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## Senate

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

### PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Martyn Sloan, lead pastor of Harvest Time in Fort Smith, AR.

The guest Chaplain offered the following prayer:

Almighty and Eternal God, who has created us, to whom we belong and whom we serve, it is in You that we find our purpose, our peace, and our prosperity. May Your Kingdom come.

Use this day our lawmakers to complete and carry out Your will on this Earth as in Heaven. Create in each of them a clean and a courageous and a selfless heart that will not give in to fear, adversity, or temptation. Grant them wisdom and the discernment of the truth so that they may rightly judge these, Your children. Strengthen them as they grow weary so that they may give strength to the weary and burdened in this life.

We pray this and all things in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Arkansas is recognized.

### WELCOMING THE GUEST CHAPLAIN

Mr. BOOZMAN. Mr. President, I would like to thank Pastor Marty Sloan for delivering the opening prayer in the Senate today.

Pastor Sloan is the lead pastor of Harvest Time, one of the most active

and well-attended houses of worship in Arkansas's second largest city of Fort Smith, which is the city in which I grew up.

Pastor Sloan is also a proud husband and father and plays an important role in the life of the Fort Smith community. As the lead pastor of Harvest Time, he has a passion for caring for his congregation and those in the larger community through preaching, teaching, and counseling in order to encourage and build up their faith and develop meaningful relationships with Christ and one another.

For 22 years, Pastor Sloan has been in ministry and has focused on both national and international missions. He has also been involved with the Live Nativity on Capitol Hill and the National Day of Prayer and has conducted pastoral conferences in America, Peru, and Armenia. Pastor Sloan says that one of his greatest joys is to "pastor from the center of the room" because his desire is to lead his congregation by walking through life together with them.

Serving as the guest Chaplain is an incredible honor. I am thankful for Pastor Sloan's ministry, and I am so pleased he could be here to offer an invocation of asking God to guide and bless the efforts of Congress and America's leaders.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### THE PRESIDENT'S TAX PLAN

Mr. McCONNELL. Mr. President, yesterday, the administration introduced a plan to serve as the guideline for modernizing and simplifying America's Tax Code. This process is long overdue, and it is a priority that is shared by the Republican House, Senate, and the

administration. By bringing down tax rates for individuals, we can help ease the burden on middle-class families, and by lowering taxes for American businesses, both small and large, we can foster job creation here at home, while making our country more competitive in an increasingly competitive international economy. I commend the President and his team for taking this critical first step, and I look forward to working with the administration and our House colleagues to finally overhaul our tax system.

### NOMINATION OF ALEXANDER ACOSTA

Mr. McCONNELL. Mr. President, on another matter, despite much unnecessary obstruction, the Senate has continued to move forward with the confirmation process for administration nominees.

Just this week, we have confirmed two more impressive individuals—Secretary of Agriculture Sonny Perdue and Deputy Attorney General Rod Rosenstein. Today, we will have the opportunity to confirm a third. That nominee, Alexander Acosta, understands the difficult task ahead of him as the next Secretary of Labor. Fortunately, he has an impressive background that will serve him well as he takes on these tough issues. It explains why Acosta has earned high acclaim from numerous pro-job groups, like the National Association of Manufacturers, which called him an "exceptional choice to lead the Department," and the chamber of commerce, which noted his "extraordinary history of government service and refined skills."

He has also earned support from across the political spectrum, including from people like Lafe Solomon, a National Labor Relations Board Acting General Counsel in the Obama administration, who said Acosta is "very open-minded and fair" and "deserves to be Secretary of Labor."

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



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We have also heard from unions that have backed him as well. In their words, Acosta is an “advocate for the middle class,” a nominee with “strong credentials and an impeccable reputation,” and someone they can work with “to protect and make better the lives of working men and women across America.”

Acosta’s leadership at the Labor Department will serve as a much needed change from what we saw under the previous administration, when, too often, onerous regulations that stifled instead of encouraged growth were given high priority, which came at a disadvantage to the very workers the previous administration claimed to be helping.

Of course, much work remains when it comes to providing relief to middle-class workers, but today’s vote to confirm Acosta represents another positive step in that direction.

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#### GOVERNMENT FUNDING LEGISLATION

Mr. McCONNELL. Mr. President, on one final issue, as we know, talks on government funding legislation have continued throughout the week on a bipartisan, bicameral basis. The House has introduced a short-term funding bill that we expect to pass before Friday night’s deadline so that a final agreement can be drafted and shared with Members for their review prior to its consideration next week. This extension will also protect thousands of retired coal miners and their families from losing the healthcare benefits I have fought for throughout this entire process, as I continue to lead the fight to secure them on a permanent basis.

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

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

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#### RESERVATION OF LEADER TIME

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

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I think I have 15 minutes to speak. When I get to about 13 minutes, would you raise your thumb or something and tell me, please.

The PRESIDING OFFICER. The Chair certainly will.

Mr. GRASSLEY. Thank you.

#### DEFENSE DEPARTMENT’S OFFICE OF THE INSPECTOR GENERAL

Mr. President, I come to the floor today to spotlight a potential failure of leadership at the Defense Department’s Office of Inspector General in that a large number of hotline cases have been set aside, neglected, and possibly forgotten.

The hotline plays a very critical role in the inspector general’s core mission of rooting out fraud, waste, and abuse. The hotline is the command and control link between whistleblowers on the one hand and investigators on the other hand. To succeed, hotline tips need quick and decisive action, but speed is not one of the chief assets of this unit. Without a quick response, the full value of whistleblower information is lessened.

Last year, at my request, I was given a 12-page spreadsheet dated November 8, 2016. It listed 406 hotline cases that had been open for more than 2 years or over 730 days. Frankly, I was stunned by what I saw on this spreadsheet. I counted 240 cases—over half of the total—that had been open for more than 1,000 days. Many had been open for more than 1,300 days. Some were right at a 4-year marker; that is 1,460 days. The oldest is now pushing close to 1,600 days. Even—if you can believe it—5-year-old cases are not unheard of. So we can see why working quickly on these investigations—taking tips from whistleblowers and pursuing them on waste, fraud, and abuse—is very important, and we shouldn’t have this time wasted.

When cases remain open for years, they become stale. Inattention breeds neglect. Work grinds to a halt. Cases slowly fade from memory. This is unacceptable, and my colleagues ought to consider it unacceptable, and the Secretary of Defense ought to consider it unacceptable. The hotline, then, with this waiting period, loses its full value.

The deputy inspector general for administrative investigations, Mrs. Marguerite C. Garrison, is in charge of the hotline, so she is accountable for the backlog. The backlog shows a lack of commitment to the hotline creed and the plight of whistleblowers. Here is why: Hotline posters are displayed throughout the Department of Defense. They are a bugle call for whistleblowers. They encourage whistleblowers to step forward, and they do that at considerable risk. In return, then, these patriotic people ought to deserve a quick and honest response.

Allowing their reports to slide into a deep, dark hole, in limbo for 2, 3, or 4 years—and even more, as I have pointed out—leaves whistleblowers exposed, leaves them vulnerable to retaliation, and of course distrusting of the system that is designed to protect the whistleblowers. So, in the end, this kind of treatment will discourage others from stepping forward in the future.

Hotline officials, including Mrs. Garrison, were questioned about the backlog on December 15, 2016. They attempted to deflect responsibility elsewhere and showed little interest in the problem. After numerous followup inquiries, a second meeting was requested.

So at a March 30 meeting this year, Hotline officials were singing a whole different song. They tried to dispel the notion that a surge in cases closures were triggered by my inquiry. To the contrary, they said, it was part of routine, ongoing “cleanup of the hotline mess” that began way back in March of 2013. They reported that 107,000 cases were swept up, including the so-called bad dog cases from 2002.

This explanation may be fiction.

Mrs. Garrison should know that the 406 cases date back to 2012 and 2013. After sitting on the hotline docket for up to 4-plus years, these cases are anything but routine. They are tough nuts to crack, of course, and very difficult to resolve—sort of like the bad dogs way back in 2002.

What they needed was clear direction from the top. They needed to be handed off to a tiger team, but that didn’t happen. Priorities became an afterthought, and the hotline mess got more nourishment.

Then, finally, the “routine, ongoing” cleanup reached the 406 most egregious cases—the worst of the worst. The ones that bring me to the floor today.

Since January, I received five updated spreadsheets trumpeting the closure of 200 of these so-called bad dogs—done with due diligence, I hope. Though late and incomplete, the surge shows what is possible when management starts doing what we expect management to do; in other words, managing. The backlog can be controlled and eliminated.

Why did it take top managers so long to see the light and get on the stick doing their job? Maybe they just didn’t care—at least not until the Senator from Iowa started asking questions. Then and only then did they indicate what had been characterized as “aggressive management oversight.”

Well, praise the Lord. Those words—“aggressive management oversight”—warm my heart, but the deputy IGs need to exercise aggressive oversight at all times, not just when a Senator steps in and not just when embarrassing revelations get some daylight. Good managers don’t need a Senator looking over their shoulders to know what needs to be done. That is no way to run a railroad, as we say. The managers responsible for the hotline mess need more supervision.

