr. President, if I might just take 30 seconds to complete my remarks.

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

Ms. STABENOW. Thank you very much.

Let me just say in conclusion that we can fix this. We don't have to put up one more day on the count chart. Today we can make children and families a priority by passing critical healthcare that has the bipartisan support to get it done, if we have the urgency to do so.

Thank you.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Engel nomination?

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 264 Ex.]

YEAS—51

| | | |
|---|---|---|
| Alexander | Fischer | Murkowski |
| Barrasso | Flake | Perdue |
| Blunt | Gardner | Portman |
| Boozman | Graham | Risch |
| Burr | Grassley | Roberts |
| Capito | Hatch | Rounds |
| Cassidy | Heller | Rubio |
| Cochran | Hoeven | Sasse |
| Collins | Inhofe | Scott |
| Corker | Isakson | Shelby |
| Cornyn | Johnson | Strange |
| Cotton | Kennedy | Sullivan |
| Crapo | Lankford | Thune |
| Cruz | Lee | Tillis |
| Daines | Manchin | Toomey |
| Enzi | McConnell | Wicker |
| Ernst | Moran | Young |

NAYS—47

| | | |
|---|---|---|
| Baldwin | Gillibrand | Nelson |
| Bennet | Harris | Peters |
| Blumenthal | Hassan | Reed |
| Booker | Heinrich | Sanders |
| Brown | Heitkamp | Schatz |
| Cantwell | Hirono | Schumer |
| Cardin | Kaine | Shaheen |
| Carper | King | Stabenow |
| Casey | Klobuchar | Tester |
| Coons | Leahy | Udall |
| Cortez Masto | Markey | Van Hollen |
| Donnelly | McCain | Warner |
| Duckworth | McCaskill | Warren |
| Durbin | Merkley | Whitehouse |
| Feinstein | Murphy | Wyden |
| Franken | Murray | |

NOT VOTING—2

| | |
|---|---|
| Menendez | Paul |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 265 Ex.]

YEAS—51

| | | |
|---|---|---|
| Alexander | Fischer | Murkowski |
| Barrasso | Flake | Perdue |
| Blunt | Gardner | Portman |
| Boozman | Graham | Risch |
| Burr | Grassley | Roberts |
| Capito | Hatch | Rounds |
| Cassidy | Heller | Rubio |
| Cochran | Hoeven | Sasse |
| Collins | Inhofe | Scott |
| Corker | Isakson | Shelby |
| Cornyn | Johnson | Strange |
| Cotton | Kennedy | Sullivan |
| Crapo | Lankford | Thune |
| Cruz | Lee | Tillis |
| Daines | McCain | Toomey |
| Enzi | McConnell | Wicker |
| Ernst | Moran | Young |

NAYS—47

| | | |
|---|---|---|
| Baldwin | Gillibrand | Nelson |
| Bennet | Harris | Peters |
| Blumenthal | Hassan | Reed |
| Booker | Heinrich | Sanders |
| Brown | Heitkamp | Schatz |
| Cantwell | Hirono | Schumer |
| Cardin | Kaine | Shaheen |
| Carper | King | Stabenow |
| Casey | Klobuchar | Tester |
| Coons | Leahy | Udall |
| Cortez Masto | Manchin | Van Hollen |
| Donnelly | Markey | Warner |
| Duckworth | McCaskill | Warren |
| Durbin | Merkley | Whitehouse |
| Feinstein | Murphy | Wyden |
| Franken | Murray | |

NOT VOTING—2

| | |
|---|---|
| Menendez | Paul |

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, our EPA Administrator, Scott Pruitt, has a little problem. You see, the Supreme Court has ruled that greenhouse gases are pollutants under the Clean Air Act. Therefore, under the Clean Air Act, the Environmental Protection Agency, which Pruitt leads, is legally obligated to regulate greenhouse gases. They must do this as a matter of law.

Moreover, the EPA has determined that greenhouse gas emissions endanger the public health and welfare of current and future generations, and Scott Pruitt has said he will not contest that endangerment finding. He is stuck with it. Why? Because he knows it is a contest he would lose by a landslide. The climate denial nonsense he espouses has never passed peer review, it is not real science, and it would get buried in any forum where facts and truth matter.

That is also likely why the White House released the Climate Science Special Report, part of the National Climate Assessment we mandated by law without significant alteration. Scientists had prudently disclosed what they sent to the White House so everyone could compare what went into the White House with what came back out of the White House. That put the White House in a box, and caught in that box, the White House went ahead and released the report without alteration.

The Climate Science Special Report affirms that climate change is driven almost entirely by human action. It warns of a worst-case scenario, where seas could rise as high as 8 feet by the year 2100, which is the scenario our home State planners are looking at for Rhode Island and which I know has occasioned dire forecasts for the Presiding Officer's home State of Florida. The report details a wide array of climate-related damage already unfolding across the United States. Here is what the report says: ''It is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century.'' The document reports: ''For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence.''

No convincing alternative explanation. Well, we actually knew that because climate denial has all along been bogus, phony propaganda created by the fossil fuel industry and pushed out through its array of phony front groups. Nobody but the ignorant would seriously believe their nonsense, least of all in Congress, except for the fact that the propaganda is backed up by ferocious political artillery and an implacable fossil fuel industry position to deny, deny, deny as the ship goes down.

This will be a disgrace whose odor will last a long time as history looks back and recounts a Congress so subservient to the fossil fuel industry that it would ignore unanimous real science and go instead with the flagrant, self-serving falsehoods of the industry with the world's biggest conflict of interest—an obvious plain conflict of interest. It is a sickening display of what our Founding Fathers would plainly describe as corruption, and we are supposed to act as if things are normal around here. Things are not normal around here—not since Citizens United, for sure.

Things are also not normal at EPA. That Agency of the U.S. Government has been corrupted. There is no straighter way to say it. The EPA now answers not to the public interest but to the special interest of the fossil fuel industry through its new Administrator, Scott Pruitt, whose entire history is one long exercise in subservience to the fossil fuel industry. If he is not bad enough, check out the creepy coterie of fossil fuel lackeys he is surrounding himself with. It is another disgrace, but given the fossil

fuel's control over Congress, the legislative branch is compliant and complicit in the industry takeover, and this body has yet to utter a peep of dissent as our national EPA sinks into banana republic status.

Last week, I talked about the phony tricks Pruitt is using to undo the Clean Power Plan. The Clean Power Plan is an annoyance to certain folks in the fossil fuel industry that has long underwritten Pruitt's political ambitions. So for their sake, something had to be done. Well, given the Climate Science Special Report that the White House just released, they couldn't really mess with the science—at least not without it blowing up in their faces—so they reverted to some tricks.

One trick was to recount the cost-benefit calculations of climate change and count only domestic effects of an international danger. Now, the Climate Science Special Report the White House just released says: ''The climate of the United States is strongly connected to the changing global climate.''

Nevertheless, Pruitt made the decision to count only the domestic effects of domestic emissions. That trick neatly wipes a major fraction of the harm the fossil fuel industry is causing right off the books. It doesn't affect the actual harm, just the accounting of the harm. In my example, it wiped two-thirds of the harm off the books in a neat feat of accounting trickery.

Of course, that still leaves one-third of the harm to account for so they took another whack at that, and their trick there was to juice the discount rate. In years to come, prompt action now on climate change would prevent things like sea level rise washing over our coastal infrastructure, unprecedented wildfire seasons burning our forests, and disruptions in agricultural yields from drought and flood extremes. The Clean Power Plan would achieve between $14 billion and $34 billion in future health benefits, also, like prevented illnesses and deaths, but all those things happen in the future, which brings in this matter of the discount rate.

The discount rate discounts the present value of things that happen in the future based on a percentage. Here is a simple example. If you assume a discount rate of 5 percent, that means anything 1 year from now is worth 5 percent less than it would be right now. So $10,000 of something in 10 years would be worth $6,000 today. If you assume a discount rate of 10 percent, that means $10,000 of something in 10 years is only worth $4,000 today. You can jiggle the discount rate to lower the present value. The higher the discount rate, the lower the present value of future harms.

A report this year from the National Academies of Science confirms this: ''The rate at which future benefits and costs are discounted can significantly alter the estimated present value of the net benefits of that rule.''

Now, the George W. Bush administration recognized that ''[s]pecial ethical considerations arise when comparing benefits and costs across generations.'' The Bush administration guidance urged lower discount rates when a rule is expected to harm future generations. I will quote them again. ''If your rule will have important intergenerational benefits or costs, you might consider a further sensitivity analysis using a lower but positive discount rate,'' wrote the Office of Personnel Management at the time.

That describes exactly what we face with climate change. Our carbon pollution today will hurt generations far off in the future as, for instance, temperatures and sea levels inexorably rise decade after decade and properties and land are lost to the sea.

In 2015, the Federal Government settled on a 3-percent discount rate to estimate the out-year costs of carbon pollution to society. That was the recommendation of leading economists, the top researchers from top universities putting forward credible analysis from the scientific community.

In our new, industry-friendly Pruitt analysis, they jacked that rate from 3 percent up to 7 percent. They more than double it. There is little actual analysis. They just picked a higher rate and what a payoff for Pruitt's fossil fuel friends. At 7 percent, future harms, injuries, and losses count for far less. Indeed, with this trick, Pruitt wiped away nearly $18 billion in predicted harm from carbon pollution. Remember, again, nothing changes in the real world. The harm to future generations is unchanged. That is a given in either scenario, but like that domestic-harm-only trick, this is an accounting trick to help the fossil fuel industry dodge accountability for its pollution. It doesn't change the situation on the field; it just changes the score on the scoreboard.

Contrast the Pruitt fossil fuel-friendly nonsense with real, peer-reviewed science. In real, peer-reviewed science, we can now calculate not only the harm of carbon pollution but how much individual fossil fuel companies have contributed to that harm. A peer-reviewed study in the scientific journal Climatic Change tells us that a few major fossil fuel producers are responsible for as much as half of the recorded global surface temperature increase, and the study demonstrates a method for attributing their corporate share of the harm to Chevron, ExxonMobil, ConocoPhillips, Peabody Energy, Arch Coal, Devon Energy, among about 50, investor-owned carbon producers. You can take the emissions data from that climatic change study and factor in well-established social cost of carbon estimates and approximate individual corporations' responsibility for climate damages. Those companies ought to be taking a hard look at what they are reporting to their shareholders about this because they are under strong legal obligations to report out-year risks to their shareholders.

The National Climate Assessment Climate Science Special Report that we first talked about was developed by dozens of leading scientists, from 13 different Federal agencies, detailing the extent of climate change driven by manmade greenhouse gas emissions and the urgent need to address it. That report is as solid as it gets. The report is stark. Temperatures are climbing. Seas are rising. Ocean waters are becoming more acidic. Fires are more frequent and more severe, and fire seasons are longer. Storms are stronger and more frequent, as we have seen particularly menacing coastal America.

Downwind States like Rhode Island cope with air that carries more particulate matter, nitrogen oxide, and other lung-constricting pollution.

Fishermen haul in foreign catches full of fish their fathers and grandfathers would hardly recognize. Woodsmen harvest in distressed and changing forests. Farmers till land subject to extremes of both more frequent drought and more severe flood.

The inescapable science is compiled by the top experts from throughout the Federal Government and is concurred in, I believe, by every single State university in this country, which not only understand climate change, but they teach climate change. There is every single National Lab in this country—the Labs we fund and trust—the armed services, and our national intelligence assessments. It is virtually impossible to find anyone not on the payroll of the fossil fuel industry who disputes this. It shows that climate change touches every corner of the country already, not later.

Up against that study, up against that unanimity of legitimate science, Pruitt puts a bunch of accounting tricks cooked up for him, I believe, by a conflicted and corrupting industry.

We cannot let fossil fuel hacks like Pruitt and his merry crew prevent America from responding to the reality around us.

This week it has been reported that Nicaragua and Syria have joined the Paris climate agreement. They were the two outliers. That was the company the United States was in with President Trump's decision to remove us from the Paris climate agreement—Nicaragua, Syria, and the United States of America. That is some company. Now, even Nicaragua and, just today, Syria have joined. At some point our national reputation is put at hazard. Our national reputation is put on the line when we can't do what is obviously right because we can't tell one greedy industry: You have had enough—no more.

It is time we treated this issue honestly. When we can't do that, don't tell me history will forget. It seriously is time to wake up. This is corruption in plain view.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

## EXECUTIVE CALENDAR

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 362.

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

The clerk will report the nomination.

The bill clerk read the nomination of David J. Redl, of New York, to be Assistant Secretary of Commerce for Communications and Information.

Thereupon, the Senate proceeded to consider the nomination.

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Redl nomination?

The nomination was confirmed.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

## VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 262, on the nomination of John H. Gibson, of Texas, to be Deputy Chief Management Officer of the Department of Defense. Had I been present, I would have voted yea.

Mr. President, I was unavailable for rollcall vote No. 263, on the motion to invoke cloture on Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 264, on the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 265, on the motion to invoke cloture on Peter B. Robb, of Vermont, to be general counsel of the National Labor Relations Board. Had I been present, I would have voted nay.•

## CONFIRMATION OF KYLE FORTSON

Mr. ALEXANDER. Mr. President, last week the Senate confirmed Kyle Fortson to be a member of the National Mediation Board.

The National Mediation Board, established by the 1934 amendments to the Railway Labor Act of 1926, is an independent U.S. Federal Government agency that facilitates labor-management relations within the Nation's railroad and airline industries.

Pursuant to the Railway Labor Act, National Mediation Board programs help to resolve disputes to promote the flow of interstate commerce in those industries through mediation, representation, and arbitration of labor-management disputes.

A dedicated public servant, Kyle Fortson is eminently qualified to serve on the National Mediation Board. I am fortunate to say that Mrs. Fortson currently serves on my staff as labor policy director at the U.S. Senate Health, Education, Labor, and Pensions—HELP—Committee, after serving in that position from 2010 to 2013 for Senator MIKE ENZI. I have benefitted from Mrs. Fortson's experience, knowledge, and counsel.

Mrs. Fortson previously served as labor counsel at the same committee from 2004 to 2010. Before that, she was a policy analyst at the Senate Republican Policy Committee from 2003 to 2004 and served as counsel to Senator Tim Hutchinson from 2001 to 2003. She also served as judiciary counsel to Congressman Spencer Bachus from 1999 to 2001.

Mrs. Fortson graduated with a B.A. in history from the University of Colorado in 1996 and with a J.D. from George Washington University in 1999.

Mrs. Fortson was nominated on June 26, 2017. On July 3, 2017, the committee received Mrs. Fortson's Office of Government Ethics paperwork, including her public financial disclosure and ethics agreement. Based on these documents, the Office of Government Ethics wrote to me that Kyle Fortson ''is in compliance with applicable laws and regulations governing conflicts of interest.'' The committee received Mrs. Fortson's HELP Committee application on July 27, 2017. Mrs. Fortson was favorably reported out of the HELP Committee on October 18, 2017.

While the National Mediation Board will be very fortunate to have Mrs. Fortson as a member, her departure will be a loss to the U.S. Senate and the HELP Committee. I am proud to support Kyle's nomination, and she will serve on the National Mediation Board with distinction.

## DEMOCRATIC REPUBLIC OF THE CONGO

Mr. CARDIN. Mr. President, today I wish to shine a spotlight on the increasingly dire political, security, and humanitarian crisis in the Democratic Republic of the Congo. Senator BOOKER and I, along with Senators DURBIN, COONS, WARREN, MARKEY, and BROWN, recently sent a letter to President Trump urging the administration to take immediate action to ensure that the United States is prepared to do our part to help stave off further violence and human suffering.

The Democratic Republic of the Congo, or the DRC as it is known, is a country of vast natural resource wealth. It is the largest country in sub-Saharan Africa by land mass, with ample arable land, a variety of precious minerals, and the world's second-largest river, the Congo, which possesses substantial hydroelectric potential; yet, despite an abundance of natural resources—indeed, because of it—the people of the DRC have endured centuries of exploitation and atrocities. In the postcolonial era, the country has struggled with decades of conflict, endemic corruption, and extreme poverty. The DRC ranks 176th out of 188 countries on the Human Development Index. Life expectancy is 59 years. An estimated 77 percent of the people live on less than $2 a day. More than 12 percent of children do not live to see their fifth birthday. Mothers die in childbirth in more than 7 out of every 1,000 live births. The statistics are truly alarming.

The 1997 to 2003 civil war involved at least seven countries in the region and, by some estimates, caused 5.4 million deaths from war and war-related causes. The conflict was characterized by massive human rights violations and introduced the world to the brutal consequences of the mining of conflict minerals. Eastern Congo has been referred to as the rape capital of the world, and sexual violence continues to be used as a weapon to traumatize and terrorize the population.

Despite the establishment of truth and reconciliation committees by the Sun City Accords in 2002, the installation of a unity government in 2003, and the deployment of the largest United Nations peacekeeping force in the world, the country remains unstable. The peacekeeping mission in DRC plays a critical role in protecting civilians in conflict areas and promoting stability; yet its capabilities are limited, and it is not a substitute for a political agreement respected and adhered to by all relevant stakeholders. Let me be clear: I fully support MONUSCO peacekeepers who seek to uphold their mandate. Though the mission has come under criticism over the years for not doing enough to protect civilians and for controversies regarding its own abuses, we must ask ourselves what would have happened—and what might still happen—if the UN were not present—or if the United States forces such significant troop reductions that the mission is rendered ineffective, which I fear we may be perilously close to doing.

Despite the deployment of peacekeepers and despite the Sun City Accords, conflict, instability, and meddling by other countries in DRC persisted. It took another 10 years and the efforts of the UN and the African Union to put the Congo on a path towards true stability in 2013 through what became known as the Framework of Hope, in which other governments pledged noninterference; yet, instead of building on this landmark agreement over the past 4 years to achieve reconciliation, stabilization, and development, the country has become subsumed in new conflicts and instability due to political leaders' self-interested and shortsighted calculations.

DRC's long and as yet incomplete road to peace is a classic example of how pernicious longstanding conflicts require persistent, high-level diplomatic engagement to untangle and address root causes. International diplomacy often isn't swift or easy, and sometimes the parties take two steps forward and one step back. It is often frustrating. It is often exhausting, but it is always essential. The work of former Special Envoy for the Great Lakes Russ Feingold, who was constantly in the region engaging with heads of state, was instrumental in holding neighboring countries to their commitments under the Framework of Hope, which reduced violence and insecurity. The work of Senator Feingold's successor, Tom Perriello, was instrumental in helping obtain a political agreement in the DRC in 2016 that held the promise of achieving democratic elections and an end to sweeping government abuses against unarmed civilian protesters.

The current spread of violence within the DRC serves as a painful reminder of how critical it is that we continue to work not only to maintain the gains we have made on the international front, but also the fragile respect for democracy and good governance inside DRC. According to the constitution adopted in 2005, elections should have taken place in November of last year, and President Joseph Kabila, having served two terms, should have stepped down. Instead, President Kabila first tried to change the constitution and then, when that effort failed, he threw up obstacles—slow-rolling voter registration, underfunding the electoral commission, and insisting on a unilateral and hurried process for the creation of new provinces—all of which precipitated a political crisis late last year when it became clear that the polls would not be open. While the opposition engaged in good-faith negotiations with the government to come to agreement on a new election timeline, Kabila has once again refused to abide by the terms. In fact, elections planned for the end of this year per that December 31 agreement—duly signed by the ruling party and the opposition—will not take place until December 2018. President Kabila's decision to remain in power beyond his mandate and to walk away from last year's political deal has caused instability and upheaval that, if not directly responsible, appears to be feeding growing violence and unrest in various parts of the country, this time including in areas of the country that had been largely been stable.

Government forces and progovernment militia are accused of gross human rights violations in the Kasai region. Two UN investigators, including an American, were killed in the region in March as they attempted to look into allegations of human rights abuses by security forces, and multiple researchers have uncovered evidence of potential involvement by state actors in their murder. The UN has not ruled out involvement by government forces, but more investigation is needed. At least 80 mass graves have been discovered. Over 5,000 people have been killed since 2016, according to some reports. The lives of hundreds of thousands of children and their families in Greater Kasai have been turned upside down by this brutal violence, with nearly a million and a half people internally displaced in the Kasai alone, including 850,000 children. Just last week, the head of the World Food Program warned that, if WFP did not receive funding and access to the area, hundreds of thousands of children would die over the next couple of months. All told, nearly 4 million Congolese are internally displaced—over a million newly displaced in Kasai alone just over the last 12 months—giving DRC the dubious distinction of having the most internally displaced people in Africa.

We have a moral obligation to pursue peace. We cannot stand by and allow conflict in DRC or anywhere else spiral so far out of control that an untold number of women are victims of sexual violence, and millions die from conflict, starvation, and preventable disease.

We have a moral obligation to try to halt mass atrocities wherever they occur. The scale of violence perpetrated against civilians in Congo has been staggering.

We should care because the world is supporting a massive peacekeeping operation in the country to the tune of $1.14 billion a year, of which the U.S. will pay an estimated $325 million this year. We need the MONUSCO mission to be efficient, we need it to be effective, and we need to create conditions for it to end, but the only way for the mission to draw down in a responsible fashion is as peace and stability are progressively achieved. Therefore, the United States, a leader in the international community, must do more to help facilitate a political process that will lead to a durable peace.

The problems in the Congo are not insurmountable, and our voice and diplomatic influence could help bring about a solution if the Trump administration is willing to make an effort to do so. There are several easy steps it could take immediately.

No. 1, the administration could fill critical vacancies. The President should immediately nominate an accredited Ambassador to Kinshasa. Our last Ambassador, a highly capable career foreign service officer, left his post in December. The President should nominate an Assistant Secretary of State for African Affairs for Senate confirmation. The position has remained vacant for 9 months, with Ambassador Donald Yamamoto serving in the role in an acting capacity.

Second, on the heels of UN Ambassador Nikki Haley's visit to DRC last month—one of the first visits to the continent by a senior member of the Trump administration—I urge the delegation to capitalize on the momentum from that trip to push for the following: No. 1, implementation of the December 31 agreement; No. 2, broader cooperation with and support for the investigation into human rights abuses in Kasai; No. 3, ensuring there is a credible international investigation into the murder of the two UN investigators; and No. 4, sharing the assessment of the humanitarian emergency in the Kasais.

I understand that Gen. Thomas Waldhauser, head of U.S. Africa Command, accompanied Ambassador Haley. I hope that he will share his assessment and any recommendations he has related to MONUSCO's deployment. I urge Ambassador Haley to ask that the Security Council convene an emergency meeting to discuss the findings of her trip. Finally, the administration should reexamine the decision in March of this year to lower MONUSCO's troop ceiling, given conditions in the country and the observations of the returning delegation.

We must use all the tools at our disposal, such as the Atrocities Prevention Board, to devise concrete actions our diplomats can take to stave off further violence. The White House should consider tightening sanctions on the regime. So far, we have sanctioned six sitting or former senior government and security officials, as well as a private company owned by one of them, under Executive Order 13671 issued in 2014. Sanctions have proven effective at getting Kinshasa's attention and should be applied in an ever-tightening manner aimed at the highest levels of government until we see demonstrable progress towards implementing the December 31 agreement. The Global Magnitsky Act is another tool that the administration could use to further pressure the regime.

The last conflict in DRC caused a regional conflagration that I consider among the worst in the continent's recent history in terms of the toll on human lives. It should never be repeated. The administration can and should take the steps I have just outlined immediately. While simple and straightforward, they could prevent further bloodshed. A repetition of the war is not inevitable, and I hope the President will take action to forestall

an increasingly dire humanitarian and political crisis in the region.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

## 85TH ANNIVERSARY OF THE HOLODOMOR

• Mr. MENENDEZ. Mr. President, today we solemnly mark the 85th anniversary of the Holodomor—the Ukrainian famine genocide—that claimed the lives of millions in the 1930s. As part of its vicious crusade promoting a failed ideology, the Soviet Union perpetrated a forced starvation campaign against ethnic Ukrainians, hoping to erase their place in history and their cries for freedom and independence. We must never forget these crimes against humanity. Ukraine today faces a different kind of threat from its neighbor Russia's ongoing occupation of its land and aggression towards its people. We must recall the lessons from history and remain united in solidarity with our democratic friends and allies and all those who pursue freedom and justice. I am proud to represent a strong, engaged, and vibrant Ukrainian community in New Jersey, and I commend your efforts to continue to bring to light injustices of the past and efforts to promote a brighter future.•

## TRIBUTE TO COLONEL ROGER PETERMAN

Mr. DONNELLY. Mr. President, today, I wish to recognize and honor the extraordinary service of retired U.S. Army COL Roger Peterman, a Greenwood, IN, resident and dedicated veteran and public servant who served his country with honor.

In 1967, Roger Peterman enlisted in the Army National Guard. He served in the field artillery in both enlisted and officer positions. He eventually moved through the ranks and rose to command two artillery batteries, an artillery battalion, the 38th Division Artillery, and held numerous staff assignments before retiring in March 2000.

Colonel Peterman's Army service was one of distinction, as evidenced by his numerous awards and decorations, including the Legion of Merit; Meritorious Service Medal with two oakleaf clusters; Army Commendation; Army Achievement Medal; and the Army Reserve Component Achievement Medal with a silver oakleaf cluster and two bronze oakleaf clusters. In 2012, he was presented the Office of the Secretary of Defense Medal, and in 2014, the National Guard Association of the United States awarded him the Distinguished Service Medal. In addition, Colonel Peterman was recognized with the Ancient Order of Saint Barbara Medal by the U.S. Field Artillery Association.

Colonel Peterman has distinguished himself beyond his military service. The transition from the military to civilian life can be a difficult one for our veterans. We are grateful for Roger's post-military service mission to help veterans and military families through that transition with his work as a transition assistance adviser with the Indiana National Guard. Roger is also chairman of the Board for Operation: Job Ready Veterans, which aims to prepare our veterans for success in civilian employment; the Indianapolis Veterans Court Advisory Board; the Indiana National Guard Relief Fund; the American Legion; and AMVETS. Roger also serves on the board of directors for the Indiana chapter of the Association of the United States Army and is on the executive board of Indiana Blue Star. As Roger enters his ''second'' retirement, we thank him for his dedication and service to helping Indiana's veterans.

Colonel Peterman's life has set an example not just for his two children and six grandchildren but for all Hoosiers. His commitment to defending our country and supporting our veterans is commendable. His integrity and tireless efforts have helped to make Indiana and this country a better place to live, work, and raise a family. We thank Roger's wife Carolyn, children, and grandchildren for sharing him with our country. We wish Roger well in retirement.

## RECOGNIZING EDEN ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today, I wish to recognize Eden Elementary School of Greenfield, IN, for being named a 2017 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program recognizes schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has allowed schools in every State to gain recognition for educational accomplishments, particularly in closing the achievement gaps among students.

Eden Elementary School has continually distinguished itself as a top-performing school in Indiana. For the last 4 years, Eden Elementary has been named a Four Star School and named an A-rated school by the Indiana Department of Education for 6 consecutive years.

Eden Elementary attributes much of its success to its effective implementation of the professional learning community model. Teachers are encouraged to focus on higher order thinking, integrating technology, and collaboration with math and reading instructional coaches. This model also allows teachers to work on targeted areas to improve an individual student's performance, which is contributing to the academic success of students. In addition, this interactive model enables teachers to share resources and ask questions to ensure the curriculum is being met across grade levels.

Beyond strong academics, Eden Elementary also prides itself on its character education program. This starts with Eden's Eagle Expectations—three rules: students should be respectful, responsible, and ready to learn. The school also promotes healthy habits by instilling in students the importance of considering the needs of others, listening first, and working together.

I am proud to recognize previous Eden Elementary School principal Devon Marine and current principal Melia Hammons, the entire staff, the student body, and their families. The effort and dedication you put into the education of these young people have led not only to this prestigious recognition but will benefit you and the Greenfield community well into the future.

On behalf of the citizens of Indiana, I congratulate Eden Elementary, and I wish the students and staff continued success in the future.

# ADDITIONAL STATEMENTS

## 25TH ANNIVERSARY OF THE OAK RIDGE LEADERSHIP COMPUTING FACILITY

• Mr. ALEXANDER. Mr. President, today we celebrate the 25th anniversary of high-performance computing at Oak Ridge National Laboratory's Leadership Computing Facility.

For a quarter century, Oak Ridge has led the way globally, pushing the boundaries of computational performance and continually giving scientists more powerful platforms for simulation and discovery at every scale—from the smallest building blocks of atoms to the vastness of galaxies—in biology, chemistry, physics, materials science, cosmology, industrial modeling, nuclear power, and more.

Using Oak Ridge's computing facility, scientists have expanded the scale and scope of their research, solved complex problems in less time, and filled critical gaps in scientific knowledge.

The Oak Ridge Leadership Computing Facility has led the rapid evolution of scientific computing that has produced a millionfold increase in computing power and has been home to both the first teraflop—1 trillion calculations per second—and the first petaflop—1 quadrillion calculations per second—systems for scientific computing. Oak Ridge has twice placed two supercomputing systems at the top of the international TOP500 list, where supercomputers are ranked by their number-crunching performance.

Today computer simulation is an essential part of modern science, but in 1992, when Oak Ridge established its Center for Computational Sciences, which was later renamed the Oak Ridge Leadership Computing Facility, not many people thought that the next great center for high-performance computing would be located in east Tennessee.

As I have said many times, this region has one of the most formidable concentrations of brainpower anywhere in our country.

The Department of Energy unleashed that brainpower when, later that year, it selected Oak Ridge, along with its partners, three national labs and seven universities, to lead one of the Office of Energy Research's—now the Office of Science—new high-performance computing research centers to serve scientists from national laboratories, universities, and private industry.

Meanwhile, in 2002, Japan introduced its Earth Simulator, which was at the time five times more powerful than any other high-performance computer in the world.

I traveled with former Senator Jeff Bingaman to Japan, and we were briefed on the significance of Japan's investment in the Earth Simulator.

Japan's development of the Earth Simulator meant that the United States no longer was the clear leader in high-performance computing, and for the first time, American researchers were looking abroad to obtain access to the latest computing tools.

Senator Bingaman and I made it a priority to recapture the lead in high-speed computing by introducing and passing the High-End Computing Revitalization Act of 2004.

This legislation paved the way for Oak Ridge to regain the lead in supercomputing. Within a few years, the Oak Ridge Leadership Computing Facility deployed a supercomputer called Jaguar that would break the petaflop barrier—a quadrillion calculations per second—in 2008 and take back the top spot on the TOP500 list in 2009.

For the past 25 years, the Oak Ridge Leadership Computing Facility has not only been home to some of the world's most powerful computers, but it has also been a global leader in the development of software applications and tools for scientific research. That is important because it is not just about having the fastest computer, it is also about having the experts who know how to program and use them.

Each year, the facility provides computer systems 10 to 100 times more powerful than most other computers available for research for the lab's own scientists, as well as international teams of scientists trying to make breakthroughs on the toughest science challenges.

Those scientists publish new science discoveries in nearly 500 research papers per year.

Beyond basic science, dozens of companies, from small businesses to Fortune 500 giants, have used Oak Ridge supercomputers to accelerate their own research and development and gain a competitive advantage in the global market.

For example, these high-performance computers have allowed companies to develop an add-on for long-haul trucks to optimize airflow, which improves fuel mileage by up to 10 percent.

Other companies were able to use simulations to extend the shelf life of consumer products and to analyze combustion in gas turbines to improve performance and lower emissions.

Not only does supercomputing help scientific discoveries and companies, supercomputers at our national laboratories can be used by Federal agencies as a ''secret weapon'' in the effort to combat issues like Medicare and Medicaid waste, fraud, and abuse; to find terrorists and criminals; and to help the National Institutes of Health find cures and treatments for disease.

Other countries have taken notice of the Oak Ridge Leadership Computing Facility's success, tried to duplicate it, and now threaten our lead in scientific computing.

The United States faces a choice between falling behind competitors like China or advancing technologies that can make us safer and more competitive.

In the June 2017 ranking of the world's most powerful supercomputers, China maintained the top two places, Switzerland was third, and Titan at the Oak Ridge National Laboratory, which is the fastest supercomputer in the United States, moved down to fourth.

In 2018, the Oak Ridge Leadership Computing Facility will complete Summit, which will be more than five times faster than Titan and will help researchers better understand materials and nuclear power and support more energy breakthroughs.

The fiscal year 2018 Energy and Water Development Appropriations bill, which I wrote with Senator FEINSTEIN, prioritizes supercomputing and recommends $150 million for the Oak Ridge Leadership Computing Facility, as well as $381 million to support the delivery of the first exascale machine.

I am very proud of the men and women from all over the world who have come to east Tennessee and Oak Ridge National Laboratory to make the Oak Ridge Leadership Computing Facility a world-leading center for computational scientific research.

I thank them for 25 years of hard work and dedication, and I look forward to their continued success answering some of the hardest scientific questions.●

## RECOGNIZING ROBERTS, MONTANA

● Mr. DAINES. Mr. President, with Veterans Day approaching this weekend, I would like to recognize and express my gratitude for the patriotism, selfless service, and community spirit of a small community in southern Montana. The town of Roberts, in Carbon County, is honoring military veterans by lining Highway 212 with crosses and dogtags to represent servicemembers who have lived in Roberts. The crosses signify veterans who have passed away, while the dogtags symbolize living veterans.

The breadth of service in this scenic town north of Yellowstone Park is evident in the 133 dogtags on display this year. The depth of service to our great county is rooted in the 308 crosses, some of which date back to service in the Civil War. A total of 441 individuals, with service spanning over a century and a half, is an impressive display of patriotism for any small community. The record of service among the people of Roberts is even more awe-inspiring when you consider that, during the last census, the town had just 361 residents.

As we gather to celebrate Veterans Day, let us be encouraged by the example of the folks in Roberts and take time to remember the accumulated sacrifices and ongoing commitment that allow so many to live in freedom. To the people of Roberts, thank you for punching above your weight class for our Nation.●

## TRIBUTE TO RONNIE LUPE

● Mr. MCCAIN. Mr. President, I would like to pay tribute to Ronnie Lupe, a foreign war veteran and current chairman of the White Mountain Apache Tribe in Arizona. Chairman Lupe will be retiring next year following 50 years of distinguished public service to his Tribe.

Ronnie also honorably served his Nation overseas in Korea. As a young man, he journeyed far from his hometown of Cibecue to enlist in the U.S. Marine Corps. He soon found himself across the Pacific and entrenched in combat. Thankfully, Ronnie returned home safely to his family and friends.

Ronnie first joined the Tribal council in 1996. Since then, he has served as chairman of the council for a remarkable nine terms. I have enjoyed working closely with Chairman Lupe over the years. Ronnie is a tireless advocate for the principles of Tribal self-governance and Indian self-determination. He led efforts to resolve the Tribe's water rights claims and developed a reservation-wide system for clean drinking water.

Ronnie was also a pioneer in Federal Indian policy concerning wildlife conservation, expanding Tribal control over reservation land, its forest, and natural resources. He oversaw the Tribe's response and recovery in the Rodeo-Chediski Fire in 2002 and the Wallow Fire in 2011—the two worst wildfires in Arizona history. As chairman, he labored to build and nurture Tribal enterprises like Hon Dah Casino and Sunrise Park Resort, which today are hubs of tourism and recreation in the White Mountains of Arizona.

Chairman Ronnie Lupe is a celebrated Tribal leader who brought about transformative and lasting changes to the people of the White Mountain Apache Tribe. I am proud to call him my friend. I thank him for his service.●

## TRIBUTE TO JOANI SLAWSON AND JAMES YAQUES

• Mr. RUBIO. Mr. President, I often praise the talents and goodwill of Floridians across my home State, and today is no different. Ms. Joani Slawson, a music teacher at Saturn Elementary in Brevard County, and Mr. James Yaques, of Palm Beach Central High School, have been nominated for a Grammy award. Their passion for teaching coupled with their musical talent is rightly being recognized as they are both semifinalists for music educator of the year.

As the Grammy process continues, I, along with my fellow Floridians, will be rooting for Ms. Slawson and Mr. Yaques. I wish them, their respective schools, and their students all the best.•

## MESSAGE FROM THE HOUSE

At 11:35 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, in which it requests the concurrence of the Senate:

H.R. 1066. An act to direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes.

H.R. 3122. An act to direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes.

H.R. 3562. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes.

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable.

H.R. 3657. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries, and for other purposes.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1066. An act to direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3122. An act to direct the Secretary of Veterans Affairs to include on the internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3562. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable; to the Committee on Veterans' Affairs.

H.R. 3657. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries; to the Committee on Veterans' Affairs.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3383. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Black Stem Rust; Additions of Rust-Resistant Species and Varieties'' (Docket No. APHIS–2017–0049) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3384. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Benzovindiflupyr; Pesticide Tolerances'' (FRL No. 9967–33–OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3385. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Formaldehyde, polymer with 1,3-benzenediol, 2-methyloxirane and oxirane, ethers with polyethylene glycol mono-Me ether; Exemption from the Requirement of a Tolerance'' (FRL No. 9969–99–OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3386. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Formaldehyde, polymer with 1,3-benzenediol, ethers with polyethylene glycol mono-Me ether; Exemption from the Requirement of a Tolerance'' (FRL No. 9970–00–OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3387. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; New Hampshire; Rules for Open Burning and Incinerators; Withdrawal of Direct Final Rule'' (FRL No. 9970–41–Region 1) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Environment and Public Works.