One of Mrs. Garrison's other directorates—the whistleblower reprisal investigations, or what we call the WRI unit—is always crying out for help. It is facing its own hotline-style tsunami. It has a staff of 56 personnel, but only 28 of those 56—or about 50 percent—are actually assigned to investigative teams. They complete 50 to 60 reports per year. With some 120 cases under investigation at any one time, a large number inevitably get rolled forward from year to year. The backlog could easily double or triple over the next few years.

In November, 38 cases were beyond acceptable limits. As of March 28, the oldest one was 1,394 days old. While many of these cases were recently closed, new ones keep popping up on the list. Despite very substantial increases in money and personnel since 2013, the deputy IG still seems overwhelmed by the volume of work.

While beefing up the whistleblower reprisal investigations may be necessary, Mr. Fine and his deputies need to do more with what they have. With an annual budget of \$320 million and a 1,500-person workforce, efficiencies can be found.

Some units are said to be top-heavy and ripe for belt-tightening. The investigative processes are notoriously cumbersome and could be streamlined.

The audit office, with 520 workers, turns out mostly second-rate reports. It needs strong leadership and it needs redirection. The Obama administration never seemed to take these problems very seriously. I hope this new administration coming in to drain the swamp will do better.

Weak leadership gave us the hotline backlog. Weak leadership is giving us the continuing mismatch between the workforce and the workload. Both are messy extensions of a much more harmful leadership problem—a festering sore that is eating away at integrity and independence.

This is what I am hearing:

Top managers have allegedly been tampering with investigative reports and then retaliating against supervisory investigators who call them to account. This is sparking allegations that a culture of corruption is thriving in the Office of the Inspector General. I gave my colleagues a glimpse of this problem in a speech on April 6 of last year. I used the fifth and final report of Admiral Losey's investigation to illuminate this problem.

That report was allegedly doctored by senior managers. Investigators were allegedly ordered to change facts and remove evidence of suspected retaliation.

Can my colleagues believe this?

Mrs. Garrison even sent a letter that cleared the admiral long before investigators had even completed the review of the evidence. This was a very serious error in judgment, giving the appearance of impropriety.

Was this then a coverup to facilitate the admiral's pending promotion?

Thankfully, Acting Inspector General Fine intervened. He showed real courage. After taking a firsthand look, he backed up the investigators, overturning some—but not all—unsupported charges. He helped to bring evidence and findings back into sync. I thank Inspector General Fine from the bottom of my heart.

But Mr. Fine still has more work to do.

The alleged doctoring of the Losey report, I am told, is not an isolated case. There are at least five others just like it—and probably more—that all need oversight.

As I understand it, the Office of Special Counsel is contemplating a review of these matters and could rule in favor of whistleblower reprisal investigations. They blew the whistle on all of the alleged tampering going on—and do my colleagues know what these patriotic people got for it? They got hammered for it. They got hammered for protecting Federal workers.

If top managers are tampering with reports and retaliating against their own people who report it, then how can they be trusted to run the agency's premier whistleblower oversight unit?

All of the pertinent issues need to be resolved, and they demand high-level attention. So I call on the new Secretary of Defense and the acting inspector general to work together to address these problems.

No. 1, the hotline needs to be brought up to acceptable standards under stronger management; No. 2, all potential solutions to the workload-workforce mismatch need to be explored, including internal realignments; No. 3, an independent review of all cases where alleged tampering occurred should be conducted, to include an examination of the Garrison letter clearing an admiral in the midst of an investigation. If tampering and retaliation did in fact occur, then the culprits should be fired.

I look forward to receiving a full report.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### U.S. MILITARY READINESS

Mr. CORNYN. Mr. President, our military and our intelligence community grapple with intersecting issues that aren't wholly unique to this day and age. Our national security has always been imperiled by foreign threats, from the Revolutionary War to two World Wars, and we previously faced a seemingly unsurmountable debt burden following World War II.

The challenge seems to be, as it always is in a democracy, that people of different views differ on the sense of urgency on priorities and the means to address both those threats and our financial house in order to be able to pay for what it takes to keep America safe. What is unique is the range and complexity of the problems we face and their scale.

I am reminded of a sobering quote from the former Director of National

Intelligence during a hearing just last year, former Director James Clapper, who served 50 years in the U.S. intelligence community. He said: "In my time in the intelligence business, I don't recall a time when we have been confronted with a more diverse array of threats." I agree with him.

On top of that diverse array of threats, never before has our country been at war for such an extended period of time since 9/11, and never before have we done so much with an all-volunteer military force stressed by repeated deployments, while at the same time defense spending has been cut by nearly 15 percent over the last 8 years.

So the United States is at a crossroads when it comes to meeting the diverse threats we face today, while simultaneously preparing for the ever-evolving future threats headed our way tomorrow.

I wish to first provide a little bit of context about our lack of readiness to meet those threats by framing the challenges our military and our Nation faces, and then I wish to offer some thoughts about how we can rise to meet these challenges and maintain our military preeminence and leadership in the world.

First, there are the challenges abroad. We face a range of adversaries unlike any other in our history. In the Middle East, even as ISIS forces are pushed back in Iraq, their ideology spreads like a contagion through their so-called cyber caliphate, and it continues to permeate the West and attract the vulnerable and the disillusioned. FBI Director Comey has said that his agency has open investigations into home-grown jihadists in all 50 States.

Iran, under the Joint Comprehensive Plan of Action, is a breakout nuclear threat and remains the No. 1 state sponsor of terrorism in the world. At the same time, it is rapidly growing its ballistic missile arsenal and has regained much of its financial strength following sanctions relief under the JCPOA.

Then there is Syria. Since the Syrian civil war began, 400,000 have died in a bloody civil war, while Bashar al-Assad, a brutal dictator known to repeatedly use chemical weapons on his own people despite redlines drawn, enjoys Russian and Iranian support and protection.

In addition to its meddling in the Middle East, Russia has invaded eastern Ukraine and annexed Crimea. It routinely threatens NATO member states and has ramped up its use of "active measures"—a program of both overt and covert action that leverages propaganda, cyber espionage, social media, and a sometimes gullible mainstream media both here and abroad—to influence and undermine public confidence in the very foundation of our democracies, which are our free and fair elections.

In the Pacific, China seeks to advance its regional dominance by making claims to former sandbars and reefs

that it has now built into strategic military bases—complete with a 10,000 foot runway—in the South China Sea.

Finally, as we learned more about yesterday at the White House in the briefing from the President's national security advisers, North Korea continues to develop and test its nuclear and ballistic missile capabilities with the threat of soon being able to combine the two to threaten the continental United States and wreak death and destruction.

Many before me have observed that American strength on the world stage is a deterrent and a stabilizing influence, while weakness is an invitation to our adversaries and inherently destabilizing. I think that proposition has never been more evident than it is today.

But to address these threats—to maintain the peace and fight, if we must—we need a capable, ready, and modern military force. But the truth is we are not ready. While I believe America will always rise to the challenges once roused from our national complacency, it makes a dangerous world even more dangerous.

U.S. military readiness and modernization—already under great stress and stretched thin around the world—has suffered 15 years of continued operations and simultaneous budgetary restrictions and deferred maintenance and investment. That has led to some very real consequences for our military. Let me just illustrate a few of those consequences.

According to General Walters, the Assistant Commandant of the Marine Corps, more than half of all Marine Corps fixed- and rotary-wing aircraft were unable to fly at the end of 2016. Let me say that again. That is a shocking statistic. More than half of the Marine Corps' fixed- and rotary-wing aircraft were unable to fly by the end of 2016. These aircraft are in constant operation overseas and are absolutely necessary to continue the fight against ISIS and terrorism, yet half of them are unable to take off.

The Navy fleet currently stands at 275 of the 350 ship requirement. Law mandates an inventory of 11 aircraft carriers and has a stated force level goal of 12. But today, the Navy requires a waiver in order to operate just 10, currently. As we all know, these carrier strike groups deploy worldwide, and, as the Navy likes to say, they act as “100,000 tons of diplomacy that doesn't need a permission slip.”

Of our 58 Army brigade and combat teams, only three are considered fully ready for combat. These are the main building blocks of the Army that support the majority of Army operations, and only three are fully ready. Keep in mind, too, that our Army is smaller than at any time since before World War II, as a result of draconian cuts in defense spending.

Finally, when it comes to our Air Force, General Wilson, the Air Force Vice Chief of Staff, recently testified:

“Sustained global commitments and funding reductions have eroded our Air Force to the point where we have become one of the smallest, oldest equipped, and least ready forces across the full-spectrum of operations in our service history.” The Air Force currently has 5,500 aircraft in its inventory. That is down from 8,600 since 1991. The average aircraft in the U.S. Air Force is 27 years old. For example, I was at Dyess Air Force Base in Abilene, TX, just last week, viewing some of their B-1 bombers, which is a plane first flown in 1974.

Then, of course, there is the grandpa of our aircraft fleet, the B-52—that is still in operation—first introduced in the 1950s.

The Air Force is also experiencing a pilot shortage crisis due to the pressure on the force, including quality of life issues and, of course, increased demand and competition from the airline industry.