EC–3388. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Continuous Monitoring Requirements for Municipal Waste Combustors'' (FRL No. 9970–28–Region 3) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Environment and Public Works.

EC–3389. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment Under Section 956(c) of Certain Receivables Following Hurricane Irma or Hurricane Maria'' (Notice 2017–68) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Finance.

EC–3390. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Relief for Victims of Hurricane Maria and California Wildfires'' (Announcement 2017–15) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Finance.

EC–3391. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Calendar Year 2018 Home Health Prospective Payment System Rate Update and Calendar Year 2019 Case-Mix Adjustment Methodology Refinements; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements'' ((RIN0938–AT01) (CMS–1672–F)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC–3392. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs'' ((RIN0938–AT03) (CMS–1678–FC)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC–3393. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for Calendar Year 2018; Medicare Shared Savings Program Requirements; and Medicare Diabetes Prevention Program'' ((RIN0938–AT02) (CMS–1676-F)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC–3394. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Calendar Year 2018 Updates to the Quality Payer Program; and Quality Payment Program: Extreme and Uncontrollable

Circumstance Policy for the Transition Year'' ((RIN0938–AT13) (CMS–5522-FC and IFC)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC–3395. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 3(d) of the Arms Export Control Act, as amended, the certification of a proposed license for the transfer of major defense equipment relative to the transfer of fifteen (15) F–16A/B aircraft, including spare parts and support equipment from the Government of the Republic of Jordan to Airborne Tactical Advantage Company (ATAC) in the amount of $45,000,000 or more (Transmittal No. RSAT–17–5442); to the Committee on Foreign Relations.

EC–3396. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security 2017 Privacy Office Annual Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3397. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to thirteen audit reports issued during fiscal year 2017 regarding the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC–3398. A communication from the Director, Office of Management, Department of Energy, transmitting, pursuant to law, a report relative to the Department's 2016 list of Government activities determined to be inherently governmental and those determined to be not inherently governmental in nature and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC–3399. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–170, ''Standard of Care for Animals Amendment Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

EC–3400. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Episodic Alternative Payment Model For Radiation Therapy Services''; to the Committee on Finance.

EC–3401. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Rule on Attorney-Client Privilege for Trials Before the Patent Trial and Appeal Board'' (RIN0651–AD10) received in the Office of the President of the Senate on November 6, 2017; to the Committee on the Judiciary.

EC–3402. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2017; to the Committee on Veterans' Affairs.

EC–3403. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation entitled ''Veteran Coordinated Access and Rewarding Experiences (CARE) Act''; to the Committee on Veterans' Affairs.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–133. A resolution adopted by the House of Representatives of the Commonwealth of Kentucky urging the United States Congress to pass the Miners Protection Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 136

Whereas, in 1946, faced with the prospect of a long strike that could hamper post-war economic recovery, President Harry Truman issued an Executive Order directing the Secretary of the Interior to take possession of all bituminous coal mines in the United States and to negotiate with the United Mine Workers of America ''appropriate changes in the terms and conditions of employment''; and

Whereas, after a week of negotiations, the historic Krug-Lewis agreement was announced and signed in the White House with President Truman as a witness; and

Whereas, the agreement created a welfare and retirement fund that guaranteed lifetime payments to miners and their dependents and survivors in cases of sickness, permanent disability, death or retirement; and

Whereas, the agreement also created a separate medical and hospital fund; and

Whereas, in 1947, the government returned control of the mines back to their owners and a new collective bargaining agreement was reached with the companies that guaranteed retirement benefits to miners and their dependents and survivors for life; and

Whereas, for the next 70 years, miners bargained for money to be dedicated to their health care in retirement, because they knew when they retired they would be sicker than the average senior citizen, with more nagging injuries and a greater risk of black lung or some other cardio-pulmonary disease; and

Whereas, the federal government has repeatedly confirmed its role in guaranteeing retirement benefits for coal miners; and

Whereas, in 1992 Congress passed and President George H.W. Bush signed into law the Coal Act, which established an industry-funded mechanism for paying for the health care of retirees whose companies had gone out of business; and

Whereas, in 2006, Congress and President George W. Bush amended the Coal Act to expand the financial resources available to the fund; and

Whereas, a depression reigns in America's coalfields today, with tens of thousands of jobs eliminated; and

Whereas, multiple companies have filed for bankruptcy and received approval from bankruptcy courts to shed their retiree obligations, leaving more than 26,000 retirees confronting the loss of their health care benefits; and

Whereas, like many other multiemployer pension funds, the United Mine Workers of America 1974 Pension Fund lost a significant portion of its value in the recession of 2008 through 2009, and, due to the devastation of the coal industry, will not receive enough contributions from the employers to make up the shortfall, leading the fund to likely become insolvent by 2022; and

Whereas, on December 9, 2016, Congress passed a Continuing Resolution to continue funding for federal programs and services until April 28, 2017, including a provision providing $45 million for continued health care benefits for these retirees and their families until April 30, 2017; and

Whereas, Senators Joe Manchin and Shelley Moore Capito of West Virginia have introduced legislation co-sponsored by Republicans and Democrats, the Miners Protection Act, that would amend the Coal Act to allow retirees from recently bankrupt companies to get health care coverage from the United Mine Workers of America Health and Retirement Funds and would repurpose the balance of an existing appropriation to provide funding to shore up the pension plan; and

Whereas, Representative David McKinley of West Virginia has also introduced the Miners Protection Act in the House of Representatives, and it is also co-sponsored by both Republicans and Democrats; and

Whereas, America's coal miners have sacrificed much for our nation, with more than 105,000 killed on the job in the last century and more than 100,000 having died from coal workers' pneumoconiosis, also known as black lung; and

Whereas, knowing those risks, miners have continued to go to work every day to provide for their families, build secure futures for themselves, and produce the fuel that has allowed America to become the most powerful nation on earth; and

Whereas, America has an obligation to our retired coal miners for the sacrifices they have made for our nation: Now, therefore, be it

*Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:*

Section 1. The Kentucky House of Representatives urges the United States Congress to pass the Miners Protection Act as soon as possible and provide the full measure of benefits these retirees were promised and have earned.

Section 2. The Clerk of the House of Representatives shall send a copy of this Resolution and notification of its adoption to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and each member of Kentucky's delegation to the United States Congress.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 171. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes (Rept. No. 115–181).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 2010, An original bill to extend the FISA Amendments Act of 2008 for 8 years, and for other purposes (Rept. No. 115–182).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

*Joseph Kernan, of Florida, to be Under Secretary of Defense for Intelligence.

*Guy B. Roberts, of Virginia, to be an Assistant Secretary of Defense.

*Mark T. Esper, of Virginia, to be Secretary of the Army.

*Robert L. Wilkie, of North Carolina, to be Under Secretary of Defense for Personnel and Readiness.

By Mr. BURR for the Select Committee on Intelligence.

John C. Demers, of Virginia, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. HARRIS (for herself and Mr. SULLIVAN):

S. 2083. A bill to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE:

S. 2084. A bill to include community partners and intermediaries in the planning and delivery of education and related programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Ms. COLLINS):

S. 2085. A bill to amend the Agriculture and Consumer Protection Act of 1973 to streamline application processes and reduce the administrative burden for the commodity supplemental food program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN (for herself, Mr. TOOMEY, Mr. ALEXANDER, Mr. CASEY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HASSAN, Mr. HELLER, Mr. KAINE, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. PORTMAN, Mr. WARNER, Ms. WARREN, and Mr. JOHNSON):

S. 2086. A bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to extend and modernize the sugar program, to extend and subsequently repeal the feedstock flexibility program for bioenergy producers, to extend and subsequently replace flexible marketing allotments for sugar, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself and Mrs. CAPITO):

S. 2087. A bill to promote and ensure delivery of high-quality special education and related services to students with visual disabilities or who are deaf or hard of hearing or deaf-blind through instructional methodologies meeting their unique learning needs, to enhance accountability for the provision of such services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER:

S. 2088. A bill to amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, and for other purposes; to the Committee on Armed Services.

By Mr. BENNET (for himself, Ms. BALDWIN, Mr. MERKLEY, Mr. MARKEY, and Mr. FRANKEN):

S. 2089. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER:

S. 2090. A bill to amend the Biggert-Waters Flood Insurance Reform Act of 2012 to make reforms to flood mapping programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER:

S. 2091. A bill to amend the National Flood Insurance Act of 1968 to provide relief from surcharges to small businesses and nonprofit organizations; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER:

S. 2092. A bill to amend the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 to require insurance agents who sell flood insurance policies under the National Flood Insurance Program to take certain continuing educational courses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER:

S. 2093. A bill to amend the Omnibus Public Land Management Act of 2009 to clarify the authority of the Administrator of the Federal Emergency Management Agency with respect to post-storm assessments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Mr. COONS, Mr. DONNELLY, Ms. HIRONO, Mr. INHOFE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. PETERS, Mr. ROUNDS, Ms. STABENOW, and Mr. WARNER):

S. Res. 322. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mrs. ERNST, Mrs. GILLIBRAND, Mrs. CAPITO, Mr. JOHNSON, Ms. MURKOWSKI, and Mr. BOOKER):

S. Res. 323. A resolution requiring sexual harassment training for Members, officers, employees, interns, and fellows of the Senate and a periodic survey of the Senate; to the Committee on Rules and Administration.

## ADDITIONAL COSPONSORS

S. 236

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 256

At the request of Ms. HEITKAMP, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 256, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 611

At the request of Mr. PORTMAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 611, a bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative

contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 801

At the request of Mr. LEE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 801, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 872

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 872, a bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 925

At the request of Mrs. ERNST, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 937

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 937, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 1014

At the request of Mrs. FISCHER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1014, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe posttraumatic stress disorder, and for other purposes.

S. 1109

At the request of Mr. MERKLEY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Montana (Mr. TESTER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1109, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 1198

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1198, a bill to protect individuals who are eligible for increased pension under laws administered by the Secretary of Veterans Affairs on the basis of need of regular aid and attendance from dishonest, predatory, or otherwise unlawful practices, and for other purposes.

S. 1218

At the request of Ms. HEITKAMP, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1218, a bill to promote Federal employment for veterans, and for other purposes.

S. 1323

At the request of Mr. SULLIVAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1323, a bill to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen, and for other purposes.

S. 1333

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1333, a bill to provide for rental assistance for homeless or at-risk Indian veterans.

S. 1539

At the request of Ms. KLOBUCHAR, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1539, a bill to protect victims of stalking from gun violence.

S. 1591

At the request of Mr. VAN HOLLEN, the names of the Senator from Montana (Mr. TESTER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Massachusetts (Ms. WARREN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1591, a bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes.

S. 1611

At the request of Mr. HOEVEN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1611, a bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes.

S. 1621

At the request of Mr. WICKER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1621, a bill to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and for other purposes.

S. 1624

At the request of Mr. UDALL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1624, a bill to prohibit the use of chlorpyrifos on food, and for other purposes.

S. 1690

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1690, a bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes.

S. 1693

At the request of Mr. PORTMAN, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. 1719

At the request of Mr. BLUNT, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1719, a bill to eliminate duties on imports of recreational performance outerwear, to establish the Sustainable Textile and Apparel Research Fund, and for other purposes.

S. 1782

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1782, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 1829

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1829, a bill to amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

S. 1871

At the request of Mr. CASSIDY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1871, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 1927

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1927, a bill to amend section 455(m) of the Higher Education Act of 1965 in order to allow adjunct faculty members to qualify for public service loan forgiveness.

S. 1936

At the request of Mr. COTTON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1936, a bill to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs, and for other purposes.

S. 1988

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr.

MORAN) was added as a cosponsor of S. 1988, a bill to streamline broadband infrastructure permitting on established public rights-of-way, and for other purposes.

S. 2001

At the request of Mr. SCHATZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2001, a bill to establish a State public option through Medicaid to provide Americans with the choice of a high-quality, low-cost health insurance plan.

S. 2023

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2023, a bill to require a study regarding security measures and equipment at Cuba's airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, and for other purposes.

S. 2037

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2037, a bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers.

S. 2044

At the request of Mr. BLUMENTHAL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2044, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S. 2045

At the request of Mr. BLUMENTHAL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2045, a bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms.

S. 2060

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2060, a bill to promote democracy and human rights in Burma, and for other purposes.

S. 2065

At the request of Mr. YOUNG, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Louisiana (Mr. CASSIDY) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 2065, a bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes.

S. 2080

At the request of Ms. WARREN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2080, a bill to increase the role of the financial industry in combating human trafficking.

S. RES. 139

At the request of Mr. WYDEN, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Kansas (Mr. MORAN), the Senator from Connecticut (Mr. MURPHY), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oregon (Mr. MERKLEY), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 139, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 250

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 250, a resolution condemning horrific acts of violence against Burma's Rohingya population and calling on Aung San Suu Kyi to play an active role in ending this humanitarian tragedy.

S. RES. 279

At the request of Mr. MCCAIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 279, a resolution reaffirming the commitment of the United States to promote democracy, human rights, and the rule of law in Cambodia.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 322—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Mr. COONS, Mr. DONNELLY, Ms. HIRONO, Mr. INHOFE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. PETERS, Mr. ROUNDS, Ms. STABENOW, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 322

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC'')—

(1) 30,300,000 individuals in the United States have diabetes; and

(2) an estimated 84,100,000 individuals in the United States who are 20 years of age or older have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that—

(1) Hispanic Americans, African Americans, Asian Americans, and Native Americans are disproportionately affected by diabetes and suffer from the disease at rates that are much higher than those rates with respect to the general population of the United States; and

(2) 23.8 percent of individuals with diabetes in the United States have not been diagnosed with the disease;

Whereas, according to the CDC—

(1) an individual who is 20 years of age or older is diagnosed with diabetes every 21 seconds;

(2) the prevalence of diabetes in the United States increased more than threefold between 1990 and 2015; and

(3) in the United States in 2015, diabetes was the seventh leading cause of death and contributed to the deaths of more than 252,806 individuals during that year;

Whereas approximately 4,110 adults in the United States are diagnosed with diabetes each day;

Whereas the CDC estimates that approximately 1,500,000 adults in the United States were newly diagnosed with diabetes in 2015;

Whereas a joint study carried out by the National Institutes of Health and the CDC found that, in the United States during 2011 and 2012, an estimated 17,900 youths were newly diagnosed with type 1 diabetes and 5,300 youths were newly diagnosed with type 2 diabetes;

Whereas, in the United States, more than 12 percent of adults and 25.2 percent of individuals who are 65 years of age or older in the United States have diabetes;

Whereas the risk of developing diabetes at some point in life is 40 percent for adults in the United States;

Whereas, after accounting for the difference of the average age of each population, data surveying adults in the United States between 2013 and 2015 indicates that—

(1) 7.4 percent of non-Hispanic Whites, 12.7 percent of non-Hispanic Blacks, 12.1 percent of Hispanics, and 8 percent of Asian Americans suffer from diagnosed diabetes; and

(2) with respect to Hispanic adults, 8.5 percent of individuals of Central and South American descent, 9 percent of individuals of Cuban descent, 13.8 percent of individuals of Mexican descent, and 12 percent of individuals of Puerto Rican descent suffer from diagnosed diabetes;

Whereas, according to the American Diabetes Association, the United States spent an estimated $245,000,000,000 on cases of diagnosed diabetes in 2012;

Whereas the American Diabetes Association reports that 20 percent of the money that the United States spent on health care in 2012 went toward caring for individuals with diabetes;

Whereas a Mathematica Policy Research study found that total expenditures for individuals with diabetes receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in fiscal year 2005 comprised 32.7 percent of the budget for the Medicare program in that fiscal year;

Whereas a cure for diabetes does not exist, as of November 2017;

Whereas there are successful means to reduce the incidence, and delay the onset, of type 2 diabetes;

Whereas, with proper management and treatment, individuals with diabetes live healthy and productive lives; and

Whereas individuals in the United States celebrate American Diabetes Month in November: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of American Diabetes Month, including—

(A) encouraging individuals in the United States to fight diabetes through public awareness of prevention and treatment options; and

(B) enhancing diabetes education;

(2) recognizes the importance of early detection, awareness of the symptoms, and understanding the risk factors of diabetes, including—

(A) being—

(i) older than 45 years of age; or

(ii) overweight; and

(B) having—

(i) a particular racial and ethnic background;

(ii) a low level of physical activity;

(iii) high blood pressure;

(iv) a family history of diabetes; or

(v) a history of diabetes during pregnancy; and

(3) supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through increased research, treatment, and prevention.

## SENATE RESOLUTION 323—REQUIRING SEXUAL HARASSMENT TRAINING FOR MEMBERS, OFFICERS, EMPLOYEES, INTERNS, AND FELLOWS OF THE SENATE AND A PERIODIC SURVEY OF THE SENATE

Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mrs. ERNST, Mrs. GILLIBRAND, Mrs. CAPITO, Mr. JOHNSON, Ms. MURKOWSKI, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 323

*Resolved,*

**SECTION 1. SHORT TITLE.**

This resolution may be cited as the ''Senate Training on Prevention of Sexual Harassment Resolution'' or the ''STOP Sexual Harassment Resolution''.

**SEC. 2. DEFINITIONS.**

In this resolution—

(1) the term ''covered office'' means an office, including a joint commission or joint committee, employing employees of the Senate;

(2) the term ''covered position'' means a position as—

(A) a Member, officer, or employee of the Senate;

(B) an intern or fellow serving in a position in a covered office—

(i) without regard to whether the intern or fellow receives compensation; and

(ii) if the intern or fellow does receive compensation, without regard to the source of compensation; or

(C) a detailee serving in a position in a covered office, without regard to whether the service is on a reimbursable basis;

(3) the term ''employee of the Senate'' means an individual whose pay is disbursed by the Secretary of the Senate, without regard to the term of the appointment;

(4) the term ''head of a covered office'' means—

(A) the Member, officer, or employee of the Senate having final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of the employees of the Senate employed by a covered office; or

(B) in the case of a joint committee or joint commission, the Senator from the majority party of the Senate who—

(i) is a member of, or has authority over, the covered office; and

(ii)(I) serves in the highest leadership role in the committee or commission; or

(II) if there is no such leadership role for a Senator in the committee or commission, is the most senior Senator on the committee or commission;

(5) the term ''officer'' means an elected or appointed officer of the Senate; and

(6) the term ''sexual harassment'' means harassment that constitutes discrimination because of sex that is prohibited under section 201 of the Congressional Accountability Act of 1995 (2 U.S.C. 1311).

**SEC. 3. SEXUAL HARASSMENT TRAINING.**

(a) IN GENERAL.—The Committee on Rules and Administration of the Senate shall issue rules as expeditiously as possible requiring each individual serving in a covered position to periodically complete sexual harassment training provided by the Office of Compliance or the Office of the Senate Chief Counsel for Employment.