So our military faces these internal issues as well. No one would argue that in order to keep the peace and to protect our national vital interests, we must have a credible and modern force. But the hard truth is that we don't currently meet that standard, and we can't afford to ignore the problems.

So why, I ask, do we continue to do so? More importantly, the question is this: Where do we go from here? How can we assure that our military can maintain its competitive edge and ensure it is ready to meet these and future challenges? I have a few suggestions.

First, we must fund our military to meet the threat environment, not do what we can to meet the threat environment with what we funded for the military. In other words, the threat should determine the resources necessary to meet that threat. So I would suggest we should start by eliminating sequestration of Department of Defense funding under the 2011 Budget Control Act. The truth is that the Budget Control Act was never meant to cut military spending. It was meant to spur action. Remember the supercommittee and the hoped-for grand bargain? Instead, the BCA took a meat ax to our defense budget. Allowing the Budget Control Act to keep making automatic cuts to our military until 2021 does not serve the national security interests of the United States. It does the opposite. These cuts add risk not just to our national security but also to our servicemembers and their families—who, as I said, have been fighting the longest war in our Nation's history—and it does so by undermining their training, readiness, and modernization.

At a time when our growing national security threats require greater investment in technology, we are tying the hands of our military and simply hoping for the best. So if we want to return to a strong American military after years of stress and inadequate funding, we need to start with ending the Department of Defense sequestration.

Of course, the next logical question becomes this: If we do away with the defense portions of the Budget Control Act, how do we control overspending, deficits, and unsustainable national debt, which is a serious problem?

That brings me to my second point. A bipartisan Congress and the Trump administration must address our budget priorities by looking at and addressing all government spending, not just the 30 percent or so represented by discretionary spending. Right now, about 70 percent of Federal spending isn't even appropriated by the Congress. It simply runs on autopilot, and it grew last year at the rate of 5.5 percent, while discretionary spending has remained relatively flat. Until we have the political courage on a bipartisan basis to tackle our structural financial problems, we will never adequately fund the military or our other national priorities.

We also need a bipartisan commitment to ending continuing resolutions and the self-destructive drama and narrative of potential government shutdowns.

Most importantly, perhaps, the Defense Department needs to be able to plan, not just for the duration of the next continuing resolution, but it needs to be able to plan long term and to spend the money that is appropriated to it in an efficient way.

The Chief of Staff of the Air Force, General Goldfein, captured the point well 2 months ago, when he said: “There is no enemy on the planet that can do more to damage the United States Air Force than us not getting a budget.” This sentiment is shared by all the service chiefs, and I wholeheartedly agree.

In a Department as big, as large, and as unwieldy as the Department of Defense, there is no doubt that there is room to streamline, improve efficiencies, and reduce duplication. We can all agree on that. But the truth is we need to take a hard, strategic look at our budgetary and fiscal needs across the Federal Government. Endless continuing resolutions aren't the answer. Continuing resolutions actually limit an agency's ability to be efficient and flexible, and they prevent the establishment of new programs and the retiring of the old and obsolete programs.

At the end of the day, the only way we can rein in spending, get a handle on our debt, and ensure our military stays ready for the threats facing it every day is to clearly articulate our country's needs and how we plan to meet them. That way, we can restore constitutional oversight responsibilities to Congress.

Finally, Congress has a tremendous opportunity, working with the Trump administration, to propose a strategy to modernize our military and prepare for the next generation of warfighting. Both readiness and modernization have been encumbered by the lack of a coherent national security and foreign

policy strategy in recent years, in addition to the blanket restrictions placed on defense spending.

Too frequently, modernization has simply been pushed aside by myopic views of how to deal with our financial challenges, which place greater risk on the warfighter and our collective security. You had better believe that, not hamstrung by redtape and regulations or continuing resolutions or deep cuts in defense spending or national security spending, our enemies take full advantage of our reluctance to deal with our challenges on a bipartisan basis. All the while, the United States operates on platforms engineered decades ago to fight the last generation's wars.

I can't think of a better example than our nuclear weapons program. This is the preeminent deterrent to war. Our country is the leading pioneer in science and technology, but instead of modernizing our nuclear weapons to provide a safe, reliable, and dependable deterrent, we, in effect, merely extend the service life of outdated and ancient weapons.

Clearly, we need a coherent national security strategy from President Trump and his Cabinet to do that. I know Congress is committed to working with them to make that happen.

By doing away with the Budget Control Act, putting the Pentagon on a dependable and predictable budget and developing a coherent national security strategy, we can maintain our status as the top military in the world. Along the way, we can deter our enemies and reassure our allies. We don't need to rewrite the playbook. We need to go back to the basics of government, providing for our national defense and keeping our fiscal house in order, all in light of the challenges and threats these times present.

My hope is that we will get out of the rut we have been in the Senate and in the Congress for the last few years and we will actually capitalize on this moment—and rally around a bipartisan commitment that a strong, modern, and ready military is really a nonnegotiable item—to lay the foundation for a modern military that will continue to keep our Nation safe for generations. I am committed to working with the administration and all of my colleagues in order to accomplish these goals.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I enjoyed hearing my friend and gym colleague talking about defense. I agree with him; we need a strong defense. I agree with him that deficits are an enemy of getting the defense spending that we need. I hope when we consider tax cuts, we will hear that same view that we can't go deeply into deficit. I appreciate my colleague's great comments.

GOVERNMENT FUNDING BILL

Mr. President, I wish to talk first about some good news: the appropriations

process—our negotiations to keep the government open. The President has backed off his threat to hold government funding hostage over the wall and over cutting healthcare funding for millions of Americans. This healthcare funding is essential to ensuring that millions of Americans will not see their premiums skyrocket and that they will not be kicked off their plans. Make no mistake, we will watch the administration like a hawk to make sure they follow through on their promise to continue this funding.

We are very happy that they have seen the light that Democrats have tried to show them for weeks. Threatening to hurt Americans for political gain is a loser.

Much like the administration's withdrawal of their demand for wall funding, which Democrats laid out a month ago as a condition for successful bipartisan negotiations on the appropriations bill, this decision brings us closer to a bipartisan agreement to fund the government and is good news for the American people.

The tendency of this administration has been to go at it alone. What these negotiations show is that when the Trump administration takes into account the Democratic position and is willing to move in our direction, they can make progress on issues as we have on the appropriations bills.

On those appropriations bills, of course, there are a few remaining issues to be settled. The most vexing are poison pill riders. We will not accept them, but I believe we are close to final agreement. Our side will continue to work in good faith to see that an agreement is reached to keep the government open by tomorrow's deadline.

I hope that this is something of a metaphor for the future, that the administration will not put together its plan and say that bipartisanship means you support our plan without any Democratic consultation, input, and, more importantly, taking into account our values, which we believe are close to where American values are—much closer than some on the other side.

THE PRESIDENT'S TAX PLAN

Mr. President, yesterday the President released—and this is not as good news, unfortunately—a one-page outline of his plan to change the U.S. Tax Code. Even from the very limited details that were released, the President's priorities are clear: Give massive tax breaks to folks like himself—the very, very wealthy in America.

The top rate would come down; taxes that disproportionately affect the very wealthy would go away, while middle-class and working families would be denied some of the most useful deductions. This isn't simply the Trump plan to lower taxes. It is the plan to lower the taxes of Trump and those with enormous wealth, similar to his.

The prime beneficiaries of the Trump plan would be his Cabinet. Secretary Mnuchin, one of the architects of the plan, could not guarantee this morning

that the middle class will not pay more under the Trump tax plan. If, on one sheet of paper, you can guarantee that corporations pay less and you can guarantee that the wealthiest Americans pay less but you can't guarantee that hard-working, middle-class Americans pay less, you don't have a good recipe for changing our Tax Code. And, for the good of America, you are to go back to the drawing board.

This proposal falls short, far short of the mark in several ways: First and foremost, it mostly benefits the very wealthy. In the Trump tax plan, corporations and the very wealthy get a huge tax break through lower rates and the elimination of things like the estate tax. In fact, the proposal the President put out yesterday is actually even more of a giveaway on the estate tax than his proposal in his campaign. In the campaign, President Trump promised to repeal the estate tax for estates up to \$10 million, retaining it for the wealthiest of estates. This proposal would eliminate the tax completely, particularly on those multimillion- and even billion-dollar estates. The result would be that the 5,200 wealthiest families in America would each receive, on average, a \$3 million windfall, and many would receive much, much more than that.

Also, because the Trump plan lowers the tax rate on the so-called passthrough entities to 15 percent, wealthy businessmen, like President Trump, will be able to use passthrough entities to pay 15 percent in taxes while everyone else pays in the twenties and thirties. This has implications for something we don't need—the carried interest loophole. President Trump promised to get rid of this in his campaign. Instead of using the carried interest loophole under the President's bill, Wall Street funds could file their taxes at a new passthrough rate of 15 percent, which is even lower than the present tax on carried interest.

Ironically, the President's tax plan would indeed get rid of the carried interest loophole only by making it lower than the present rate and making it permanent—a total, total reversal of what he pledged in his campaign.

It all goes to show that those who stand to benefit most from this proposal are folks like the President and those at his level of wealth, while tens of millions of American middle-class, working families are hurt and could very well pay more.

This brings me to my second point, which is that the Trump plan hurts middle-class and working Americans by eliminating their most popular and useful deductions. Take the elimination of the State and local tax deduction, for instance, which is used by so many middle-class families in my home State of New York. As it was cited in the Syracuse Post Standard: "The loss of the deduction will cost New Yorkers an average of \$4,500 per year for those who file itemized returns, totaling about \$68 billion per

year that State residents will no longer be allowed to deduct from Federal returns."

I saw in *Newsday* this morning that a number of our Long Island Republican colleagues said they couldn't be for this. We hope they will stand up to anything that gets rid of State and local deductibility because, let me repeat, that is \$4,500 a year that New Yorkers would no longer be able to deduct on average—massive tax cuts for the very wealthy, crumbs at best for everyone else.

Third, the Republican plan is steeped in hypocrisy. Even without filling in the details, Trump's plan is already impossible to pay for. The Committee for a Responsible Federal Budget estimates that Trump's tax cuts will cost about \$5.5 trillion over 10 years, as much as \$7 trillion. That is a huge amount of money in our economy.

CRFB projects that "no plausible amount of economic growth would be able to pay for the tax plan." The Republican plan would explode the deficit.

For the last 8 years, all we heard from our Republican colleagues was that Obama was raising the deficit and we needed to cut programs that benefit the poor and the middle class; cut the entitlements, Social Security, Medicare because of the deficit. All of a sudden, now with a Republican President and a proposed tax cut for the wealthy, we are hearing from the other side of the aisle that deficits don't matter.

Our Republican colleagues certainly believe the admonition that "consistency is the hobgoblin of little minds."

Fourth, the Trump tax plan would explode the deficit and, thus, endanger Social Security and Medicare, which may well be the nefarious, ultimate goal of the hard right.

Sadly, I know it can happen. I have seen it before with the Bush tax cuts. President Bush pushed a big tax break for the wealthy. It blew a hole in the deficit and racked up debt, and then he and his Republican colleagues tried to pursue deep cuts to the social safety net to balance the ledger.

If Trump's tax plan were to pass, you can be sure, America, that a few years down the line—maybe even not that long—the deficit will be so large that our Republican colleagues will throw up their hands and say: We have no choice but to come after Social Security and Medicare and other important programs for the middle class as a way to address the deficit they created by showering tax breaks on the very rich.

They will resume the cry they had in the Obama years: Cut the deficit—which seems to apply to the programs that help the middle class but never to the ones that benefit the wealthy.

Just from the bare-bones skeleton the administration outlined yesterday, we can already surmise that this plan is not much more than a thinly veiled ruse to give away trillions to the wealthiest among us, starve the government of resources, balloon the def-

icit, and then cut Social Security, Medicaid, and Medicare to make up the difference.

This plan will roundly be rejected by taxpayers of all stripes. The American people are once again learning that what President Trump promised to working America in his campaign and what he is doing are totally at odds.

#### TRUMPCARE

Mr. President, on TrumpCare, very briefly—on the new version of TrumpCare that may soon be headed for a vote in the House, let's not forget the reason that Americans were against the first version of TrumpCare. They are still in the second version. This version is worse, and there has been a lot of focus on a few of the changes.

The fundamental nastiness of the TrumpCare proposal—raising the rates on people 50 to 65, 24 million people uncovered, difficulty in covering pre-existing conditions—is still in this bill. In fact, it is even worse. The new TrumpCare will allow States to decide whether insurers have to cover Americans with preexisting conditions. It is hard to come up with a crueler bill than one that would have resulted in 24 million fewer Americans with healthcare coverage, but this new TrumpCare manages to do it. It would hurt even more Americans and bring us back to the days when an insurance company could deny you coverage exactly when you needed it most.

I say to the more moderate Republicans in the House: If you didn't like the first version, you surely shouldn't like this version. Frankly, you will pay a huge consequence in the 2018 elections if you vote for it. We hope you don't vote for it because we know how many people it would hurt. Even if it passed the House, the chances for survival in the Senate are small. We don't even know if the new version would survive under the rules of reconciliation, the amendment to allow States to drop preexisting conditions. The fulcrum of the new changes very possibly violates the Byrd rule and would be kicked down here and need 60 votes, which they won't get for such a nasty provision.

A warning to all those voting for it in the House: It may well be a chimera, all to save face for the President in his first hundred days.

#### THE PRESIDENT'S FIRST ONE HUNDRED DAYS

Finally, Mr. President, we are only a few days from President Trump's 100th day in office, and by all accounts, this has been a vastly different Presidency than was promised during his campaign. So far this week, we Democrats have highlighted how this President has broken or not fulfilled promise after promise to the working men and women of America.

Today, I would like to focus on a particularly stunning reversal this President made in the first 100 days on one of the central pillars of his campaign: his promise to drain the swamp. President Trump repeated this phrase at

every campaign rally. In many ways, it summed up his "outsider" campaign. Make no mistake about it—the President ran as a populist outsider, not as a traditional, hard-right, conservative Republican. He challenged the establishments of both parties and pitched himself as a change agent, someone who could shake up the status quo. "Drain the swamp" was his tag line.

We Democrats disagree with this President on many things, but we agree with him that the very wealthy, powerful special interests have far too much power in Washington. Large corporations that have the resources to make unlimited, undisclosed campaign contributions, that have resources to hire lobbyists on issue after issue, hold far too much power in this Nation's Capital, and that structure has created a system where the wealthy and powerful are advantaged in DC, while average, hard-working Americans have a much smaller voice.

Draining the swamp would be a good thing, but unfortunately, despite the many times he pledged radically to change the power structure in Washington in the first 100 days, the President has abandoned the mission. He filled his government with billionaires and bankers laden with conflicts of interests. He has broken with the practice of the Obama administration by ending the publishing of visitor logs to the White House, so the press and the American people don't know who has the ear of the President and his top people. He has even granted waivers to lobbyists to come work at the White House on the very same issues they were just lobbying on, and he has kept those waivers secret.

A President who truly wanted to drain the swamp wouldn't have taken a single one of those actions. What are the American people going to think? He campaigned on this and totally reversed himself within the first 100 days. What are they going to think of him? It is no wonder his popularity ratings are low and sinking.

President Trump ran as a populist, but at the 100-day mark, he hasn't even tried to change the power structure in Washington and has in many ways rigged the government even more to benefit corporate special interests. This is one of the biggest broken promises he made to the working men and women of America. That is how we Democrats sum up the first 100 days—broken and unfulfilled promises to the working people of America. And when it comes to draining the swamp, he has not done it.

One final point. The events yesterday have further proven our point. The President promised one thing in his campaign and is now doing another. On his new healthcare proposal, he has shown his hand: Promise something for the working people but deliver legislation that only helps the very wealthy. On his new tax plan, which still benefits the rich: Promise the working people; deliver for the wealthy. The President has made our point better than we

could this week. After these two bills, his promises to working people are in tatters.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank the leader for his remarks, especially with respect to the new addition of the healthcare bill. It is a disaster for Americans. It is immoral. It doesn't work. It doesn't address any of the problems that remain in the underlying healthcare system. Hopefully the Senate can rise above it and work together to do something better for the American people.

#### GUN VIOLENCE

Mr. President, I rise today because tomorrow President Trump is going to become the first President in about 30 years to address the National Rifle Association. He will address the NRA tomorrow, and I thought it would be appropriate to come down to the floor to talk a little bit about the epidemic of gun violence in the context of this speech.

A lot of us were thrown off by the tone of the President's inaugural address. It was very different from a lot of inaugurals we have heard—not uplifting, really. There was much more of a dark, dystopian picture of America, one that was frankly unfamiliar to a lot of us. Maybe the most memorable line from the President's inaugural address was that after describing this dystopia that he believed most persons lived in, he said: "This American carnage stops right here and it stops right now."

I wanted to come down to the floor today to talk about that idea of American carnage, what it really is. I mean, this is American carnage. It is 31,000 Americans, mostly young men and women, who die every year from gunshot wounds—2,600 a month, 86 a day. That is an enormous number. There is no other country in the first world, in the industrialized world, that has numbers like this. They happen for a variety of reasons. Two-thirds of those are suicides. That is an epidemic in and of itself. A lot of them are homicides. A number are accidental shootings. But America has this problem uniquely. There is no other industrialized competitor where this happens. That is the face of American carnage.

President Trump is going to address the National Rifle Association tomorrow—an organization that is, frankly, dedicated to continuing this real carnage that is happening in America. You can't explain these numbers through mental illness. There is just as much mental illness in all of our economic competitors around the world. You can't explain this through exposure to violent content on TV or movies or video games. There are plenty other countries that have rates that are much lower than this and the kids see that same content. You can't explain this away by law enforcement. We spend an awful lot of money put-

ting cops on the streets. What we have in this country that is different from any other nation is loose and lax gun laws that allow for criminals and people with serious mental illness to get their hands on weapons that are more powerful than those that are available in other nations. That was the case in Sandy Hook, too—enormous destruction in a short amount of time.

I want to talk a little bit today about two things—first, about the real scope of this carnage, and second, about the real story of gun owners.