(b) REQUIREMENTS.—The rules issued under subsection (a) shall require that—

(1) an individual elected, appointed, or assigned to a covered position after the date on which the rules are issued who was not serving in a covered position immediately before being so elected, appointed, or assigned shall complete training described in subsection (a) not later than 60 days after the date on which the individual assumes the position;

(2) an individual serving in a covered position on the date on which the rules are issued who has not previously completed training described in subsection (a) shall complete such training not later than 60 days after the date on which the rules are issued;

(3) in addition to complying with paragraphs (1) and (2), each individual serving in a covered position shall complete a course of training described in subsection (a) periodically, as specified by the Committee on Rules and Administration of the Senate; and

(4) the head of each covered office shall submit to the Committee on Rules and Administration of the Senate—

(A) a list of each individual serving in a covered position in the covered office on the date on which the rules are issued who previously completed training described in subsection (a);

(B) information regarding the completion of training described in subsection (a) after the date on which the rules are issued by an individual serving in a covered position in the covered office; and

(C) notice of a failure by an individual serving in a covered position in the covered office to comply with the rules.

(c) CONTENTS OF TRAINING.—It is the sense of the Senate that, for purposes of training conducted after the date on which the rules are issued under subsection (a), the sexual harassment training described in subsection (a) should be reviewed and updated to include—

(1) information and practical guidance regarding any applicable Federal laws concerning the prohibition against and the prevention and correction of sexual harassment and the rights of victims of sexual harassment in employment;

(2) practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation;

(3) presentations by individuals with knowledge and expertise in the prevention of harassment, discrimination, and retaliation;

(4) a discussion of the consequences for perpetrators of sexual harassment; and

(5) information regarding the prohibition under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) against retaliation against witnesses to, or individuals who experience, sexual harassment and who report the harassment.

(d) CONSULTATION.—It is the sense of the Senate that the Office of Compliance and the Office of the Senate Chief Counsel for Employment should, in implementing the training described in subsection (a) and making any updates to the training in accordance with subsection (c), consult with—

(1) entities having significant expertise in identifying, preventing, and responding to sexual harassment; and

(2) sexual harassment victims or sexual harassment victim advocates.

**SEC. 4. PERIODIC SURVEY.**

During each Congress, the Sergeant at Arms and Doorkeeper of the Senate shall—

(1) in consultation with the Office of Compliance, the Senate Chief Counsel for Employment, and an entity having expertise in developing surveys, conduct an anonymous survey of Members, officers, and employees of the Senate relating to the prevalence of sexual harassment in the Senate during the previous Congress, which shall include questions regarding—

(A) the experience of the respondent with sexual harassment or related inappropriate behavior in the Senate; and

(B) if the respondent experienced sexual harassment or related inappropriate behavior and did not initiate the process under title IV of the Congressional Accountability Act of 1995 (2 U.S.C. 1401 et seq.), why the respondent chose not to do so;

(2) submit only to the Chairman and Ranking Member of the Committee on Rules and Administration, the Chairman and Ranking Member of the Committee on the Judiciary, and the Chairman and Ranking Member of the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the survey; and

(3) take all steps necessary to preserve the anonymity of survey respondents and protect the confidentiality of any data that is collected under this section.

Mr. GRASSLEY. Mr. President, allegations of sexual harassment against a growing number of people have surfaced recently. Some facing the accusations have issued public apologies, while others have maintained their innocence. But the allegations continue to mount, and as each new one surfaces, so grows my concern about whether we're doing enough to combat this problem.

There are many things on which members of this chamber don't agree, but one thing on which we can and should agree is this: sexual harassment has no place in the workforce. And it certainly has no place in the halls of Congress.

To signal how seriously I take this issue, I last week called on the Senate Rules Committee to impose a requirement of sexual harassment training for every employee in this chamber. Today, I'm introducing a bipartisan resolution to ensure that the Rules Committee has the authority necessary to ensure that every member of this chamber, every employee on the Senate payroll, and every unpaid Senate intern receives anti-harassment training.

This is not an onerous requirement, and it's one that's long overdue. Training materials on harassment already exist, thanks to the Congressional Office of Compliance and our Office of the Senate Chief Counsel for Employment. It's already mandatory for my Judiciary Committee staff and personal office staff to take anti-harassment training. The executive branch and some private employers already have instituted similar training requirements for their employees.

More than two decades ago, I sponsored the Congressional Accountability

Act as a sign of our commitment to promoting fairness in the workplace. This 1995 statute requires Congress to follow the same civil rights, labor, workplace safety, and health laws to which other employers are subject. The law also established our Office of Compliance to implement the law's dispute resolution, education, and enforcement provisions for Congress. That office not only mediates sexual harassment complaints but also has developed sexual harassment training for congressional offices. The Office of the Senate Chief Counsel for Employment also makes anti-harassment training available to Senators and staff.

The resolution I'm introducing today also calls for the Sergeant at Arms to develop an anonymous survey on the prevalence of sexual harassment in the Senate. This survey, which will be conducted every two years, is to be developed in consultation with the Office of Compliance and Office of the Senate Chief Counsel for Employment.

I have tremendous respect for my colleagues on both sides of the aisle. I believe each of you works hard to ensure that your offices are professional, free of harassment, and places where merit's rewarded. But I think we have to acknowledge that in our society, despite our best efforts and intentions, sexual harassment remains a serious problem. And we must work together to make sure that the Senate remains free from harassment.

Some may say that policies regarding sexual harassment should be left to the discretion of each office. But I believe it's important for every Senate office to have a consistent stance on this particular issue. Every office should receive the same training so the Senate maintains a culture in which harassment is not tolerated. This is a common interest we all share. The voters who sent us here expect the best. We owe it to the American people to hold ourselves and our employees to the highest standards of conduct and professionalism.

Mr. President, I want to close by thanking Senators FEINSTEIN, KLOBUCHAR, ERNST, and GILLIBRAND for working so closely with me on the development of this resolution. I urge my colleagues to embrace a common sense approach to preventing sexual harassment by supporting its passage.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1580. Mr. DAINES (for Mrs. MCCASKILL) proposed an amendment to the bill S. 1088, to require the collection of voluntary feedback on services provided by agencies, and for other purposes.

## TEXT OF AMENDMENTS

**SA 1580.** Mr. DAINES (for Mrs. MCCASKILL) proposed an amendment to the bill S. 1088, to require the collection of voluntary feedback on services provided by agencies, and for other purposes; as follows:

On page 6, line 17, strike ''Chief Performance Officer'' and insert ''Performance Improvement Officer''.

On page 7, line 18, strike ''Chief Performance Officer'' and insert ''Performance Improvement Officer''.

On page 9, lines 22 and 23, strike ''date of enactment of this Act, and annually thereafter for 10 years'' and insert ''date on which all covered agencies have submitted the first annual reports to the Director required under section 6(d)(1), and every 2 years thereafter until the date that is 10 years after such date''.

On page 10, lines 3 and 4, strike ''quality of services provided to the public by each covered agency'' and insert ''data collected and reported by the covered agencies''.

On page 10, strike lines 10 through 12 and insert the following:

(2) a description of how each covered agency will use the voluntary feedback received by the covered agency to improve service delivery.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. STRANGE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 10 a.m., to conduct a hearing on the following nominations: Robert Behler, of Pennsylvania, to be Director of Operational Test and Evaluation, Dean L. Winslow, of Delaware, to be an Assistant Secretary, Thomas B. Modly, of Maryland, to be Under Secretary of the Navy, and James F. Geurts, of Pennsylvania, to be an Assistant Secretary of the Navy, all of the Department of Defense.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 10 a.m. to conduct an executive hearing on S. 1591 ''The Banking Restrictions Involving North Korea (BRINK) Act of 2017.''

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 9:30 a.m. to conduct a hearing on the following nominations: Ernest W. Dubester, of Virginia, Colleen Kiko, of North Dakota, and James Thomas Abbott, of Virginia, each to be a Member of the Federal Labor Relations Authority.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 2:30 p.m., in room SH–219 to conduct a closed hearing.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, INNOVATION, AND THE INTERNET

The Subcommittee on Communications, Technology, Innovation, and the Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 10 a.m., in room SR–253 to conduct a hearing entitled ''Advancing the Internet of Things in Rural America.''

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

The Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, November 7, 2017, at 2:30 p.m. to conduct a closed hearing.

## PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Kaila Davis, be granted privileges of the floor for the remainder of the day.

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

## FEDERAL AGENCY CUSTOMER EXPERIENCE ACT OF 2017

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 220, S. 1088.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1088) to require the collection of voluntary feedback on services provided by agencies, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 1088

*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 ''Federal Agency Customer Experience Act of 2017''.

**SEC. 2. FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds that—

(1) the Federal Government serves the people of the United States and should seek to continually improve public services provided by the Federal Government based on customer feedback;

(2) the people of the United States deserve a Federal Government that provides efficient, effective, and high-quality services across multiple channels;

(3) many agencies, offices, programs, and Federal employees provide excellent service to individuals, however many parts of the Federal Government still fall short on delivering the customer service experience that individuals have come to expect from the private sector;

(4) according to the 2016 American Customer Satisfaction Index, the Federal Government ranks among the bottom of all industries in the United States in customer satisfaction;

(5) providing quality services to individuals improves the confidence of the people of the United States in their government and helps agencies achieve greater impact and fulfill their missions; and

(6) improving service to individuals requires agencies to work across organizational boundaries, leverage technology, collect and share standardized data, and develop customer-centered mindsets and service strategies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that all agencies should strive to provide high-quality, courteous, effective, and efficient services to the people of the United States and seek to measure, collect, report, and utilize metrics relating to the experience of individuals interacting with agencies to continually improve services to the people of the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(3) COVERED AGENCY.—The term ''covered agency'' means an agency or component of an agency that is required by the Director to collect voluntary feedback [under] *for purposes of* section 6, based on an assessment of the components and programs of the agency with the highest impact on or number of interactions with individuals or entities.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(5) VOLUNTARY FEEDBACK.—The term ''voluntary feedback'' has the meaning given the term in section 3502 of title 44, United States Code, as added by section 4 of this Act.

**SEC. 4. APPLICATION OF THE PAPERWORK REDUCTION ACT TO COLLECTION OF VOLUNTARY FEEDBACK.**

Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), is amended—

(1) in section 3502—

(A) in paragraph (13)(D), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting ''; [and] *or*''; and

(C) by adding at the end the following:

''(15) the term 'voluntary feedback' means any submission of information, opinion, or concern that is—

''(A) voluntarily made by a specific individual or other entity relating to a particular service of or transaction with an agency; and

''(B) specifically solicited by that agency.''; and

(2) in section 3518(c)(1)—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) by an agency that is voluntary feedback.''.

**SEC. 5. GUIDELINES FOR VOLUNTARY FEEDBACK.**

Each agency that solicits voluntary feedback shall ensure that—

(1) responses to the solicitation of voluntary feedback remain anonymous and shall not be traced to specific individuals or entities;

(2) individuals *and entities* who decline to participate in the solicitation of voluntary feedback shall not be treated differently by the agency for purposes of providing services or information;

(3) the solicitation does not include more than 10 questions;

(4) the voluntary nature of the solicitation is clear;

(5) the proposed solicitation of voluntary feedback will contribute to improved customer service;

(6) solicitations of voluntary feedback are limited to 1 solicitation per interaction with an individual or entity;

(7) to the extent practicable, the solicitation of voluntary feedback is made at the point of service with an individual or entity;

(8) instruments for collecting voluntary feedback are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

(9) internal agency data governance policies remain in effect with respect to the collection of voluntary feedback from individuals and entities.

**SEC. 6. CUSTOMER EXPERIENCE DATA COLLECTION.**

(a) COLLECTION OF RESPONSES.—The head of each covered agency (or a designee), assisted by and in coordination with the Chief Performance Officer or other senior accountable official for customer service of the covered agency, shall collect voluntary feedback with respect to services of or transactions with the covered agency.

(b) CONTENT OF QUESTIONS.—

(1) STANDARDIZED QUESTIONS.—The Director, in coordination with the Administrator, shall develop a set of standardized questions for use by covered agencies in collecting voluntary feedback under this section that address—

(A) overall satisfaction of individuals or entities with the specific interaction or service received;

(B) the extent to which individuals or entities were able to accomplish their intended task or purpose;

(C) whether the individual or entity was treated with respect and professionalism;

(D) whether the individual or entity believes they were served in a timely manner; and

(E) any additional metrics as determined by the Director, in coordination with the Administrator.

(2) ADDITIONAL QUESTIONS.—In addition to the questions developed under paragraph (1), the Chief Performance Officer or other senior accountable official for customer service at a covered agency may develop questions relevant to the specific operations or programs of the covered agency.

(c) ADDITIONAL REQUIREMENTS.—To the extent practicable—

(1) each covered agency shall collect voluntary feedback across all platforms or channels through which the covered agency interacts with individuals or other entities to deliver information or services; and

(2) voluntary feedback collected under this section shall be tied to specific transactions or interactions with customers of the covered agency.

(d) REPORTS.—

(1) ANNUAL REPORT TO THE DIRECTOR.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, each covered agency shall publish on the website of the covered agency and submit to the Director, in a manner determined by the Director, a report that includes the voluntary feedback required to be collected under this section.

(B) CENTRALIZED WEBSITE.—The Director shall—

(i) include and maintain on a publicly available website links to the information provided on the websites of covered agencies under subparagraph (A); and

(ii) for purposes of clause (i), establish a website or make use of an existing website, such as the website required under section 1122 of title 31, United States Code.

(2) AGGREGATED REPORT.—Each covered agency shall publish, on a regular basis, an aggregated report on the solicitation of voluntary feedback sent to individuals or entities, which shall include—

(A) the intended purpose of each solicitation of voluntary feedback conducted by the covered agency;

(B) the appropriate point of contact within each covered agency for each solicitation of voluntary feedback conducted;

(C) the questions or survey instrument submitted to members of the public as part of the solicitation of voluntary information; and

(D) a description of how the covered agency uses the voluntary feedback received by the covered agency to improve the customer service of the covered agency.

**SEC. 7. CUSTOMER EXPERIENCE SCORECARD REPORT.**

(a) IN GENERAL.—Not later than 15 months after the date of enactment of this Act, and annually thereafter for 10 years, the Comptroller General of the United States shall make publicly available and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a scorecard report assessing the quality of services provided to the public by each covered agency.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a summary of the information required to be published by covered agencies under section 6(d); and

(2) an analysis of administrative and legislative barriers to improving service delivery by covered agencies.

Mr. DAINES. Mr. President, I further ask unanimous consent that the committee-reported amendments be agreed to, the McCaskill amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendments were agreed to.

The amendment (No. 1580) was agreed to, as follows:

(Purpose: To improve the bill)

On page 6, line 17, strike ''Chief Performance Officer'' and insert ''Performance Improvement Officer''.

On page 7, line 18, strike ''Chief Performance Officer'' and insert ''Performance Improvement Officer''.

On page 9, lines 22 and 23, strike ''date of enactment of this Act, and annually thereafter for 10 years'' and insert ''date on which all covered agencies have submitted the first annual reports to the Director required under section 6(d)(1), and every 2 years thereafter until the date that is 10 years after such date''.

On page 10, lines 3 and 4, strike ''quality of services provided to the public by each covered agency'' and insert ''data collected and reported by the covered agencies''.

On page 10, strike lines 10 through 12 and insert the following:

(2) a description of how each covered agency will use the voluntary feedback received by the covered agency to improve service delivery.

The bill (S. 1088), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1088

*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 ''Federal Agency Customer Experience Act of 2017''.

**SEC. 2. FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds that—

(1) the Federal Government serves the people of the United States and should seek to continually improve public services provided by the Federal Government based on customer feedback;

(2) the people of the United States deserve a Federal Government that provides efficient, effective, and high-quality services across multiple channels;

(3) many agencies, offices, programs, and Federal employees provide excellent service to individuals, however many parts of the Federal Government still fall short on delivering the customer service experience that individuals have come to expect from the private sector;

(4) according to the 2016 American Customer Satisfaction Index, the Federal Government ranks among the bottom of all industries in the United States in customer satisfaction;

(5) providing quality services to individuals improves the confidence of the people of the United States in their government and helps agencies achieve greater impact and fulfill their missions; and

(6) improving service to individuals requires agencies to work across organizational boundaries, leverage technology, collect and share standardized data, and develop customer-centered mindsets and service strategies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that all agencies should strive to provide high-quality, courteous, effective, and efficient services to the people of the United States and seek to measure, collect, report, and utilize metrics relating to the experience of individuals interacting with agencies to continually improve services to the people of the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(3) COVERED AGENCY.—The term ''covered agency'' means an agency or component of an agency that is required by the Director to collect voluntary feedback for purposes of section 6, based on an assessment of the components and programs of the agency with the highest impact on or number of interactions with individuals or entities.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(5) VOLUNTARY FEEDBACK.—The term ''voluntary feedback'' has the meaning given the term in section 3502 of title 44, United States Code, as added by section 4 of this Act.

**SEC. 4. APPLICATION OF THE PAPERWORK REDUCTION ACT TO COLLECTION OF VOLUNTARY FEEDBACK.**

Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), is amended—

(1) in section 3502—

(A) in paragraph (13)(D), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(15) the term 'voluntary feedback' means any submission of information, opinion, or concern that is—

''(A) voluntarily made by a specific individual or other entity relating to a particular service of or transaction with an agency; and

''(B) specifically solicited by that agency.''; and

(2) in section 3518(c)(1)—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) by an agency that is voluntary feedback.''.

**SEC. 5. GUIDELINES FOR VOLUNTARY FEEDBACK.**

Each agency that solicits voluntary feedback shall ensure that—

(1) responses to the solicitation of voluntary feedback remain anonymous and shall not be traced to specific individuals or entities;

(2) individuals and entities who decline to participate in the solicitation of voluntary feedback shall not be treated differently by the agency for purposes of providing services or information;

(3) the solicitation does not include more than 10 questions;

(4) the voluntary nature of the solicitation is clear;

(5) the proposed solicitation of voluntary feedback will contribute to improved customer service;

(6) solicitations of voluntary feedback are limited to 1 solicitation per interaction with an individual or entity;

(7) to the extent practicable, the solicitation of voluntary feedback is made at the point of service with an individual or entity;

(8) instruments for collecting voluntary feedback are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

(9) internal agency data governance policies remain in effect with respect to the collection of voluntary feedback from individuals and entities.

**SEC. 6. CUSTOMER EXPERIENCE DATA COLLECTION.**

(a) COLLECTION OF RESPONSES.—The head of each covered agency (or a designee), assisted by and in coordination with the Performance Improvement Officer or other senior accountable official for customer service of the covered agency, shall collect voluntary feedback with respect to services of or transactions with the covered agency.

(b) CONTENT OF QUESTIONS.—

(1) STANDARDIZED QUESTIONS.—The Director, in coordination with the Administrator, shall develop a set of standardized questions for use by covered agencies in collecting voluntary feedback under this section that address—

(A) overall satisfaction of individuals or entities with the specific interaction or service received;

(B) the extent to which individuals or entities were able to accomplish their intended task or purpose;

(C) whether the individual or entity was treated with respect and professionalism;

(D) whether the individual or entity believes they were served in a timely manner; and

(E) any additional metrics as determined by the Director, in coordination with the Administrator.

(2) ADDITIONAL QUESTIONS.—In addition to the questions developed under paragraph (1), the Performance Improvement Officer or other senior accountable official for customer service at a covered agency may develop questions relevant to the specific operations or programs of the covered agency.

(c) ADDITIONAL REQUIREMENTS.—To the extent practicable—

(1) each covered agency shall collect voluntary feedback across all platforms or channels through which the covered agency interacts with individuals or other entities to deliver information or services; and

(2) voluntary feedback collected under this section shall be tied to specific transactions or interactions with customers of the covered agency.

(d) REPORTS.—

(1) ANNUAL REPORT TO THE DIRECTOR.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, each covered agency shall publish on the website of the covered agency and submit to the Director, in a manner determined by the Director, a report that includes the voluntary feedback required to be collected under this section.

(B) CENTRALIZED WEBSITE.—The Director shall—

(i) include and maintain on a publicly available website links to the information provided on the websites of covered agencies under subparagraph (A); and

(ii) for purposes of clause (i), establish a website or make use of an existing website, such as the website required under section 1122 of title 31, United States Code.

(2) AGGREGATED REPORT.—Each covered agency shall publish, on a regular basis, an aggregated report on the solicitation of voluntary feedback sent to individuals or entities, which shall include—

(A) the intended purpose of each solicitation of voluntary feedback conducted by the covered agency;

(B) the appropriate point of contact within each covered agency for each solicitation of voluntary feedback conducted;

(C) the questions or survey instrument submitted to members of the public as part of the solicitation of voluntary information; and

(D) a description of how the covered agency uses the voluntary feedback received by the covered agency to improve the customer service of the covered agency.

**SEC. 7. CUSTOMER EXPERIENCE SCORECARD REPORT.**

(a) IN GENERAL.—Not later than 15 months after the date on which all covered agencies have submitted the first annual reports to the Director required under section 6(d)(1), and every 2 years thereafter until the date that is 10 years after such date, the Comptroller General of the United States shall make publicly available and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a scorecard report assessing the data collected and reported by the covered agencies.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a summary of the information required to be published by covered agencies under section 6(d); and

(2) a description of how each covered agency will use the voluntary feedback received by the covered agency to improve service delivery.

## NATIONAL SUICIDE HOTLINE IMPROVEMENT ACT OF 2017

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 256, S. 1015.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1015) to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''National Suicide Hotline Improvement Act of 2017''.*

***SEC. 2. DEFINITIONS.***

*In this Act—*

*(1) the term ''Commission'' means the Federal Communications Commission;*

*(2) the term ''covered dialing code'' means a simple, easy-to-remember, 3-digit dialing code; and*

*(3) the term ''N11 dialing code'' means an abbreviated dialing code consisting of 3 digits, of which—*

*(A) the first digit may be any digit other than ''1'' or ''0''; and*

*(B) each of the last 2 digits is ''1''.*

***SEC. 3. STUDIES AND REPORTS.***

*(a) PRIMARY STUDY.—*

*(1) IN GENERAL.—The Commission, in coordination with the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs, shall conduct a study that—*

*(A) examines the feasibility of designating an N11 dialing code or other covered dialing code to be used for a national suicide prevention and mental health crisis hotline system; and*

*(B) analyzes the effectiveness of the National Suicide Prevention Lifeline as of the date on which the study is initiated, including how well the lifeline is working to address the needs of veterans.*

*(2) REQUIREMENTS.—*

*(A) COMMISSION.—In conducting the study under paragraph (1), the Commission shall—*

*(i) consider—*

*(I) each of the N11 dialing codes, including the codes that are used for other purposes; and*

*(II) other covered dialing codes;*

*(ii) consult with the North American Numbering Council; and*

*(iii) review the information provided by the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs under subparagraphs (B) and (C), respectively, of this paragraph.*

*(B) SAMHSA STUDY AND REPORT TO ASSIST COMMISSION.—To assist the Commission in conducting the study under paragraph (1), the Assistant Secretary for Mental Health and Substance Use shall analyze and, not later than 180 days after the date of enactment of this Act, report to the Commission on—*

*(i) the potential impact of the designation of an N11 dialing code, or other covered dialing code, for a suicide prevention and mental health crisis hotline system on—*

*(I) suicide prevention;*

*(II) crisis services; and*

*(III) other suicide prevention and mental health crisis hotlines, including—*

*(aa) the National Suicide Prevention Lifeline; and*

*(bb) the Veterans Crisis Line; and*

*(ii) possible recommendations for improving the National Suicide Prevention Lifeline generally, which may include—*

*(I) increased public education and awareness; and*

*(II) improved infrastructure and operations.*

*(C) VA STUDY AND REPORT TO ASSIST COMMISSION.—To assist the Commission in conducting the study under paragraph (1), the Secretary of Veterans Affairs shall study and, not later than 180 days after the date of enactment of this Act, report to the Commission on how well the National Suicide Prevention Lifeline and the Veterans Crisis Line, as in effect on the date on which the study is initiated, is working to address the needs of veterans.*

*(b) PRIMARY COMMISSION REPORT.—*

*(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs, shall submit a report on the study conducted under subsection (a) that recommends whether a particular N11 dialing code or other covered dialing code should be used for a national suicide prevention and mental health crisis hotline system to—*

*(A) the Committee on Commerce, Science, and Transportation of the Senate;*

*(B) the Committee on Health, Education, Labor, and Pensions of the Senate; and*

*(C) the Committee on Energy and Commerce of the House of Representatives.*

*(2) ADDITIONAL CONTENTS.—If the report submitted by the Commission under paragraph (1) recommends that a dialing code should be used, the report shall also—*

*(A) outline the logistics of designating such a dialing code;*

*(B) estimate the costs associated with designating such a dialing code, including—*

*(i) the costs incurred by service providers, including—*

*(I) translation changes in the network; and*

*(II) cell site analysis and reprogramming by wireless carriers; and*

*(ii) the costs incurred by States and localities;*

*(C) provide recommendations for designating such a dialing code;*

*(D) provide a cost-benefit analysis comparing the recommended dialing code with the National Suicide Prevention Lifeline, as in effect on the date on which the report is submitted; and*

*(E) make other recommendations, as appropriate, for improving the National Suicide Prevention Lifeline generally, which may include—*

*(i) increased public education and awareness; and*

*(ii) improved infrastructure and operations.*

Mr. DAINES. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1015), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## ORDERS FOR WEDNESDAY, NOVEMBER 8, 2017

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, November 8; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Robb nomination postcloture; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Robb nomination.

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

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DAINES. 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 6:24 p.m., adjourned until Wednesday, November 8, 2017, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate November 7, 2017:

DEPARTMENT OF JUSTICE

STEVEN ANDREW ENGEL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

DEPARTMENT OF DEFENSE

JOHN H. GIBSON II, OF TEXAS, TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

DEPARTMENT OF COMMERCE

DAVID J. REDL, OF NEW YORK, TO BE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION.

# EXTENSIONS OF REMARKS

## TRIBUTE HONORING THE 80TH ANNIVERSARY OF THE EDMUNDITE MISSIONS

### HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to celebrate the 80th Anniversary of the Edmundite Missions at Our Lady of Queen of Peace Catholic Church in Selma, Alabama. For 80 years the Edmundite Missions has faithfully served poor and underprivileged communities throughout the Deep South.

The Edmundite Missions, whose legal name is ''Fathers of St. Edmund Southern Mission'', is rooted in the Gospel of Jesus Christ and focuses on providing food, clothing and shelter to poor and marginalized children and families, young adults and seniors of all faith traditions. Their work aims to address issues of systemic poverty in the region while sharing the hope they believe only comes through faith. While the Edmundite Mission in Alabama is headquartered in Selma, their outreach area includes the Alabama counties of Butler, Dallas, Lowndes, Monroe, Perry and Wilcox, and New Orleans, Louisiana.

The inspiring story of Edmundite Missions began with a call to action when in 1936 Pope Pius XI appealed to the Society of St. Edmund to go minister to the African-Americans of the Deep South, whom the Pope felt had been neglected by both church and state. The Edmundites responded by selecting two young priests, Father Francis Casey, S.S.E. and Father John ''Barney'' Paro, S.S.E., to take on the assignment. They wrote to Bishop Thomas J. Toolen of Mobile, who invited them to set up a ''colored mission'' in Selma.

Fathers Casey and Paro arrived in Selma on July 6, 1937, and moved into a former saloon on Broad Street. They discovered thousands of people living in extreme poverty, similar to that of a third world country. In response, they began their outreach by conducting door-to-door evangelization of the black community and building a small chapel, St. Elizabeth's Mission. Initially, they were met with skepticism and resentment by both the black and white communities in Selma. But their services to the poor gradually won them respect from the community.

The work of the Edmundite Missions helped to transform the communities of Alabama's rural Black Belt during some of the most turbulent times of race relations in American history. In 1940, the Missions welcomed the Sisters of Saint Joseph (S.S.J.) from Rochester, New York, who came to Selma to provide education and social ministry. The Sisters of St. Joseph started St. Elizabeth's School in 1941 and Holy Infant Inn (a nursing home) in 1943. In 1944, the Edmundites purchased Selma Good Samaritan Hospital, a rundown infirmary for blacks, and the Sisters set about transforming it into a modern facility. They established the Good Samaritan School of Nursing, the first medical training program for African-American women in the area.

In 1947, Father Nelson Ziter launched the Don Bosco Boys' Club (1947–1966), named after the patron saint of youth work. For the next 19 years until 1966, the club helped hundreds of black youth prepare and win the financial assistance needed to attend college. Father Ziter devoted countless hours and days to ensuring the success of every youth who came into the club.

On a personal note, I can attest to the transformative power of the Don Bosco Boys' Club. My dad, Andrew A. Sewell and many of his close friends, credit the support, love and guidance of Father Ziter for changing the trajectory of their lives. My dad and many of his teammates received athletic scholarships to historically black colleges—becoming first generation college graduates. The Club and its ministry helped to break the cycle of poverty for these African American boys such that they became teachers, doctors, lawyers and even priests. The Sewell family is forever indebted to the generous support and assistance the Edmundite Missions has given to the communities of Selma and throughout the Black Belt for over 80 years.

The Mission has a long history of seeing beyond color, creed or financial status. Their philosophy was never more relevant than during the turbulent years of the civil rights and voting rights movements. The Edmundites found themselves the center of controversy during the 1960s, when they were the only whites in Selma who openly supported the voting rights movement. During the 1950s and 1960s, the Mission and its priest and sisters worked with Selma black and white leaders, its business community and its white ministers to open the lines of communication between the races. They believed that progress could be achieved in Selma without violence or confrontations.

During the March from Selma to Montgomery, the Edmundites led by Father Ouellet, played a critical role. On March 7, 1965, the brutal confrontation at the Edmund Pettus Bridge caught the attention of the nation. Scores of wounded marchers poured into the emergency room at Good Samaritan Hospital, where doctors, nurses and Sisters worked around the clock to address the crisis. Good Samaritan Hospital won national praise for its treatment of the victims of the infamous Bloody Sunday confrontation, including providing medical treatment to our colleague, Congressman JOHN LEWIS.

Father Ouellet left Selma in June of 1965, on orders from Archbishop Toolen of Mobile, who was angered by the Father's identification with the marchers and wanted a quieter response. When he said goodbye to his weeping parishioners, Father Ouellet urged them to remain loyal to the Church and to their dreams. ''All that we do we must do with love,'' he told them. ''Let there be no hatred, let there be no bitterness, and let there be no desire for any revenge.''

Reconciliation was a long time in coming, but the Missions continued to work quietly for reconciliation and racial progress. The ''Selma Accords of 1972,'' which brought about significant progress in the city, was negotiated in part by Assistant Missions Director Father James Robinson.

The incredible work done by the Edmundite Missions over the last 80 years has had life-changing impacts that reach far beyond the immediate communities they support. Today the Edmundite Missions continue to work tirelessly to provide essential nutritional, education and healthcare services and programs throughout the region. In 2016 alone, the Missions provided more than 300,000 meals, helped house or assisted to clothe more than 6,000 people, aided in the healthcare of more than 2,000 people and participated in the education of more than 10,000 children.

The citizens of Selma and surrounding Black Belt counties have come a long way since 1937, when Edmundite Missionaries began their work there. For 80 years, the Edmundite Missions has partnered with distressed, underserved communities to provide direct action and assistance to alleviate the conditions of poverty in Deep South. We are stronger, more inclusive and better resourced because of their efforts.

I ask my colleagues to join me in celebrating the 80th Anniversary of the Edmundite Missions and in recognizing its many contributions. May the glory of Edmundite Missions continue to grow and prosper for years to come.

## HONORING MARIAN B. TASCO

### HON. DWIGHT EVANS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. EVANS. Mr. Speaker, I rise today to honor an influential and dedicated woman from Philadelphia, Marian B. Tasco, a devoted public official, and former City Council representative for the Ninth District of the City of Philadelphia.

Marian Tasco has dedicated her life and career to improving the lives of others through public service. Prior to being elected to public office, Marian Tasco was a Campaign Manager for former Congressman William H. Gray, III, and served as Director of Constituent Services for Gray's Philadelphia office. She also served as an assistant to the late C. Delores Tucker, the former Secretary of State for the Commonwealth of Pennsylvania and earlier in her career, served as Task Force Coordinator for the Greater Philadelphia Urban Affairs Coalition, under the leadership of Charles W. Bowser, Esq. Marian Tasco first went to work for the City of Philadelphia in 1959 as a clerk typist I, in the Philadelphia Police Department's Pawn Brokers Division. She was soon promoted to a clerk typist II position and was reassigned to the Registrar's Office of the Philadelphia Museum of Art.

Prestigiously, Marian Tasco stands out as the first African-American elected Philadelphia

City Commissioner (1983–1987). She also served as the Ward Leader for the renowned 50th Ward, where she was unanimously elected by the Pennsylvania Democratic State Committee to represent Pennsylvania on the Democratic National Committee.

In 1988, Marian Tasco was elected as a Councilwoman for the Ninth District of the City of Philadelphia, a position she held until 2016. As a Councilwoman, she served as both City Council Majority Leader and Majority Whip. Her leadership was greatly valued by her council colleagues and the administrations she served alongside.

As a veteran legislator, she understood the importance of holding elected officials accountable for their productivity and was exceedingly effective in her commitment to obtain services that preserve and enhance the quality of life for her constituency. Impressively, she introduced and secured the passage of a multitude of bills and resolutions that directly relate to improving general city services, protecting and enhancing the health and welfare of women, children, and families, and making Philadelphia neighborhoods and commercial corridors safe havens for all citizens.

In addition to using her political influence to accomplish all of the above-outlined deeds, Marian Tasco chaired the City Council Public Health and Human Services Committee and the Council Committee on Finance. While Marian Tasco's board appointments are many, she is held in high esteem and recognized for her commitment as the chair of the Philadelphia Gas Commission, a lifetime appointment on the Board of Directors for the Board of City Trusts, the Philadelphia Cultural Fund and the Pennsylvania Convention Center Authority Board.

With more than 50 years of combined service, Marian Tasco has received countless awards and honors from numerous community, civic and religious organizations. Those recognitions include: an Honorary Doctorate of Law degree from Lincoln University; the Greater Philadelphia Urban Affairs Coalition Dwight Evans Living Legacy Award, a Lifetime Achievement Award from the Pennsylvania Women's Campaign Fund; a Good Housekeeping Magazine Award for Women in Government, and a Pennsylvania Federation of Democratic Women's Elected Women of the Year Award. Most recently, she was ranked in the top 20 by Philadelphia Magazine for Most Influential people, was honored by WES Health System through the renaming of Lindley Court Apartments as the Marian B. Tasco Arms, and bestowed ''Best Kingmaker'' through the 2016 Best of Philly Awards for her support in electing James Kenney as mayor.

The 2nd Congressional District of Pennsylvania extends gratitude to Marian Tasco for her dedicated support and service to the Commonwealth of Pennsylvania.

## PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 607, 608, and 609 on Monday, November 6, 2017. Had I been present, I would have voted Yea on Roll Call votes 607 and 608, and Nay on Roll Call vote 609.

## HONORING LONNIE RICHARDSON

### HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. CRAWFORD. Mr. Speaker, I rise today in honor of Lonnie Richardson of Mountain View, Arkansas, who recently celebrated his 100th birthday on September 12th.

Lonnie was born in 1917, in the Signal Hill community of Mountain View. In 1942, he answered the call of duty and was drafted into the U.S. Army. He served for four years during and after World War II, rising to the rank of corporal. After the war, Lonnie returned home to the Ozarks. He settled down, raised a family, and tended to the family farm.

Lonnie is truly a member of the greatest generation. We are all measured relative to people like Lonnie, who preserved global freedom, built our communities, and continue to shape America today. I hope you and Congress will join me in wishing Lonnie Richardson a happy 100th birthday.

## IN RECOGNITION OF SUPERINTENDENT JOHN J. DONAHUE ON THE OCCASION OF HIS RETIREMENT

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to recognize Delaware Water Gap National Recreation Area Superintendent John J. Donahue. After a 38-year tenure with the National Park Service, Mr. Donahue has announced he will retire on December 3, 2017.

Long before he advanced to his current position at the Delaware Water Gap National Recreation Area in 2003, Mr. Donahue began his federal career as a gardener at Cape Cod National Seashore. From there he advanced through the ranks, serving in a variety of roles that took him across the continental U.S. After many years, a man who had started his career as a gardener became the Superintendent of some of our country's most beautiful sites in Florida, Virginia, and Maryland.

As a dedicated leader, Mr. Donahue oversaw critical projects and built relationships with elected officials, business partners, and local Native American tribes. Due to a recent stewardship land acquisition program, there are now hundreds of acres of connected open space stretching across Pennsylvania and New Jersey. However, this is just a singular testament to his commitment and drive. During his tenure, Mr. Donahue has written legislation, regulations, policies, an numerous articles.

The impact of Mr. Donahue's work extends beyond our country's borders. Recently, he led an American and international delegation to China on behalf of the National Park Service. He also attended the World Parks Conference in Australia and served on a 1999 delegation to Haitian national parks in order to spur tourism and economic development.