The President is going to go talk to the NRA—a group that is increasingly wildly out of step with gun owners not just in my State but across the country.

First, I want to talk about this idea of carnage in America—the central focus of the President's inaugural address. I commend to my colleagues an article that appeared earlier this week—maybe late last week—called "What Bullets Do to Bodies."

We don't like to talk about that a lot because today the popular image of a gun is almost divorced from its actual function. People collect them. People buy them in order to convey a certain image or lifestyle. People certainly have weapons to protect themselves, but very few Americans actually understand what these guns are designed to do. They are designed to kill people. They are designed to gravely hurt people. In particular, the AR-15 and AR-15 variants are dedicated to killing people as fast and as gruesomely as possible.

This article, "What Bullets Do to Bodies," follows a trauma surgeon in Philadelphia. I want to read a few paragraphs from this article. It says:

The main thing that people get wrong when they imagine being shot is that they think the bullet itself is the problem. The lump of metal lodged in the body. The action-movie hero is shot in the stomach; he limps to a safe house; he takes off his shirt, removes the bullet with a tweezer, and now he is better. This is not trauma surgery. Trauma surgery is about fixing the damage the bullet causes as it rips through muscle and vessel and organ and bone.

The bullet can stay in the body just fine. But the bleeding has to be contained, even if the patient is awake and screaming because a tube has just been pushed into his chest cavity through a deep incision without the aid of general anesthesia (no time; the patient gets an injection of lidocaine). And if the heart has stopped, it must be restarted before the brain dies from a lack of oxygen.

It is not a gentle process. Some of the surgeon's tools look like things you'd buy at Home Depot. In especially serious cases, 70 times just at Temple last year, the surgeons will crack a chest right there in the trauma area. The technical name is a thoracotomy. A patient comes in unconscious, maybe in cardiac arrest, and Goldberg has to get into the cavity to see what is going on. With a scalpel, she makes an incision below the nipple and cuts 6 to 10 inches down the torso, through the skin, through the layer of fatty tissue, through the muscles. Into the opening she inserts a rib-spreader, a large metal instrument with a hand crank. It pulls open the ribs and locks them into place so the surgeons can reach the inner organs. Every so often, she may have to break the patient's

sternum—a bilateral thoracotomy. This is done with a tool called a Lebsche knife. It's a metal rod with a sharp blade on the end that hooks under the breastbone.

The surgeon in this case is Dr. Goldberg.

Goldberg takes out a silver hammer. It looks like—a hammer. She hits the top of a Lebsche knife with the hammer until it cuts through the sternum. "You never forget that sound," one of the Temple nurses told me. "It's like a tink, tink, tink. And it sounds like metal, but you know it's bone. You know like when you see on television, when people are working on the railroad, hammering the ties?"

"It's just the worst," one nurse told the writer of this story. "They're breaking bone. And everybody—everybody—has its own kind of quality. And sometimes there's a big guy you'll hear, and it's the echo—the sound that comes out of the room. There's some times when it doesn't affect me, and there are some times when it makes my knees shake, when I know what's going on in there."

The article goes on to talk about what happens to those who survive.

The price of survival is often lasting disability. Some patients, often young guys, wind up carrying around colostomy bags the rest of their lives.

They go to the bathroom through a stoma, a hole in their abdomen.

"They're so angry," Goldberg said. "They should be angry." Some are paralyzed by bullets that sever the spinal column. Some lose limbs entirely.

AR-15s are designed by the military in order to kill people even more quickly so that you don't ever have the chance of going to an emergency room. That is what happened at Sandy Hook. What is remarkable is that not a single one of those kids ever made it to a trauma surgeon. All of those kids died on the spot—20 of them.

You sort of have to think about bullets like running fingers through the water: When you run your fingers through the water, it causes ripples, it causes disruptions in the water around them. Well, a bullet coming out of an AR-15 rifle moves three times faster than a bullet coming out of a handgun. So just look what happens when you run your hand through water. You run it through at this speed versus running it through at that speed. The ripples and the disruptions get bigger, right? And they spread further. That is what happens when the bullet from an AR-15 enters the body of anyone, but it certainly does something different when it enters the body of a 6-year-old. One trauma surgeon said that when it hits bone, it likely will just turn it to dust. If a bullet from an AR-15 hits the liver, well, this surgeon says that "the liver looks like a Jell-o mold has been dropped on the floor."

I know some people think AR-15s are fun. They are fun to show off to your friends. They are neat to fire. But that is carnage. A little kid's bones turning to dust in the middle of a first grade classroom is not sport; that is American carnage. Do you know what? A lot



of gun owners get this. A lot of gun owners understand that this has gotten out of hand.

There was a poll that was conducted just about 2 weeks ago of gun owners across the country. Eighty percent of them support requiring a background check before you buy a gun. That is pretty similar to the number you would find when you ask gun owners and nongun owners, but the gun owners in my State were frankly just as shocked and horrified at what happened in that classroom at Sandy Hook as my nongun owners were.

Gun owners in this country increasingly are not represented by the National Rifle Association, the group Donald Trump is going to go talk to this week, because the National Rifle Association, which claims to be speaking for gun owners, opposes background checks. They don't want a single additional gun sale to go through a background check. They are just fine with the fact that almost half of all guns sales in this country occur without a background check, meaning criminals and people with serious mental illness can get a gun so easily in this country that they don't even have to make much of an effort.

Eighty-six percent of gun owners in this poll support prohibiting anyone who is convicted of stalking or domestic abuse from buying a gun. The NRA opposes that. Eighty-five percent of gun owners support prohibiting those who are on the Federal terror watch list or no fly list from buying a gun. The NRA opposes that.

Eighty-eight percent of gun owners believe you should have a permit to carry a concealed handgun in a public place. The NRA opposes that. So it is no secret that 67 percent of gun owners feel the NRA used to be an organization dedicated to gun safety, but it has been overtaken by lobbyists. Fifty percent of gun owners feel the NRA does not represent their interests.

When President Trump goes to talk to the NRA tomorrow, I hope he understands they are not advocating for the views of gun owners in my State, they are not advocating for the gun owners in most all of your States. They are a radical political organization. They have to start answering for why they don't square with the views of gun owners.

Finally, here is a story of American carnage. Keon Huff, Jr., was 15 years old when he was shot on March 17 of this year in Hartford, CT. Here is what Keon said to one of his mentors in the North End of Hartford. He said: "I'm either going to go on to college and play basketball or I'm going to die on the streets."

Can you imagine there are kids who think that in this country? Can you imagine there are kids in this country who think their choices are to go play basketball in college or die on the streets of Connecticut? Most Americans cannot imagine a little kid saying that, but Keon thought that. He was

right—because he was a great basketball player. He lived at the North End YMCA. He devoted all of his energy to basketball. He wanted to be the next Michael Jordan. If you told him otherwise, he just did not want to hear it. He was committed to playing basketball in college, but it was the other one that got him. He died in the hallway of his apartment complex when he was shot in the head on Friday, March 17. He died on the streets of Hartford. He did not end up going to college to play basketball. He is just one of 2,600 a month who die from guns, 31,000 a year, 86 a day.

A lot of gun owners in this country get that. They understand the flow of illegal weapons into our streets. They understand there are some weapons out there that are way too powerful that do those terrible things to bodies when the bullet enters.

When Donald Trump talks to the NRA, I hope he takes them on and asks why they refuse to stand up for policies that will end this American carnage that the President talked about in his speech and why they will not start actually representing the views of American gun owners.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Wyoming.

#### FOREIGN POLICY

Mr. BARRASSO. Mr. President, people around the country know the world continues to be a very dangerous place. It became more dangerous over the past 8 years. I believe that is particularly related to what I saw as unwise and unsound policies by the Obama administration, certainly when it comes to foreign policy.

Every President's foreign policy should secure America's national interests and demonstrate America's leadership around the world. That was not the case under President Obama. The last President and his team followed a policy, what has been called strategic patience—strategic patience—when dealing with hostile countries all around the world: Iran, North Korea.

Any time there was a belligerent, aggressive, cunning dictator on the move, President Obama's position was strategic patience. It was a terrible approach—a terrible approach for us in dealing with reckless regimes.

I always thought President Obama was completely focused on signing a nuclear deal with Iran, not because it actually was a great deal but maybe because it might reflect well on his legacy. I thought he wanted a deal so badly that he ended up getting a deal that was a bad deal. Well, as part of the deal, the former President accepted Iranian demands—and he accepted all of them—to lift an arms embargo that the United Nations had put into place.

This was an embargo that said that Iran was not supposed to be selling weapons to other countries. The embargo was going to disappear in 5 years, whether Iran complied with it or not. We already know Iran has no in-

tention of playing by the rules. They haven't played by the rules all the way through. Last week, the Secretary of Defense, James Mattis, said Iran has already been violating the embargo. That is why I believe they have no intention of playing by the rules.

The Secretary of Defense tells us they are not playing by the rules now. He said we have seen Iranian-supplied missiles—our Secretary of Defense said: We have seen Iranian-supplied missiles being fired into Saudi Arabia by the rebels in Yemen. Secretary of State Rex Tillerson was even more clear. He said last week that Iran is "the world's leading state sponsor of terrorism."