Mr. Donahue's dedication to his country leaves behind a legacy which will inspire future leaders and public servants. I ask my fellow Members to join me in recognizing Superintendent John Donahue and his 38 years of service.

## PERSONAL EXPLANATION

### HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. THORNBERRY. Mr. Speaker, on Monday, November 6, 2017, I was unable to be in Washington and missed Roll Call votes No. 607, To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes; and No. 608, To direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes. Had I been present, I would have voted Yes on both bills.

## 2017 WOMAN OF THE YEAR AWARD WINNER—SHEILA ALLEN

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Sheila Allen, a proven leader in the Davis, California community who embodies the qualities of a true public servant. Sheila is currently the Executive Director of the Yolo Healthy Aging Alliance. She has been instrumental in building an organization that serves as a vital voice for older adults in Yolo County and elected officials and community leaders consider her the expert in addressing senior issues. Sheila is credited with organizing the 2010 Aging Summit that recognized the need for sustained attention of older adults. Her leadership has enhanced the lives of countless older adults in Yolo County through educational programs, collaboration with over 80 providers of older adult services and is a faithful advocate for needed programs and services at every level of government.

Working alongside County Supervisor Provenza, Sheila was instrumental in helping to advocate for a new Adult Day Health Care Center in Woodland as well as a Memory Center in Davis. Sheila also advocated for legislation to protect seniors from abuse and provide greater access to services in the community. She is currently working on a similar project in Winters, California.

Sheila's community involvement includes, Trustee, Davis Unified School District, Board Member, First Five Yolo, Board of Director, Explorit Science Center, Board of Governors, Agency on Aging, Board of Directors, American Nurses Association, Board of Director, Golden State Nursing Foundation, Advisory Committee, Yolo County Home Supportive Services, Member, Yolo County Health Council, Member, City of Davis Human Relations

Commission, and Advisory Committee, Unitrans. Sheila holds a B.S. in Nursing from University of Wisconsin, Masters and a PhD in Nursing from University of San Francisco.

## RECOGNIZING THE 50TH ANNIVERSARY OF CONVAL

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the 50th anniversary of Conval, Inc., located in Somers, CT.

In 1962, WWII Navy veteran, Chester ''Chet'' Siver designed a line of high-pressure, forged steel valves in his basement in Longmeadow, Massachusetts. After a brief period overseeing Hamilton Standard's use of his design, Mr. Siver eventually regained the rights to his product and set up shop. Conval, or ''Connecticut Valve'', was founded on November 7, 1967.

Today Conval is the premier manufacturer of high quality, high temperature, and high pressure forged steel valves in the world. Conval valves are used in a variety of industries, including fossil power, nuclear power, pulp and paper, and water treatment.

As the town's largest private employer, Conval has become an institution in Somers. This family-owned and operated small business, now overseen by Chet's son, Frank Siver, is an American success story that has stayed true to Siver's commitment to making Conval ''a nice place to work.'' For example, when it came time to expand, Conval elected to stay close to home to accommodate its employees and their families. Their new facility, located in nearby Enfield, CT, is set to open in February 2018.

Mr. Speaker, please join me in honoring Conval for their fifty-year commitment to great American manufacturing and community. May they enjoy continued success for years to come.

## 2017 WOMAN OF THE YEAR AWARD WINNER—TRANINE CHISOM

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Tranine Chisom of Fairfield, California, who has dedicated her career to community service and improving support for people with mental health disabilities and those who experience housing challenges and homelessness. As the Director of Supported Housing of Caminar in Solano County, Tranine has tirelessly worked with property owners, and city and county officials to increase and leverage affordable housing resources for our most vulnerable citizens. Annually, Tranine and her team provide supportive housing services to over 100 residents who might not otherwise be able to obtain or maintain affordable housing on their own.

Ms. Chisom also serves as the Board Chairwoman for Housing First Solano, a coalition of service providers in Solano County working together to end homelessness. She has been instrumental in the development and now the implementation of Solano County's Neighbors Helping Neighbor-Forward Together 5-Year Strategic Plan to address homelessness.

Tranine is also active in the Solano Napa Habitat for Humanity program where she actively participates as a crew member on community building days, as well as serves on the Family Selection Committee to identify families most in need of a Habitat Home.

## PERSONAL EXPLANATION

### HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. POLIS. Mr. Speaker, I was unavoidably absent on November 6, 2017. Had I been present for the following Roll Call votes:

H.R. 3562—To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes, I would have voted Yea as this legislation would make it easier for the VA to assist veterans who are in need of adaptations made to their homes to receive care.

On H.R. 1066—VA Management Alignment Act of 2017—Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2936, I would have voted Yea as this legislation would require the VA to submit a report on the individual roles and accountability mechanisms of the VA.

## 2017 WOMAN OF THE YEAR AWARD WINNER—RONDA DAROSA

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Dr. Ronda DaRosa of Woodland, California, who has dedicated her 33-year career to Education. Her broad educational experience includes 12 years of private and public classroom instruction at the intermediate to adult education levels, 21 years in an administrative role at schools and county office levels implementing programs focused on alternative and special education, developing curriculum for college preparatory and career technical programs, designing and implementing professional development opportunities for K–12 teachers and administrators, and facilitating school reform at the secondary and middle school levels.

Dr. DaRosa currently serves as the Deputy Superintendent for the Yolo County Office of Education; a position that is well deserved. In her capacity as an administrator, she is committed to providing quality education and delivers a wide range of services to the children, parents and K–12 school districts in Yolo County.

Dr. DaRosa holds credentials in the areas of Life Sciences, Introductory Mathematics, Language Development Specialist and Educational Administration. She received her master's degree in educational administration from Sonoma State University and her doctoral degree in educational leadership from the University of Southern California.

## HONORING RICHARD COOVER FOR HIS LEGACY AND COURAGEOUS SERVICE

### HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. RUIZ. Mr. Speaker, I rise to celebrate the life and honor the memory of Richard Coover, a loving father and husband. Richard, who valiantly served our nation during World War II in the U.S. Marine Corps, passed away on October 27, 2017 at the age of 92.

In February 1945, three U.S. Marine divisions landed on Iwo Jima, Japan; Richard was one of them. He not only survived the war, but he also endured and bravely defended our country facing many challenges. He fought right at the bottom of Mount Suribachi while bearing the sound of explosions that lasted all night long.

Richard is indeed a hero. He was just a young man, thousands of miles away from his home, his friends, and his family when he bravely served our country in Japan. His actions embody the true meaning of valor.

When I met Richard, I was deeply touched by his humility and spirit of service. He passionately expressed his love for our nation and was proud to have witnessed the U.S. flag being raised in Iwo Jima. His courage and strength is truly an inspiration.

Richard's courage was displayed not only overseas, but also when fighting against cancer. My office had the honor to help him obtain medical assistance. I even had the humbling opportunity to present him with a flag that was flown over the U.S. Capitol in honor of his service. Throughout the process, Richard maintained an admirable and graceful presence.

Mr. Speaker, I am proud to recognize and honor an outstanding constituent, Richard Coover. On behalf of California's 36th Congressional District, I extend my deepest respects and condolences to his family. His years of committed service to our nation are an example of excellence and dedication, all should seek to emulate.

## 2017 WOMAN OF THE YEAR AWARD WINNER—ROBIN DEWEY

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Robin Dewey, a dedicated advocate for individuals living with disabilities in Davis, California, who is committed to serving her community. As President of Team Davis, a nonprofit organization established to help enrich the lives of children and adults with developmental, cognitive, and physical disabilities, Ms. Dewey has demonstrated her devotion to an underserved community.

Thanks to her dedication, people with disabilities have been provided opportunities for experiences that give them a sense of accomplishment, purpose, and belonging. Ms. Dewey has brought to life the mission of her organization, helping disabled individuals build physical skills, a sense of camaraderie, and a stronger connection with the Davis community.

For decades Ms. Dewey has served her community by advocating for equity, social justice, and opportunity for disabled individuals. Not only does she serve a typically isolated community with compassion, consistency, and authenticity, but she also ensures that her volunteers do the same. Ms. Dewey's service to her community does not end with the disabled people she helps, but continues with the compassionate service she teaches to everyone in her organization.

## HONORING GEORGE FRANCIS LEE, M.D.

### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUFFMAN. Mr. Speaker, I rise today in recognition of Dr. George Francis Lee, a healer with a heart of gold, who passed away on September 26, 2017.

Dr. Lee was born in Brooklyn, New York, on March 1, 1941. He was the oldest of five children and spent the majority of his youth in upstate New York where he met his future wife, Katherine Temple. They were married on August 24, 1963.

After graduating from Albany Medical College of Union University in 1968, Dr. Lee and his family moved to California in 1969 where he completed his residency in Obstetrics and Gynecology at the University of California, San Francisco. Throughout his career he was recognized for his exceptional bedside manner as well as his compassionate and trusted nature as a physician. His work in medicine not only improved the lives of women and children in San Francisco, but throughout California and the United States.

In 1977, Dr. Lee and his family built their home, the Old Chatham Ranch in Yorkville, California. As a resident of Mendocino County, George was active in the community, helping establish the Mendocino Wine Growers, Inc. and serving on numerous committees, including the Anderson Valley School Board and the Anderson Valley Health Center.

Dr. George Francis Lee has led a life dedicated to healing and helping people everywhere. He is survived by his wife Katherine, and his children Barbara, Kelly, and Douglas. Please join me in recognizing Dr. Lee's life of service.

## 2017 WOMAN OF THE YEAR AWARD WINNER—SAKARI LYONS

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Sakari Lyons, a strong advocate for women in Solano County, California as a Fellow with the Essie Justice Center. A social worker by profession, Sakari embodies the qualities and the desire to advocate for women and families in need of compassion, empathy and guidance due to the incarceration of their loved one.

Inspired by her own situation, Sakari worked full time for Health and Social Services providing resources to children and families when she joined the Essie Justice Center. Through the organizations Healing to Advocacy program, Sakari has helped many women find strength to heal from their wounds through guidance, compassion and faith. She empowers and encourages them to be advocates for themselves and their children.

As a single parent of four children, Sakari was able to pursue her education and holds both a B.A. and M.S. degree.

## PERSONAL EXPLANATION

### HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on Roll Call No. 607, No. 608, and No. 609. Had I been present to vote on Roll Call No. 607, I would have voted YEA; Had I been present to vote on Roll Call No. 608, I would have voted YEA; Had I been present to vote on Roll Call No. 609, I would have voted NAY.

## HONORING THE CAREER OF CARLOS MENDOZA

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. COSTA. Mr. Speaker, I rise today to recognize the career achievements of Carlos G. Mendoza, the U.S. Small Business Administration's Fresno District Director. Mr. Mendoza retired on Nov. 3, 2017 after more than 40 years of federal service. He has worked tirelessly in his career for small businesses and community development.

Mr. Mendoza began his federal civil service career in 1975 as an architect at the Philadelphia Naval Shipyard. He is a graduate of the University of California, Berkeley and has advanced degrees from Princeton University and California State University, East Bay. After successfully completing several assignments for the U.S. Navy, he transferred to the U.S. Department of Housing and Urban Development and quickly rose into the managerial ranks.

In 1992, Mr. Mendoza began his term with the U.S. Small Business Administration, becoming the Deputy District Director of the Los Angeles District office before serving as District Director in El Paso and Fresno. As District Director in Fresno, he was responsible for small business development in Central California and the Central Coast. He expanded resources in the Central Valley, bringing in the Emerging Leaders mini MBA program, several PRIME grants, a Women's Business Center and the Small Business Development Center.

Mr. Mendoza is known for his passion to make a difference. His work has received recognition from the Environmental Protection Agency, the Small Business Administration, the Department of Housing and Urban Development, the Chambers of Commerce and the North American Development Bank. For example, during The Great Recession in 2008, he was the first person in the country to offer a dedicated technical assistance phone line to respond to small business owner's needs. This accomplishment helped shift the focus from the lack of loans to an emphasis on "small business survival skills."

Mr. Speaker, I ask my colleagues to join me in recognizing the career achievements of Carlos G. Mendoza. I congratulate Mr. Mendoza for his many accomplishments throughout his career and ask that you join me in wishing him and his wife Lydia, continued success and happiness.

## 2017 WOMAN OF THE YEAR AWARD WINNER—RITA MONTES MARTIN

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Rita Montes Martin, a lifelong entrepreneur and community activist in the Davis, California community. At 95, she's led an extraordinary life and has no desire to retire. She embodies the true meaning of a public servant and community activist.

Rita is an iconic personality in the Davis community, having developed many relationships with community organizers, business leaders and elected officials; you will always find her advocating for a local initiative or even take on a national policy. If it's good for the community then Rita will be involved. Rita is also active with Davis Media Access, a media company focused on education programming as a way of strengthening community.

Rita has worn many hats, but the preponderance of her career has been in real estate. She was a loan officer and the only female appraiser for Great Western, as well as other financial institutions, and worked closely with builders and developers throughout her career. She held a leadership position as executive vice president, property management of Pegasus group.

Rita has several irons in the fire, a serial entrepreneur and problem solver, Rita is also involved in political activism and is considered an author, screen play writer and friend to many in the Davis community.

## HONORING CONRADY JUNIOR HIGH SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Conrady Junior High School for receiving the prestigious 2017 U.S. Department of Education National Blue Ribbon School Award. The school's award was conferred under the Exemplary High Performing Schools category.

In 1982, the U.S. Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools with high or significantly improved achievement. I am proud that Conrady Junior High School, located in Hickory Hills, has been honored as an exceptional school.

The teachers and staff at Conrady Junior High take great care to focus on the needs of individual students, and this hard work is reflected in the school's academic performance. The school employs a unique curriculum with variable length math periods based on student need, and daily periods of exploratory and intervention classes.

This is not the first time Conrady Junior High has been honored for excellence in education. The school was designated as a National Title I Distinguished School in 2014, which recognizes success in educating students who come from families with low socioeconomic status. As Principal Andy Anderson often says, ''Conrady is a hard place to work, but a great place to work.''

The Positive Behavior Interventions and Supports (PBIS) program and the Academic Student Success Enrichment Teams (ASSETS) developed by teachers and administrators have also had a positive impact on student achievement. This success has resulted in visits by teachers and administrators from other schools seeking to learn about their curriculum, methodology, and technology integration.

Mr. Speaker, I ask my colleagues to join me in congratulating Conrady Junior High School for this impressive achievement and recognizing the teachers, administrators, students, parents, and community for the hard work that they have put in to earn this award.

## 2017 WOMAN OF THE YEAR AWARD WINNER—SHARON PHIPPENS

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Sharon Phippens of Orland, California, who has led an exciting, dynamic life, never straying from a desire to serve. The wife of a Foreign Service Officer, Ms. Phippens travelled the world and adapted to unknown situations, all in service to her country and her family. Ms. Phippens was a firsthand witness of some of our country's most interesting history through her work for two American embassies and her service in the United States Justice Department during President Nixon's resignation.

Ms. Phippens later pursued an extensive and varied education which she has put to use serving her community. Ms. Phippens has worked in law enforcement, patient advocacy, education, and social work; all fields which allowed her to work serving others. In every role, Ms. Phippens distinguished herself as someone who would go above and beyond. She has also served on the boards of organizations that provide support to people in times of need. Ms. Phippens has used her many talents to the benefit of her community, lending her skills to a wide variety of fields.

## IN MEMORY OF STAFF SERGEANT DUSTIN WRIGHT

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Staff Sergeant Dustin Wright, who was killed in action on Wednesday, October 4, 2017 while defending our nation as part of the 3rd Special Forces Group in Africa. SSG Wright was a true American hero and our thoughts and prayers go out to his friends and family as they mourn the loss of this great man.

Enlisting in the United States Army in July of 2012, SSG Wright's list of accomplishments runs long. After attending Special Forces Assessment and Selection program, he earned his Green Beret and was assigned to 2nd Battalion, 3rd Special Forces Group. He received numerous medals, including the Purple Heart and Meritorious Service Medal.

Men and women like SSG Wright represent the best our nation has to offer. As a Special Forces Engineer Sergeant, he had undergone some of the most intense training our military has and emerged as a leader and role model. His selflessness allows us to enjoy the blessings of liberty that have persevered for well over 200 years. When his country needed him most, he stood ready to answer the call to serve our great nation.

Our country can never repay the debt we owe to SSG Wright. He was a model citizen and soldier whose legacy will live on forever. He will always be remembered and I will do everything in my power to honor his sacrifice.

Mr. Speaker, please join me today in commemorating the life of Staff Sergeant Dustin Wright for his service to God and country.

## RECOGNIZING THE CREW OF U.S.S. ''INDIANAPOLIS'' FOR THEIR COVERT OPERATION TO BRING OVER COMPONENTS OF THE ''LITTLE BOY'' ATOMIC BOMB TO TINIAN

### HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. ROE of Tennessee. Mr. Speaker, today I honor the nearly 1200 crew members who were aboard the U.S.S. *Indianapolis* when it was attacked by a Japanese submarine in the early morning of July 30, 1945. Among those sailors was Seaman Second Class James Smith, a resident of the First Congressional District now living in Blountville, Tennessee.

The ''*Indy*'' was returning from a secret trip to Tinian, carrying critical parts and the enriched uranium for the atomic bomb Little Boy, when it was struck by two torpedoes that caused massive damage to the hull. She sank after only 12 minutes. While approximately 900 of the crew members made it into the water after the attack, only a fraction of them survived the conditions in which they found themselves. Seaman Smith was one of just over 300 survivors, and had to survive for nearly four days in shark-infested waters relying on few food rations before being rescued.

As an Army veteran myself, I extend my most sincere gratitude and appreciation to James and his shipmates for their service, and offer my condolences to the families of the sailors lost at sea. With the wreckage having recently been located on August 19th of this year, it is yet another reminder of their incredible sacrifice, and gives us an opportunity to recognize them for taking on a mission that was so important to ending World War II.

I was proud to join Congressman BISHOP last week in introducing legislation that would authorize the Congressional Gold Medal to be awarded to the crew of the U.S.S. *Indianapolis* in recognition of their perseverance, their bravery and their service to our nation. I am forever grateful to the men and women who serve our great nation, especially to those who make the ultimate sacrifice in order to protect our freedom.

## 2017 WOMAN OF THE YEAR AWARD WINNER—SUSAN SCHWARTZ

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Susan Schwartz of Vacaville, California, who is passionate about helping young people grow, helping small businesses prosper, and helping in the community. Susan is known as the ''volunteer extraordinaire'' at the Vacaville Neighborhood Boys and Girls Club where she lives by the motto ''children don't care how much you know, until they know how much you care.'' Her genuine concern for the club youth is evident in everything she does which earned her recognition as the organization's 2013 Volunteer of the Year and the 2016 Champions for Children Award by the Solano Kids Insurance Program.

Ms. Schwartz has launched multiple projects at the club to include the Holiday Give Back for toys and donations for the needy, as well as the Garden Project that helps teach, grow, prepare, and consume meals from grown for themselves as well as the needy and homeless.

Susan has taken her advocacy for children, and expanded it into the community by working as the driving force in a group to bring the Miss Representation Project to Solano County. Partnering with the Kroc Center and Brenden Theater, she helped sponsor the showing of the films The Miss Representation Project and The Mask You Live In. Ms. Schwartz's commitment to service has brought these films that raise awareness of gender stereotypes, and help young people better understand the issues we all face to over three hundred children and their parents.

## HONORING LIBERTY ELEMENTARY SCHOOL

### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Petaluma's Liberty Elementary School for its selection as a 2017 National

Blue Ribbon School by the U.S. Department of Education. Chosen for its exemplary high performance, as measured by state and national assessments, Liberty Elementary School was one of 342 schools to attain this honor from across the nation and one of only 25 schools selected from California. This highly competitive award reflects outstanding achievement and the highest caliber of professional service, family commitment, and community engagement.

With 219 students across seven grades, Liberty Elementary School offers comprehensive educational programs that academically challenge and instill a joy of learning in its students while ensuring that all children have the skills and knowledge to reach their full potential.

Mr. Speaker, this hard-earned distinction reflects true community success. From the students and their families, to the staff and administrators, and the extended community, Liberty Elementary School has developed an education model for the state and the nation: empowering today's students to be tomorrow's problem-solvers, inventors, and pioneers. Please join me in congratulating Liberty Elementary School on this impressive achievement.

## IN RECOGNITION OF NANCY AND GARY STEWART, AND THEIR SHOP, SANDWICH DEPOT, A CONCORD INSTITUTION

### HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to recognize Nancy and Gary Stewart, the owners of Sandwich Depot in my hometown of Concord, New Hampshire. Through hard work and dedication, Nancy and Gary, along with their employees, created a truly special place in our community.

Sandwich Depot opened for business over 28 years ago. In the time since, they have turned an inconspicuous building on the side of Hall Street into one of the best sandwich shops in the state. Over the years, a lot has changed in Concord, but one thing has remained the same: if you want a world-class breakfast or lunch, you can find it at the Sandwich Depot. Gary has an uncanny ability to remember customers' names, and his warm smile and humor make any visitor feel welcome. Nancy cooks and assembles sandwiches that leave everyone full and satisfied. The shop is covered in historic pictures of Concord and local antique signs, which add to the sense that the Depot is a uniquely Concord institution.

My family, friends, and staff—as well as everyone in the Concord community—will all miss the Sandwich Depot, but we are confident that Nancy and Gary will continue to make wonderful contributions to the Concord area in the years to come.

## 2017 WOMAN OF THE YEAR AWARD WINNER—SUSAN SCOTT

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Susan Scott of Marysville, California, who has dedicated her life to helping children. In her 26 years of service to the Marysville Joint Unified School District, Ms. Scott performed many duties, from outreach, to attendance, to working as a school librarian. In every role, she demonstrated her devotion to children and their education. Ms. Scott has a strong understanding and appreciation of the role schools play in the growth and development of students.

In keeping with her dedication to her community's education system, Ms. Scott ran for a position on the Marysville Joint Unified School District Board of Trustees. She was elected by an overwhelming majority, becoming the first African American woman elected in Yuba County. Ms. Scott's community recognized her commitment to making a difference in the lives of children and voted to have her continue her work.

Ms. Scott's dedication to helping children does not stop at her workplace. She has fostered over 25 children in her home, helping to ensure that children have a safe and welcoming home in a time of need. Ms. Scott also sponsors a charitable program, ''To Tanzania With Love,'' which provides financial assistance to an orphanage in Tanzania. Whether in her role as a foster parent, serving her community's education system, or supporting children in a developing nation, Ms. Scott has shown her devotion to the betterment of children's lives.

## IN RECOGNITION OF GUNNERY SERGEANT THOMAS J. SULLIVAN, USMC

### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to recognize and honor Gunnery Sergeant Thomas ''Tommy'' Sullivan of the United States Marine Corps. On Thursday July 16, 2015, a gunman attacked a Naval Reserve Center in Chattanooga, Tennessee. During that senseless act of violence, Gunnery Sergeant Sullivan made the ultimate sacrifice by giving his life to defend his fellow service members.

Tommy Sullivan was born and raised in Springfield, Massachusetts. He graduated from Cathedral High School in 1994, and became a Marine three years later. His friends and family all attest that Tommy was determined to serve his county since a young age. Over the course of nearly two decades in the military, Tommy survived two tours in Iraq, was awarded two Purple Hearts, and made a lasting impression on all those who served with him. Many have proudly said that he was everything that a Marine should be. He was a natural leader who always kept his composure, and who mentored less experienced Marines. Those who served with him recall that after battles he always took the time to talk to everyone under his command, and was never afraid to crack a joke in order to ease the tension.

Tommy's bravery during the attack on that Chattanooga military installation in 2015 will forever be remembered. On that day, he helped more than a dozen of his fellow servicemen escape when a gunman opened fire. When he turned back to help two others, he unfortunately lost his life. For his valor, Tommy was posthumously awarded the Lieutenant J. Frank Murphy Medal of Valor—an annual award given by the Springfield Veterans' Activities Committee to a resident who risked their lives to save others. His family was also honored with Tommy's third Purple Heart which was awarded to him for his heroic actions.

Mr. Speaker, in closing, I would like to once again honor Gunnery Sergeant Thomas Sullivan for his courage and service to our country. He was loyal to his family, his friends, and the extraordinary individuals of the Marine Corps and all of our nation's Armed Forces. To Tommy's family, please know that the United States of America will never forget his heroism and sacrifice and we are eternally grateful.

## IN MEMORY OF SERGEANT LA DAVID T. JOHNSON

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Sergeant La David T. Johnson, who was killed in action on Wednesday, October 4, 2017 while defending our nation as part of the 3rd Special Forces Group in Africa. SGT Johnson was a true American hero and our thoughts and prayers go out to his friends and family as they mourn the loss of this great man.

Enlisting in the United States Army in January of 2014, SGT Johnson's list of accomplishments runs long. After completion of Advanced Individual Training, earning the Military occupational specialty 91B Wheeled Vehicle Mechanic, he was assigned to 2nd Battalion, 3rd Special Forces Group. He received numerous medals, including the Purple Heart and Meritorious Service Medal.

Men and women like SGT Johnson represent the best our nation has to offer. His selflessness allows us to enjoy the blessings of liberty that have persevered for well over 200 years. When his country needed him most, he stood ready to answer the call to serve our great nation.

Survived by a loving family, our country can never repay the debt we owe to SGT Johnson. He was a model citizen and soldier whose legacy will live on forever. He will always be remembered and I will do everything in my power to honor his sacrifice.

Mr. Speaker, please join me today in commemorating the life of Sergeant La David T. Johnson for his service to God and country.

## 2017 WOMAN OF THE YEAR AWARD WINNER—TRACEE STACY

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Tracee Stacy of Vacaville, California, who is committed to serving her community and devotes her time to helping those who are most vulnerable. Ms. Stacy dedicates her time, talent, and expertise to improving the lives of seniors throughout Solano County. She works tirelessly to help particularly disadvantaged seniors facing disabilities, isolation, mental illness, and poverty. Ms. Stacy is an integral part of Solano County's ability to provide services to seniors in need, and her expertise is unparalleled. She is continuously working to make a positive difference for seniors in her community.

Ms. Stacy is generous, passionate, dedicated, and acts with integrity. She is full of empathy and a fierce advocate for those in need. Ms. Stacy has left an indelible mark on senior services of Solano County, having already dedicated nearly 20 years of service and advocacy to seniors, youth, and Solano County. The positive difference Ms. Stacy has made in her community cannot be overstated.

## 100TH ANNIVERSARY OF MERCHANT'S GROCERY

### HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. BRAT. Mr. Speaker, this year marks the centennial of Merchant's Grocery. The store has been a cornerstone of community for Culpeper County and is worth taking the time to recognize.

The store was founded in 1917 and is one the few stores to make the transition from a Mom and Pop grocery store to a modern food service model without losing the culture and atmosphere that has made it desirable.

Merchant's Grocery has remained unswerving in its care for its customers and employees. Their quality of service is what has allowed them to last for 100 years and has kept their customers loyal to their industry.

Businesses such as Merchant's Grocery are a taste of an age gone by. These businesses serve as a reminder of the importance of small businesses and the crucial roles they play within their communities.

Merchant's Grocery has been a servant to Culpeper County, Shenandoah Valley, and the area of Central Virginia for the past 100 years and will continue to be a blessing to its employees and customers alike.

## COMMEMORATING THE 50TH ANNIVERSARY OF THE PUBLIC BROADCASTING ACT

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. BLUMENAUER. Mr. Speaker, since its inception, public broadcasting has truly remained both a national and local institution offering educational programming for youth, emergency communications, cultural programs, and providing for the unique broadcasting needs of rural and small towns. In fact, more than 170 million Americans rely on public broadcasting every month.

Fifty years ago, the enactment of the Public Broadcasting Act created the Corporation for Public Broadcasting and led to the establishment of the Public Broadcasting Service and National Public Radio. Today, I commemorate this law's 50th anniversary signing and celebrate the critical services public broadcasting continues to provide as America's most trusted source of news and information.

It's no surprise that an overwhelming majority of Americans want to maintain or even increase the federal contribution. That's why Congress, time and time again, has committed to funding public broadcasting through the appropriations process. Each federal dollar dedicated to public broadcasting leverages six private dollars, usually voluntary contributions.

My colleague, RYAN COSTELLO, and I founded the bipartisan Congressional Public Broadcasting Caucus to unite Members of Congress who understand that public broadcasting's mission is alive, well, and deserving of our support. We'll continue working to highlight the importance of the service, the needed federal support, and the valuable contributions to our citizenry.

## HONORING LEMONT HIGH SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Lemont High School for being honored with the prestigious 2017 U.S. Department of Education National Blue Ribbon School Award. The award was conferred under the Exemplary High Performing Schools category.

District Superintendent Mary Ticknor, School Principal Eric Michaelsen, administrative staff, and an amazing group of teachers are committed to Lemont High School's mission for all students to become life-long, independent learners and productive citizens. To further the mission, teachers are afforded the freedom to take risks in the classroom, and the school encourages project-based learning with real-world applications. In this environment, students learn that success is open-ended and further educational attainment requires persistent hard work and self-improvement.

Lemont High School takes pride in preparing students for their next steps in education and future careers. This past school year, Lemont students set two school records with the largest number of students ever to take at least one Advanced Placement exam for college credit and the highest percentage ever of those exams earning a passing score. Lemont High School's diverse set of accomplishments, both in and out of the classroom, speaks to the effort the school makes to produce well-rounded young women and men.

The U.S. Department of Education established the National Blue Ribbon Schools Program in 1982 to recognize public and private schools with high or significantly improved achievement. I am proud that Lemont High School has been honored as one of these exceptional schools.

Mr. Speaker, I ask my colleagues to join me in congratulating Lemont High School for this impressive achievement, and recognizing the teachers, administrators, students, parents, and community for the hard work that they have put in to earn this award.

## PERSONAL EXPLANATION

### HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HILL. Mr. Speaker, I was absent from the House and missed votes on Tuesday, October 31, and Wednesday, November 1, due to a family commitment.

Had I been present, I would have voted YEA on Roll Call No. 591; YEA on Roll Call No. 592; YEA on Roll Call No. 593; NAY on Roll Call No. 594; NAY on Roll Call No. 595; YEA on Roll Call No. 596; NAY on Roll Call No. 597; YEA on Roll Call No. 598; and YEA on Roll Call No. 599.

## IN MEMORY OF STAFF SERGEANT BRYAN C. BLACK

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Staff Sergeant Bryan Black, who was killed in action on Wednesday, October 4, 2017 while defending our nation as part of the 3rd Special Forces Group in Africa. SSG Black was a true American hero and our thoughts and prayers go out to his friends and family as they mourn the loss of this great man.

Enlisting in the United States Army in September of 2009, SSG Black's list of accomplishments runs long. After attending Special Forces Assessment and Selection program, he earned his Green Beret and was assigned to 2nd Battalion, 3rd Special Forces Group. He received numerous medals, including the Purple Heart and Meritorious Service Medal.

Men and women like SSG Black represent the best our nation has to offer. As a Special Forces Medical Sergeant, he had undergone some of the most intense training our military has and emerged as a leader and role model. His selflessness allows us to enjoy the blessings of liberty that have persevered for well over 200 years. When his country needed him most, he stood ready to answer the call to serve our great nation.

Leaving behind a wife and two sons, our country can never repay the debt we owe to SSG Black. He was a model citizen and soldier whose legacy will live on forever. He will always be remembered and I will do everything in my power to honor his sacrifice.

Mr. Speaker, please join me today in commemorating the life of Staff Sergeant Bryan C. Black for his service to God and country.

## HONORING McCLURE JUNIOR HIGH SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate McClure Junior High School in Western Springs for receiving the prestigious 2017 U.S. Department of Education National Blue Ribbon School Award. McClure Junior High was recognized under the Exemplary High Performing Schools category.

In 1982, the Department of Education established the National Blue Ribbon Schools Program to recognize a select group of public and private schools with high or significantly improved achievement. I am proud that McClure has been honored as one of those exceptional schools.

McClure's mission statement is "Be respectful, be responsible, and be safe." Principal F. Daniel Chick, his hard-working staff, and the school's exceptional teachers do a fantastic job perpetuating this motto by encouraging students to help one another and build a foundation of respect throughout the school community. After winning a National Blue Ribbon School award in 2010, the staff at McClure and in District 101 continued to strive for success by developing a Professional Learning Roadmap and undertaking a thorough strategic planning process.

McClure has promoted student ownership of their education as well as various other programs to enrich students' lives and provide for a better school experience. A great partnership with parents has also played an essential role in the school's success. Parent-run organizations such as the Parent Council and the Spirit Club raise funds that directly impact the lives of McClure students. I commend the school for going above and beyond with their offerings for students and I hope that other schools will use them as an outstanding example to follow.

Mr. Speaker, I ask my colleagues to join me in recognizing McClure Junior High School for this significant achievement and congratulating the teachers, administrators, parents, students and community on a job well done.

## PERSONAL EXPLANATION

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Ms. ESHOO. Mr. Speaker, I was not present during Roll Call vote numbers 564, 565, 566, 567 and 568 on October 12, 2017, because of a death in my family. Had I been present, I would have voted: on Roll Call no. 564, I would have voted YES; on Roll Call vote no. 565, I would have voted YES; on Roll Call vote no. 566, I would have voted YES; on Roll Call vote no. 567, I would have voted YES; and on Roll Call vote no. 568, I would have voted YES.

## IN RECOGNITION OF THE ACCOMPLISHMENTS OF THE NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE DURING ITS 35TH ANNIVERSARY

### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the National Committee to Preserve Social Security and Medicare's (NCPSSM) 35th anniversary on the day of its Anniversary Open House. NCPSSM has played a critical role in protecting Social Security and Medicare for all Americans.

With the passage of Medicare in 1965 under Title XVII of the Social Security Act, our country made a promise that seniors can age with dignity and security after a lifetime of hard work. As with the implementation of any historic program, it's important that there are organizational watchdogs that ensure our government makes good on its promise to the American people. There has been no group more committed to protecting the tenets of Social Security and Medicare than NCPSSM over the past 35 years.

Founded in 1982 by Congressman James Roosevelt, NCPSSM served as response to proposed changes to Social Security and Medicare during a time when 24/7 news programs did not exist and seniors needed to be informed and mobilized. NCPSSM works side by side with federal, state and local lawmakers to protect and build on the safety net programs that Americans of all ages depend on. Then, as it does now, the Committee provided seniors with a way to organize and make their voices heard by lawmakers as well as writing highly regarded, in depth analysis on Congressional legislation and Presidential Executive Orders regarding Social Security, Medicare, and the federal budget. These documents are invaluable in helping everyday Americans understand the real impact that legislation will have on their day to day life.

NCPSSM's efforts have been instrumental in passing bills that better the lives of seniors and that protect Social Security and Medicare. In 2016, the Committee and its members fought hard to pass the "Older Americans Reauthorization Act of 2016" which funds critical services that keep older adults healthy and independent, including job training, senior centers, benefits enrollment and caregiver support. Additionally, the Committee continues to encourage Americans from all corners of the country to participate in petitions, surveys and phone banking, with a total of over 90 million petitions and letters sent to Congress and the President to date.

Mr. Speaker, I ask my colleagues to join me in honoring the National Committee to Preserve Social Security and Medicare and its 35 years of success. Their advocacy has influenced legislation that protects the programs seniors and hardworking Americans depend on.

## PERSONAL EXPLANATION

### HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. DESJARLAIS. Mr. Speaker, I was unavoidably detained due to a medical appointment. Had I been present, I would have voted Yea on Roll Call No. 607, and Yea on Roll Call No. 608.

## IN MEMORY OF SERGEANT FIRST CLASS JEREMIAH JOHNSON

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Sergeant First Class Jeremiah Johnson, who was killed in action on Wednesday, October 4, 2017 while defending our nation as part of the 3rd Special Forces Group in Africa. SFC Johnson was a true American hero and our thoughts and prayers go out to his friends and family as they mourn the loss of this great man.

Enlisting in the United States Army in October of 2007, SFC Johnson's list of accomplishments runs long. He received numerous medals, including the Purple Heart and Meritorious Service Medal.

Men and women like SFC Johnson represent the best our nation has to offer. As a Chemical, Biological Radiological and Nuclear Specialist, he had undergone some of the most specialized training in our military and emerged as a leader and role model. His selflessness allows us to enjoy the blessings of liberty that have persevered for well over 200 years. When his country needed him most, he stood ready to answer the call to serve our great nation.

Leaving behind a wife and two girls, our country can never repay the debt we owe to SFC Johnson. He was a model citizen and soldier whose legacy will live on forever. He will always be remembered and I will do everything in my power to honor his sacrifice.

Mr. Speaker, please join me today in commemorating the life of Sergeant First Class Jeremiah Johnson for his service to God and country.

## PERSONAL EXPLANATION

### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 7, 2017*

Mr. LANGEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 607; YEA on Roll Call No. 608; and NAY on Roll Call No. 609.