He said that Iran is "responsible for intensifying multiple conflicts"—"intensifying the conflicts and undermining U.S. interests in countries such as Syria, Yemen, Iraq, and Lebanon." Now, this is a direct result of President Obama spending 8 years being strategically patient. It is the result of sending the signal that Iran would be rewarded for its bad behavior.

So let's look at what happened last year when the Obama administration was bragging about the nuclear deal—and they were high-fiving, bragging about the deal.

Just when the deal went into effect, President Obama arranged to send to Iran \$1.7 billion in cash—\$1.7 billion is an astonishingly large amount of money. It is a million and a million and a million—it is 1,700 piles of \$1 million. Remember—try to visualize this. You may remember the news reports about pallets of cash stacked up going to Iran. President Obama sent \$400 million as a downpayment.

Within 24 hours, the Iranians agreed to release a group of Americans whom they had been holding hostage. The Obama White House said it was not a ransom payment to free the hostages. The Obama administration actually thought the American people were naive enough to believe it was just a coincidence in timing. Well, you can bet the Iranians did not believe it was a coincidence because they actually said it was not a coincidence.

The Iranians described the money as for the release of the hostages. We know from experience that the Iranians see hostage-taking as a valid way of conducting their own foreign policy. Right now, North Korea also has taken hostages—three American hostages written about today in the papers.

We know from experience the Iranians see hostage-taking as a valid way to conduct foreign policy, and they have also gotten the message, at least from the previous administration, that it can be a very profitable policy as well. President Obama played right into their hands. There is something else President Obama did that we just learned about, and that is why I wanted to speak about this today.

Politico had a major expose on Monday of this week. The headline was: "Obama's hidden Iran deal giveaway"—



the “hidden deal giveaway.” Around the same time President Obama was sending cash to Iran, he also released seven Iranians who had been arrested by the United States. The President downplayed the crimes these individuals had committed. He said it was a “one-time gesture” to help grease the skids for his Iran deal.

Now, according to the documents obtained by Politico, the Obama administration also dropped charges and international arrest warrants against 14 other individuals. Some of them were wanted for serious threats to our own American national security. One man was charged with trying to buy thousands of assault weapons—thousands of assault weapons—and send them to Iran.

Another was charged with conspiring to get from Iran thousands of pieces of equipment with nuclear applications. The scheme included hundreds of U.S.-made sensors for uranium enrichment centrifuges in Iran. Centrifuges were a big reason we were concerned about Iran’s nuclear program in the first place. Yet, according to President Obama, this doesn’t seem to be a problem.

According to the article that came out Monday, “As far back as the fall of 2014, Obama administration officials began slow-walking some significant investigations and prosecutions of Iranian procurement networks operating right here within the United States.”

As one expert told Politico, “This is a scandal.” She said: “It’s stunning and hard to understand why we would do this.” Republicans in Congress warned about this kind of thing from the very beginning. President Obama was so interested in getting a deal that he got one that in my opinion, has been very bad for the United States—not just for the United States, bad for the world because Iran with a nuclear weapon makes the world less safe, less secure, and less stable.

President Obama has this as part of his legacy, but I will tell you strategic patience has failed. Secretary of State Tillerson said so last week, and I agree with him completely. I am glad to hear our top diplomat recognized this, and I am glad to see the Trump administration doing a comprehensive review of the Iran nuclear agreement.

The last President put international opinion first when it came to foreign policy. We see this all around the world. This President, President Trump, is showing that we will put America’s interests first. It is not just Iran where we have the problem. I was recently in Asia over the break, along with a group of Senators. We went to Tokyo, we went to Beijing to meet with the leaders in China. We went around that region. We met with the Premier of China, who is the No. 2 person in China, and we met with the No. 3 and the No. 4 to talk specifically about the problems of North Korea and the region.

For a long time, North Korea has been called the land of lousy options,

but there is new urgency as we see the increasing capacity of North Korea now with their rockets not just propelled with liquid fuel but now with solid fuel that allows for quicker launches. The launch vehicles are no longer on wheels limited to the roads in North Korea, they are now on tracks and they can go anywhere.

North Korea has increased their nuclear capacity as well as their missile deliverability, and they are working on intercontinental ballistic missiles that can hit the United States. That is why we were at the White House yesterday for this secure briefing. That is why it is so critical that we focus on North Korea and we have a President who is focused on a peaceful resolution but is not afraid to use force, as we have seen in Syria and in Afghanistan, because if you want to use deterrence, you have to have a capacity—which we have had in the United States, which is incredible—through the Presidents over the years. You have to have a commitment to use that capacity, and we have seen from President Trump a commitment to use that capacity in Syria, in Afghanistan. You have to communicate a willingness to use that capacity, as President Trump is doing today.

Last week, Vice President PENCE traveled to the demilitarized zone between South Korea and North Korea. He said very clearly that when it comes to North Korea’s nuclear weapons program, “the era of strategic patience is over.”

North Korea has been allowed to get away with too much for too long. It continues to test nuclear weapons. It continues to test missiles. It continues to use hostages as a way of getting what it wants from other countries.

Over the weekend, we learned that North Korea arrested an American professor who was in that country. North Korea, like Iran, has a history of taking hostages and using them as leverage to get what it wants. We now know three Americans are being held in North Korea.

The leadership of countries like Iran and North Korea need to understand that this kind of action will not succeed.

No one wants a fight with Iran. No one wants a fight with North Korea. The way to avoid the fight is to show that there is a limit to the patience of civilized countries of the world, which is why the age of strategic patience is now in the past.

There is new leadership with negotiation, deterrence, and, as a final option, the use of force, if necessary, which has not been the case in the last 8 years, where the use of force, the message sent by that administration was: We have no commitment to use the capacity which the United States has.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, there is probably nobody in the Senate I admire more than the Senator from Wyoming,

except maybe his colleague, MIKE ENZI, who is also from Wyoming.

I come to the floor not to talk about these issues but to talk about others. I feel compelled to respond to some of what he said.

There’s no need for Senator BAR-RASSO to remain. So don’t feel as though you have to, but thank you just the same.

Mr. President, a little background: As the Presiding Officer knows, having spent some time in the military—’06, the Marine Corps; the Navy salutes the Marine Corps. I am a retired Navy captain, three tours in Southeast Asia in the Vietnam war. I served as a P-3 aircraft mission commander right at the end of the Cold War. The month I stepped down as a Navy captain, I led a congressional delegation back into Vietnam. Six of us—Democrats, Republicans—went at the behest of former President George Herbert Walker Bush’s administration to find out what happened to thousands of MIAs to see if we could get information about them and to provide that information to their families for closure. That was the beginning of an effort in the House, mirrored by the one over here led by JOHN MCCAIN and John Kerry, to move us toward normalized relations to see if the Vietnamese would cooperate with us in providing information that we wanted and the families wanted and deserve.

In fact, a year ago, I learned, along with President Obama, that we are there to kind of close the circle on our relationship with Vietnam, which has changed a lot over the last 30 years. Interestingly enough, we are Vietnam’s best trading partner, and they are a very good trading partner to us.

When we were there, they announced they were going to buy something like \$10, \$12, \$14 billion worth of our aircraft—not fighter aircraft, not military aircraft, but civilian aircraft from, I believe, Boeing.

I learned about some polling data. They had taken two polls, two surveys of the Vietnamese people early last year, and the question asked of Vietnamese people was: How do you feel about other countries, the people from other countries? How do you feel about the Chinese, the Russians, Filipinos, Malaysians, Indians, Pakistanis, Americans, and others? How do you feel about them? In one survey, 85 percent of the Vietnamese people said they had favorable opinions toward America and Americans—85 percent, the highest of any other nation surveyed. Another survey said: No, no, 95 percent of Vietnamese have favorable opinions of the United States, which is higher than their opinions of any other nation.

The reason I mention Vietnam—they were a bitter enemy of this country. The names of 55,000 men and women with whom I served in Southeast Asia are on a wall just down 2 miles from here, down by the Lincoln Memorial. While we were bitter enemies, we resolved those differences in the 1990s.

We are now close trading partners. We don't agree with them on every single thing, but they like us a lot. We have much more of a relationship than we have ever had in the past, and it is a much better economic relationship than we have ever had in the past.

The reason I mention Vietnam is that there are some corollaries here with Iran. In 1978, that was when some will recall—the pages are too young to remember this. But in 1978, Iranians, led by their religious leader, captured, took control of the U.S. Embassy in Tehran. They held our folks for a year or two as part of their cultural revolution or religious revolution.

When they did that, do you know what we did? We seized a lot of their assets in this country, in other countries as best we could. And that was not just a couple of dollars, not just a couple million dollars; it was hundreds of millions of dollars, and, man, maybe even more. Maybe it was even billions of dollars.

We held those assets, and we kept the Iranians from reclaiming those assets for, gosh, over 30 years—maybe close to 40 years. They have litigated in court. They say that they feel they should have access to what is theirs, what was theirs.

We are told by lawyers—I am not a lawyer—but we are told by some pretty smart lawyers on our side and others that they had a very good chance of getting all that and more in court if we didn't settle.

What we did, at the end of the day, when the Iranians agreed to the Joint Comprehensive Plan of Action agreement, which was reached with not just the United States but with the Germans, the French, the Brits, the Chinese, and the Russians—the idea was to make sure that Iran didn't have a quick path, a fast track to continuing their development of nuclear weapons. They were clearly wanting to do it, and we wanted them not to do that.

So we ended up negotiating this agreement. Part of the agreement was to settle these claims from almost 40 years ago, financial claims, valuable assets that we basically seized and refused to return.

It turns out, we have to mention how highly the Vietnamese people think of us today. As it turns out, Vietnam is a very young country, very young. So is Iran.

Iran has about 80 million people. In Iran, the majority of the people are under the age of 25. They like this country a lot, but they have people over there who are more in line with the old regime, who don't like us. The Revolutionary Guard, some of the military leadership—they don't like us.

They have newly elected leadership from 4 years ago, President Rouhani, Foreign Minister Zarif, and others who, frankly, want to be able to work with us, if they can. They are willing to agree to what I think is a very harsh agreement to ensure that they don't move forward on developing weapons

and developing nuclear weapons. If they do, then we are going to impose these really stringent sanctions on them, shut down their economy—double-digit rates of inflation, economy in the tank. Finally, they said: OK, uncle. We will agree to this agreement.

Since then, the Iranians have done what the Vietnamese did a year ago; they have a more abundant civilian air fleet. Their civilian aircraft are old, decrepit, and they need new ones. They are doing what the Vietnamese have already done: buying a lot of American-made aircraft, passenger aircraft by Boeing. We are not talking about just a couple billion dollars' worth but certainly more than \$10 billion worth.

I think they have already taken orders on one and have made one of the very first ones, and there is more to come. I think they are also going to buy a bunch of airbuses. I think more than half of the airbuses have components made in America, and that is another boost to our economy.

I don't remember who said it, but a Chinese military leader once said: The greatest victory of all is the one that we win without firing a shot. That is what he said: The greatest victory of all is the one we win without firing a shot.

Well, for a Navy guy who has seen some time in a combat area and the Presiding Officer, who knows a little bit about this stuff as well—I think he probably agrees with me that if you can win one without shooting anybody or getting anybody killed, I think that is worth doing.

The other thing I would say is, that doesn't mean we just trust Iran that they are going to do what they said they are going to do in the deal. There is an agency—I think it is called the International Atomic Energy Agency. They are all over them in terms of monitoring the deal and making sure that what the Iranians agreed to do, they actually do. What is it, trust but verify? That is really what the Iranian deal is all about: trust but verify. We will see how it all works out.

Color me hopeful. A lot of times when we vote on stuff, we vote our hopes as opposed to our fears. Sometimes we vote our fears, as opposed to our hopes. On the Iran deal, I voted my hopes. We will see how it goes, and I am hopeful.

#### BORDER WALL

Mr. President, that is not why I came to the floor. There is a lot of talk about a wall. I heard a song by Pink Floyd the other day: "All in all it was just a brick in the wall."

The President wants us to build a wall on our southern border with Mexico. It is about 2,000 miles between the Pacific Ocean and the Gulf Coast. I have been down there any number of times as the chairman of the Homeland Security Committee and still as the senior Democrat on the Homeland Security Committee. The ranking member is CLAIRE MCCASKILL of Missouri.

I have not been on every square mile of the border with Mexico, but I can

tell you that there are some places on the border where a wall makes some sense, and there are frankly a lot of places where it doesn't, including where you have hundreds of miles of river where it doesn't make any sense.

Also, I have heard from folks from Yuma down there, where the Border Patrol told me—where they had an area where they had some wall. I think the wall was maybe 15 feet high, and they kept finding like 18-, 19-foot ladders on the other side of the wall, where people would come up with a ladder to the wall and go over and above the wall. So you can go over a wall. You can even go over a high wall with a ladder that is high enough. A lot of that has been done.

You can go under a wall, tunnel under. A lot of people tried to get out of Mexico into the United States by tunneling under the wall.

As it turns out, walls in some places make sense. Fences in some places make sense. Boats in some places, like on the river that happens to be our border, the Rio Grande border with Mexico—boats make sense. Sometimes fast boats, really fast boats make sense. Sometimes it makes sense to build a ramp so you can get boats into the water in different places. Sometimes it makes sense to build a road on our side of the border to give us mobility. Sometimes it makes sense to put surveillance equipment in drones. Sometimes it makes sense to put surveillance equipment in helicopters. Sometimes it makes sense to put surveillance equipment in fixed-wing aircraft and also not just binoculars to try to find people.

There is something called VADER. It is an acronym for Vehicle and Dismount Exploitation Radar, to find people. It is very highly sophisticated surveillance equipment to go on our drones, go on our helicopters, and go on our fixed-wing aircraft.

What is so special about this? It can see at night. It allows us to see dozens of miles into Mexico at night—through fog, through rain. We have a system and if we need to, rather than just send out aircraft or drones or whatever without that kind of surveillance equipment, let's put the surveillance equipment on it. That makes far more sense than building a 2,000-mile wall.

Other things that make sense are surveillance towers. We have to go 100 feet up in the air, 200, 300 feet. Some of them are mobile. Some of them are stationary. We have motion detectors. In some places, that makes a lot of sense.

There is no shortage of ideas that make sense. What I like to do to try to figure out what to do is I ask people like the Border Patrol: What do you think makes sense? And what they pretty much say is an "all of the above" approach.

We have an "all of the above" approach in energy. If we are smart about securing our border with Mexico, I think we have gotten smarter as we

have gone on. We certainly have a lot more people down there than we had before that. We have 20,000 people, our men and women in the Border Patrol. They work hard and do a good job.

It is an “all of the above” approach. So I wanted to get that off my chest.

Does it make sense to spend \$25 billion to build a wall that we may need less than 100 miles? Probably not. Absolutely not.

The people who are coming across our border with Mexico are not Mexicans. They used to be. There are more Mexicans going back into Mexico from the United States than are coming into the United States from Mexico. The places where a lot of illegal immigration is coming from are three countries: Honduras, Guatemala, and El Salvador. Honduras, Guatemala, and El Salvador.

Here is why they come. It is because they live lives of desperation. They live lives without economic hope, economic opportunity, murder, mayhem, some of the highest murder rates in the world. I think El Salvador—I don’t know if we have the numbers here. They have a number of different routes they take from the three countries of Honduras, Guatemala, and El Salvador, mostly coming into the United States right here. They don’t so much go over to El Paso. They certainly don’t head over here on land to get in on the western side of our border. Some try to come by air, but mostly they come by—it used to be by train, now mostly it is by land, and they are dangerous missions. The reason they come is because there is not much hope there.

Frankly, the reason there is not much hope there, in part, is because of us. There used to be a comic strip called “Pogo.” The Presiding Officer remembers “Pogo.” One of the lines from “Pogo” is, “I found the enemy, and it is me.”

We are the enemy. The chairman of the Homeland Security Committee said many times, the root cause of what is going on down there is our addiction to drugs in this country. The drugs are trafficked through here, they come into the United States, are sold, and the money from the drugs goes back there along with guns. When we deport the bad guys, what do we do? We take the bad guys who were selling the drugs, and we put them right back down here. It is a toxic mix of guns, weapons, and bad guys. They make life down here miserable for people.

As it turns out, Colombia, a few years ago, was a miserable place to live too. One time, about 20 years ago, a bunch of gunmen in Colombia rounded up the supreme court justices of the Colombian supreme court, took them into a room and shot them to death—shot them to death.

There was a time when the FARC, the rebel groups, the leftist groups, and the drug gangs were trying to take down the Government of Colombia, and it looked like they could. And some great people in Colombia stood up and

said: Not on my watch. This is not going to happen on my watch. They came up with Plan Colombia in order to make sure this didn’t happen. President Clinton and a guy named Joe Biden, who was chairman of the Foreign Relations Committee, led an effort to—not for us to fully fund Plan Colombia, but they basically said: This is on you. You can do it like at Home Depot. You can do it. We can help. They did the heavy lifting. They did most of the raising of revenues, and we played our role. We continued to play our role for 20 years and Colombia is a different place today.

The same thing can happen to these three countries down here. Joe Biden was playing a significant role as Vice President. I was helpful, as was Jeh Johnson, former Secretary of Homeland Security, and others as well. These folks, along with these three countries, came up with something they called the Alliance for Prosperity. It is really like Plan Colombia—find out what works, do more of that. Plan Colombia worked, and they are trying an approach like this down here. The idea is to restore the rule of law, to focus on infrastructure, to focus on making good government work and be effective, to really tamp down on the corruption they have there, the obstruction that goes on with small businesses. The idea is to create a safer, better place. Most people don’t want to leave here. I talked to plenty of them. They want to stay there. Some of them want to come up here and work but then go home. This is their country, and they love their country, like we love ours.

Finally, as we have been joined on the floor by one of my colleagues, I ask him to allow me just maybe another minute or two.

#### NAFTA

Mr. President, there has been talk about NAFTA. There has been talk—and I don’t know if these are alternative facts coming out of the White House or what—that the President is going to pull out of NAFTA.