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S7033–S7069***

**Measures Introduced:** Eleven bills and two resolutions were introduced, as follows: S. 2083–2093, and S. Res. 322–323. **Page S7062**

**Measures Reported:**

S. 171, to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, to reauthorize the Hydrographic Services Improvement Act of 1998, with an amendment in the nature of a substitute. (S. Rept. No. 115–181)

Report to accompany S. 2010, to extend the FISA Amendments Act of 2008 for 8 years. (S. Rept. No. 115–182) **Page S7061**

**Measures Passed:**

***Federal Agency Customer Experience Act:*** Senate passed S. 1088, to require the collection of voluntary feedback on services provided by agencies, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page S7066**

Daines (for McCaskill) Amendment No. 1580, of a perfecting nature. **Pages S7067–68**

***National Suicide Hotline Improvement Act:*** Senate passed S. 1015, to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system, after agreeing to the committee amendment in the nature of a substitute. **Page S7069**

**Robb Nomination—Agreement:** Senate resumed consideration of the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board. **Pages S7054–55**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 265), Senate agreed to the motion to close further debate on the nomination. **Page S7054**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Wednesday, November 8, 2017; and that all time during recess, adjournment, morning business, and Leader remarks count post-cloture on the nomination. **Page S7069**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 91 yeas to 7 nays (Vote No. EX. 262), John H. Gibson II, of Texas, to be Deputy Chief Management Officer of the Department of Defense. **Pages S7035–38, S7069**

By 51 yeas to 47 nays (Vote No. EX. 264), Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General. **Pages S7038–54, S7069**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 263), Senate agreed to the motion to close further debate on the nomination. **Pages S7038, S7069**

David J. Redl, of New York, to be Assistant Secretary of Commerce for Communications and Information. **Pages S7056, S7069**

**Messages from the House:** **Page S7060**

**Measures Referred:** **Page S7060**

**Executive Communications:** **Pages S7060–61**

**Petitions and Memorials:** **Page S7061**

**Executive Reports of Committees:** **Pages S7061–62**

**Additional Cosponsors:** **Pages S7062–64**

**Statements on Introduced Bills/Resolutions:** **Pages S7064–66**

**Additional Statements:** **Pages S7058–60**

**Amendments Submitted:** **Page S7066**

**Authorities for Committees to Meet:** **Page S7066**

**Privileges of the Floor:** **Page S7066**

**Record Votes:** Four record votes were taken today. (Total—265) **Pages S7037–38, S7053–54**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:24 p.m., until 10 a.m. on Wednesday, November 8, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7069.)

## Committee Meetings

*(Committees not listed did not meet)*

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported the nominations of Mark T. Esper, of Virginia, to be Secretary of the Army, Robert L. Wilkie, of North Carolina, to be Under Secretary for Personnel and Readiness, Joseph Kernan, of Florida, to be Under Secretary for Intelligence, and Guy B. Roberts, of Virginia, to be an Assistant Secretary, all of the Department of Defense.

### NOMINATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the nominations of Robert Behler, of Pennsylvania, to be Director of Operational Test and Evaluation, Dean L. Winslow, of Delaware, to be an Assistant Secretary, Thomas B. Modly, of Maryland, to be Under Secretary of the Navy, and James F. Geurts, of Pennsylvania, to be an Assistant Secretary of the Navy, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported S. 1591, to impose sanctions with respect to the Democratic People's Republic of Korea, with an amendment in the nature of a substitute.

### INTERNET OF THINGS

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications, Technology, Innovation, and the Internet concluded a hearing to examine advancing the Internet of Things in rural America, after receiving testimony from Michael P. Adcock, University of Mississippi Medical Center, Jackson; David Armitage, Cartasite, Denver, Colorado; Timothy Hassinger, Lindsay Corporation, Omaha, Nebraska; Michael Terzich, Zebra Technologies, Lincolnshire, Illinois; and Angela Siefer, National Digital Inclusion Alliance, Columbus, Ohio.

### NORTH KOREA'S CYBER CAPABILITIES

*Committee on Foreign Relations:* Committee received a closed briefing on North Korea's cyber capabilities and United States policy response from Robert L. Strayer, Deputy Assistant Secretary of State for Cyber and International Communications and Information Policy; and an official of the intelligence community.

### NOMINATIONS

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nominations of Ernest W. Dubester, of Virginia, Colleen Kiko, of North Dakota, who was introduced by Representative Sensenbrenner, and James Thomas Abbott, of Virginia, each to be a Member of the Federal Labor Relations Authority, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Select Committee on Intelligence:* Committee ordered favorably reported the nomination of John C. Demers, of Virginia, to be an Assistant Attorney General.

Committee recessed subject to the call.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 31 public bills, H.R. 4263–4293; and 4 resolutions, H. Con. Res 90; and H. Res. 608, 610, 611, were introduced. **Pages H8595–97**

**Additional Cosponsors:** **Page H8598**

**Reports Filed:** Reports were filed today as follows:

H.R. 1133, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes, with an amendment (H. Rept. 115–393);

H.R. 2123, to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes (H. Rept. 115–394);

H.R. 2601, to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants, and for other purposes, with an amendment (H. Rept. 115–395);

H.R. 3634, to amend title 38, United States Code, to ensure that individuals may access documentation verifying the monthly housing stipend paid to the individual under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs (H. Rept. 115–396);

H.R. 3705, to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities, with an amendment (H. Rept. 115–397);

H.R. 3949, to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs, with an amendment (H. Rept. 115–398);

H.R. 1900, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes, with an amendment (H. Rept. 115–399, Part 1);

H.R. 4173, to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line, with an amendment (H. Rept. 115–400); and

H. Res. 609, providing for consideration of the bill (H.R. 2201) to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes (H. Rept. 115–401). **Page H8595**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Weber to act as Speaker pro tempore for today. **Page H8525**

**Recess:** The House recessed at 10:51 a.m. and reconvened at 12 noon. **Page H8531**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Chaplain Michael J. Halyard, South Texas Veterans Health Care System, San Antonio, TX. **Pages H8531–32**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 225 yeas to 184 nays with 3 answering ''present'', Roll No. 612. **Pages H8532, H8544–45**

**Gold Star Family Support and Installation Access Act of 2017:** The House agreed to discharge from committee and pass H.R. 3897, to amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, and to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible. **Page H8545**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Veterans Crisis Line Study Act of 2017:*** H.R. 3911, to amend the Securities Exchange Act of 1934 with respect to risk-based examinations of Nationally Recognized Statistical Rating Organizations, by a 2/3 yea-and-nay vote of 389 yeas to 32 nays, Roll No. 615; **Pages H8545–47, H8581**

***Clarifying Commercial Real Estate Loans:*** H.R. 2148, amended, to amend the Federal Deposit Insurance Act to clarify capital requirements for certain acquisition, development, or construction loans; **Pages H8547–50**

***Veteran Urgent Access to Mental Healthcare Act:*** H.R. 918, amended, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain former members of the Armed Forces who are not otherwise eligible to receive such care; **Pages H8550–53**

***Veterans Transplant Coverage Act of 2017:*** H.R. 1133, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran; **Pages H8553–54**

Agreed to amend the title so as to read: ''To amend the Veterans Access, Choice, and Accountability Act of 2014 to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes.''. **Page H8554**

***National Veterans Memorial and Museum Act:*** H.R. 1900, amended, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum; **Pages H8554–56**

***Veterans E-Health and Telemedicine Support Act of 2017:*** H.R. 2123, to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine; **Pages H8556–58**

***Veterans Increased Choice for Transplanted Organs and Recovery Act of 2017:*** H.R. 2601, amended, to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants; **Pages H8558–60**

***Securing Electronic Records for Veterans' Ease Act of 2017:*** H.R. 3634, to amend title 38, United

States Code, to ensure that individuals may access documentation verifying the monthly housing stipend paid to the individual under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs; and **Pages H8560–61**

***Veterans Apprenticeship and Labor Opportunity Reform Act:*** H.R. 3949, amended, to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs. **Pages H8562–63**

**Save Local Business Act:** The House passed H.R. 3441, to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938, by a recorded vote of 242 ayes to 181 noes, Roll No. 614. **Pages H8566–81**

Rejected the Bonamici motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 186 yeas to 235 nays, Roll No. 613. **Pages H8579–80**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. **Page H8566**

H. Res. 607, the rule providing for consideration of the bills (H.R. 3043) and (H.R. 3441) was agreed to by a recorded vote of 233 ayes to 182 noes, Roll No. 611, after the previous question was ordered by a yea-and-nay vote of 233 yeas to 182 nays, Roll No. 610. **Pages H8535–44**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed.

***Veterans Fair Debt Notice Act of 2017:*** H.R. 3705, amended, to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities; and **Pages H8561–62**

***Veterans Crisis Line Study Act of 2017:*** H.R. 4173, amended, to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line. **Pages H8563–66**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H8534–35.

**Quorum Calls—Votes:** Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H8543, H8543–44, H8544, H8580, H8580–81, and H8581. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:38 p.m.

# *Committee Meetings*

## LEGISLATIVE MEASURES

*Committee on Energy and Commerce:* Subcommittee on Energy held a hearing entitled ''Discussion Draft, Energy Star Reform Act of 2017 and H.R. 3477, Ceiling Fan Energy Conservation Harmonization Act''. Testimony was heard from public witnesses.

## SUSTAINABLE HOUSING FINANCE, PART III

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled ''Sustainable Housing Finance, Part III''. Testimony was heard from public witnesses.

## EXAMINING FEDERAL RESERVE REFORM PROPOSALS

*Committee on Financial Services:* Subcommittee on Monetary Policy and Trade held a hearing entitled ''Examining Federal Reserve Reform Proposals''. Testimony was heard from public witnesses.

## DEMOCRACY AND GOVERNANCE IN THE MIDDLE EAST AND NORTH AFRICA

*Committee on Foreign Affairs:* Subcommittee on the Middle East and North Africa held a hearing entitled ''Democracy and Governance in the Middle East and North Africa''. Testimony was heard from public witnesses.

## RUSSIA: COUNTERTERRORISM PARTNER OR FANNING THE FLAMES?

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on Europe, Eurasia, and Emerging Threats held a joint hearing entitled ''Russia: Counterterrorism Partner or Fanning the Flames?''. Testimony was heard from public witnesses.

## HOW EFFECTIVE IS THE SCIENCE AND TECHNOLOGY DIRECTORATE?: STAKEHOLDER PERSPECTIVES

*Committee on Homeland Security:* Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled ''How Effective is the Science and Technology Directorate?: Stakeholder Perspectives''. Testimony was heard from Timothy Rice, Battalion Chief, Weapons of Mass Destruction Branch Coordinator, City of New York Fire Department; and public witnesses.

### EXAMINING ANTI-SEMITISM ON COLLEGE CAMPUSES

*Committee on the Judiciary:* Full Committee held a hearing entitled ''Examining Anti-Semitism on College Campuses''. Testimony was heard from public witnesses.

### SOVEREIGN IMMUNITY AND THE INTELLECTUAL PROPERTY SYSTEM

*Committee on the Judiciary:* Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled ''Sovereign Immunity and the Intellectual Property System''. Testimony was heard from public witnesses.

### EXAMINING CHALLENGES IN PUERTO RICO'S RECOVERY AND THE ROLE OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD

*Committee on Natural Resources:* Full Committee held a hearing entitled ''Examining Challenges in Puerto Rico's Recovery and the Role of the Financial Oversight and Management Board''. Testimony was heard from Natalie Jaresko, Executive Director, Financial Oversight and Management Board for Puerto Rico; Noel Zamot, Revitalization Coordinator, Financial Oversight and Management Board for Puerto Rico; and Angel Pérez Otero, Mayor, Guaynabo, Puerto Rico.

### LEGISLATIVE MEASURE

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on legislation to distribute revenues from oil and gas leasing on the outer Continental Shelf to certain coastal States, to require sale of approved and scheduled offshore oil and gas leases, to establish offshore wind lease sale requirements, and to empower States to manage the development and production of oil and gas on available Federal land, and for other purposes. Testimony was heard from Lynn Helms, Director, North Dakota Industrial Commission, Department of Mineral Resources; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee began a markup on H.R. 995, the ''21st Century Respect Act''; H.R. 1532, the ''Poarch Band of Creek Indians Land Reaffirmation Act''; H.R. 1800, to direct the Secretary of Agriculture to transfer certain Federal land to facilitate scientific research supporting Federal space and defense programs; H.R. 2504, to ensure fair treatment in licensing requirements for the export of certain echinoderms; H.R. 2907, the ''Planning for American Energy Act of 2017''; H.R. 3469, to designate the bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as ''Bridge 2'') as the ''Dean Stone Bridge''; H.R. 3905, the ''Minnesota's Economic Rights in the Superior National Forest Act''; H.R. 4239, the ''SECURE American Energy Act''; and S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

### MICRO OFFERING SAFE HARBOR ACT

*Committee on Rules:* Full Committee held a hearing on H.R. 2201, the ''Micro Offering Safe Harbor Act''. The Committee granted, by record vote of 9–4, a structured rule for H.R. 2201. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule makes in order only the amendment printed in the Rules Committee report, if offered by the Member designated in the report, which shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendment printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hensarling and Representative Maxine Waters of California.

### INVESTING IN SMALL BUSINESSES: THE SBIC PROGRAM

*Committee on Small Business:* Subcommittee on Agriculture, Energy, and Trade held a hearing entitled ''Investing in Small Businesses: The SBIC Program''. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURE

*Committee on Ways and Means:* Full Committee continued a markup on H.R. 1, the ''Tax Cuts and Jobs Act''.

## *Joint Meetings*

No joint committee meetings were held.

---

## COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 8, 2017

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Commerce, Science, and Transportation:* business meeting to consider S. 1693, to amend the Communications Act of 1934 to clarify that section 230 of that

Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking, S. 1668, to rename a waterway in the State of New York as the ''Joseph Sanford Jr. Channel'', and the nominations of Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Neil Jacobs, of North Carolina, and Nazakhtar Nikakhtar, of Maryland, both to be an Assistant Secretary of Commerce, Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, and Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary, both of the Department of Transportation, and Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors; to be immediately followed by a hearing to examine protecting consumers in the era of major data breaches, 9:45 a.m., SD–106.

*Committee on Environment and Public Works:* to hold hearings to examine the nominations of Kathleen Hartnett White, of Texas, to be a Member of the Council on Environmental Quality, and Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, 10 a.m., SD–406.

*Committee on Foreign Relations:* Subcommittee on Africa and Global Health Policy, to receive a closed briefing on a readout of Ambassador Haley's recent trip to Africa, 3 p.m., S–116, Capitol.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security, 10 a.m., SD–342.

*Committee on Indian Affairs:* to hold hearings to examine S. 1400, to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and S. 465, to provide for an independent outside audit of the Indian Health Service, 2:30 p.m., SD–628.

*Committee on the Judiciary:* to hold hearings to examine the impact of lawsuit abuse on American small businesses and job creators, 10 a.m., SD–226.

## House

*Committee on Education and the Workforce,* Subcommittee on Early Childhood, Elementary, and Secondary Education; and Subcommittee on Higher Education and Workforce Development, joint hearing entitled ''Close to Home: How Opioids are Impacting Communities'', 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Health, hearing entitled ''MACRA and Alternative Payment Models: Developing Options for Value-based Care'', 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Monetary Policy and Trade, hearing entitled ''Administration Priorities for the International Financial Institutions'', 10 a.m., 2128 Rayburn.

Subcommittee on Terrorism and Illicit Finance, hearing entitled ''Financial Intelligence and Enforcement: Treasury's Role in Safeguarding the American Financial System'', 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on the Middle East and North Africa; and Subcommittee on Asia and the Pacific, joint hearing entitled ''The President's Plan for Afghanistan and Pakistan: Objectives and Resources'', 10 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled ''Examining the Effectiveness of the Kingpin Designation Act in the Western Hemisphere'', 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* Full Committee, hearing entitled ''Preventing the Next Attack: TSA's Role in Keeping Our Transportation Systems Secure'', 10:30 a.m., HVC–210.

*Committee on the Judiciary,* Full Committee, markup on H.R. 3989, the ''USA Liberty Act of 2017''; and H.R. 170, the ''Protect and Grow American Jobs Act'', 10:15 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Full Committee, continue markup on H.R. 995, the ''21st Century Respect Act''; H.R. 1532, the ''Poarch Band of Creek Indians Land Reaffirmation Act''; H.R. 180, to direct the Secretary of Agriculture to transfer certain Federal land to facilitate scientific research supporting Federal space and defense programs; H.R. 2504, to ensure fair treatment in licensing requirements for the export of certain echinoderms; H.R. 2907, the ''Planning for American Energy Act of 2017''; H.R. 3469, to designate the bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as ''Bridge 2'') as the ''Dean Stone Bridge''; H.R. 3905, the ''Minnesota's Economic Rights in the Superior National Forest Act''; H.R. 4239, the ''SECURE American Energy Act''; and S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on National Security, hearing entitled ''Moving the American Embassy in Israel to Jerusalem: Challenges and Opportunities'', 10 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology,* Subcommittee on Environment; and Subcommittee on Energy, joint hearing entitled ''Geoengineering: Innovation, Research, and Technology'', 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Full Committee, hearing entitled ''Hiring More Heroes: A Review of SBA's Office of Veterans Business Development'', 11 a.m., 2360 Rayburn.

*Committee on Veterans' Affairs,* Full Committee, markup on H.R. 4242, the ''VA Care in the Community Act'', and H.R. 4243, the ''VA Asset and Infrastructure Review Act of 2017'', 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing entitled ''A Review of the Interagency Transition Assistance Program and the Need for Enhanced Outcome Measurements'', 2 p.m., 334 Cannon.

*Next Meeting of the* SENATE

10 a.m., Wednesday, November 8

Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board, post-cloture.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, November 8

House Chamber

**Program for Wednesday:** Consideration of H.R. 3043—Hydropower Policy Modernization Act of 2017. Consideration of H.R. 2201—Micro Offering Safe Harbor Act (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

HOUSE

Blumenauer, Earl, Ore., E1527
Brat, Dave, Va., E1527
Cartwright, Matt, Pa., E1522
Costa, Jim, Calif., E1524
Courtney, Joe, Conn., E1523
Crawford, Eric A. ''Rick'', Ark., E1522
Delaney, John K., Md., E1524
DesJarlais, Scott, Tenn., E1528
Dingell, Debbie, Mich., E1528
Eshoo, Anna G., Calif., E1528
Evans, Dwigt, Pa., E1521
Garamendi, John, Calif., E1522, E1523, E1523, E1523, E1524, E1524, E1525, E1525, E1526, E1527
Gutiérrez, Luis V., Ill., E1522
Hill, J. French, Ark., E1527
Hudson, Richard, N.C., E1525, E1526, E1527, E1528
Huffman, Jared, Calif., E1524, E1525
Kuster, Ann M., N.H., E1526
Langevin, James R., R.I., E1528
Lipinski, Daniel, Ill., E1524, E1527, E1528
Neal, Richard E., Mass., E1526
Polis, Jared, Colo., E1523
Roe, David P., Tenn., E1525
Ruiz, Raul, Calif., E1523
Sewell, Terri A., Ala., E1521
Thornberry, Mac, Tex., E1522

Congressional Record

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.