I would just state this. I met with Robert Lighthizer, who is going to be our Trade Rep—and I understand that he will be a good one. He will succeed Michael Froman, who was an excellent Trade Rep for a number of years. When I met with Mr. Lighthizer in my office a couple of months ago, he talked about renegotiating NAFTA. When we negotiated the Trans-Pacific Partnership with 11 other countries around the world—40 percent of the world’s markets—we did that over the last couple of years, we were renegotiating NAFTA. We fixed a lot of things in NAFTA that needed to be fixed, not just in the Mexico part of NAFTA but also Canada.

One of the things that needed to be fixed was in our top market—we raise a lot of chickens in Georgia, Delaware, Maryland, Virginia, and other places. Our top market for poultry is Mexico. Canada doesn’t buy our chickens. They

keep us out. The Trans-Pacific Partnership renegotiated NAFTA, not just for poultry but for a variety of other commodities we want to sell.

So my friendly advice to the President is, before he goes ahead and pulls out of NAFTA, why doesn’t he and the administration take a closer look at what we renegotiated in the Trans-Pacific Partnership when we renegotiated NAFTA. I think we will find a lot of what we need to do, want to do, and what we can agree to do.

#### HEALTHCARE

Mr. President, I want to talk about healthcare reform. The Republicans came up with a really good idea in 1993. It was introduced by John Chafee, the Senator from Rhode Island, and co-sponsored by 23 Senators. It was an alternative plan to HillaryCare in 1993. The Republicans got the ideas from the Heritage Foundation, and they turned out to be good ideas.

One provision they included was that every State would have an exchange. If people couldn’t get healthcare, they could buy their healthcare coverage as a part of a large purchasing pool called an exchange. The Republican idea from Chafee and others not only had exchanges but had sliding-scale tax credits for buying down the healthcare for lower income folks to buy down the cost of coverage for lower income people. When their income reached a certain level, the tax credit went away. That was in 1993, the alternative plan to HillaryCare, with the individual mandate. Basically, many folks had to be covered, and there would be a fine if they didn’t get coverage. We can’t make people get coverage, but the idea was to get people to get coverage.

The employer mandate was the fourth concept. The fourth concept said employers of a certain size—I think it was employers with 50 to 100 employees—were to provide healthcare to their employees.

The last piece was that insurance companies could not deny coverage to people because of preexisting conditions. That was the 1993 proposal, courtesy of the Heritage Foundation.

When Mitt Romney was Governor of Massachusetts, he took that game plan, lock, stock, and barrel, and established RomneyCare and it worked out pretty well. When we did the Affordable Care Act, we took RomneyCare and built on that.

I will close with this. The piece that needs to be fixed and repaired, not repealed but fixed, out of the original Republican idea is the idea that the insurance companies need a stable insurance pool of healthy people, not just old people and sick people but healthy people and younger people as well. There are some ways we can fix that. It is one of the fixes we need to make. It isn’t all that hard. It isn’t all that hard, and I will talk about that some other day.

I appreciate my friend from one of those Dakotas—South Dakota—for being patient and waiting. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Thank you, Mr. President.

My colleague and friend, the Senator from Delaware, is also a former Governor, and it is always enjoyable to listen to the experiences and clearly the understanding about a number of the issues we have in common in terms of things that concern us.

I remember back in 1993, as well when we were looking at healthcare reform in South Dakota, we actually, in our process, adopted the vast majority of what was considered to be the recommendations from the National Association of Insurance Commissioners—guaranteed renewability of policies, guaranteed to be able to move from one group insurance product to another group insurance product, a minimum amount of premium versus maximum amount of premium by any carrier in any single group of policies in one plan. Those provisions actually worked for us for a period up until 2009, when ObamaCare became the law of the land, and at that point we suffered through the same problems most of the rest of America is suffering through right now.

But there are some things that really do bind us together, and one of them is trying to make and produce the best healthcare products for the citizens within our different States that we possibly can. I think in the U.S. Senate there are enough of us who truly believe we can fix, repeal, replace ObamaCare. I think Democrats would like to say we are going to fix it. I think Republicans recognize that we are probably going to do more of a start-over because the basic concept of ObamaCare, which was moving more and more into a single-payer system, will not work.

For those of us who believe in the free market, what we want to do is take away the regulations at the Federal level, give them back to the States, and allow the States to actually experiment and make a more competitive healthcare product. That allows for businesses to be able to insure more individuals to help pay for their costs. It also means, then, you can actually get more individuals to receive the benefits of private healthcare rather than being responsible for or at least expecting that the Federal Government is going to subsidize with Federal taxpayer money their healthcare costs. I think that is part of what we need to be concerned with here today.

#### REGULATORY REFORM

Mr. President, we all want a strong economy. We want more jobs being made available. One of the reasons I am here on the floor today is to talk about not just the healthcare regulations that impact the ability of employers to hire employees, but we should also be talking about the regulatory environment in the United States.

That is what I really want to talk about today, is this tremendous suc-

cess we are beginning to have in just the first 3 months that President Trump has taken office. We have been successful in undoing a number of the regulatory hurdles that have been hindering job growth and prosperity in the United States.

It has been 3 months now since the President took office, with a Republican-led Congress in place ready to help him advance policies that grow our economy and allow hard-working Americans to keep more of their paycheck each month.

We are going to be talking a lot about tax reform, but we shouldn't forget about regulatory reform as well.

One of the items with tax reform, some folks actually suggested a tax on items being brought into the United States—a border adjustment tax. One of the reasons for that was they thought we would be buying more American goods if we made those goods from other countries more expensive by putting a tax on them, which would be passed on to the consumers. I think that is the wrong approach.

What we should be doing is allowing our consumers the availability of a less expensive American product, and the way you do that is we allow manufacturers in the United States to become more competitive. We do that by reducing their input costs, including a regulatory impact that is huge.

We believe we should be creating an atmosphere in the United States for products to be produced at a cost that is less in the first place. We shouldn't have to increase the cost of other people's products coming into the United States. We should be making it less expensive for our producers to compete with them. The way we accomplish this, first and foremost, is by reducing the regulatory environment in America, which is way too intrusive, duplicative, and overreaching.

If anyone is wondering how bad the regulatory environment is in the United States today, well, regulations cost the American people \$1.9 trillion annually, the bulk of which is handed down to consumers. Businesses don't absorb it, they pass it on.

How are the consumers paying for it? Through higher prices on products and goods produced in the United States. If you are wondering why it is such a big deal, it is because we want our manufacturers, our producers, and our businesses in the United States to be able to compete with our competitors overseas, the ones that don't have the crippling regulatory environment we have here at home. Right now, our businesses and job creators are crippled by Federal regulations that limit their ability to expand and grow, to create more job opportunities, and pay higher wages.

If the \$1.9 trillion we spend annually on regulations were a country, it would be the 10th largest economy in the world, about the size of India or Russia's economy. Get this. We pay more as consumers for the cost of regula-

tions at \$1.9 trillion than we as taxpayers pay in personal income taxes on April 15. On April 15, we pay about \$1.4 trillion in personal income taxes, and yet we pay \$1.9 trillion—one-half trillion more in the costs of regulations.

No other country in the world even comes close to this sort of unhealthy, costly regulatory environment. It is putting us at a competitive disadvantage in the international arena. While there has been a lot of focus this week on reforming our tax policy to get us back to the level of global competitiveness that we need, we must not lose sight of the need to reform our regulatory environment to one that invites growth and innovation. Both are needed. We have to reform our tax policy, and we absolutely have to reform our regulatory policies.

Already in the first 3 months that President Trump has been in office, we have made progress in stopping harmful regulations from taking effect. Under the Congressional Review Act, the Senate has passed 13 resolutions so far this year to undo Obama-era regulations. The Congressional Review Act allows us to disapprove certain regulations that basically were approved by the administration or created by the administration over the last 6 months. The reason we are able to do it is because we can do it with just a majority vote. It is a privileged motion in the U.S. Senate. It is a majority vote in the House and takes a majority vote in the Senate. It doesn't require 60 votes, so we are actually able to, with a majority vote, undo these regulations that were going to be imposed on the American public over the last 6 months. I think that is a step in the right direction. This is a program which in the past has been used only one time since it was created in the 1990s. We have done it 13 times in just these first 3 months. The Congressional Review Act, or CRA, is truly an important oversight tool that allows Congress to undo Federal regulations issued by unelected bureaucrats at Federal agencies by this simple majority vote.

For example, we have been able to reverse the Obama administration's education mandate which would have imposed Federal education standards to assess schools at the State and local level. We think that should be done at the State and local level.

We also stopped an Obama regulation that would have imposed burdensome new restrictions on internet service providers that would do nothing to increase privacy protections for consumers. If you follow some of the misinformation that has been put out there, some people have suggested that we were taking away privacy that had been put in place by the last administration. Not true. Actually, what happened was that the courts had already stopped these provisions before they were ever put into effect.

So, for the people who like the policy protections that are in place today,

they are still there. This was a new regulation that they were going to impose that took an entirely different approach to managing privacy. We were able to stop it. We have told the agencies to go back, to start over again, and to start following a similar course of action to what was already in place and that people already liked.

The savings that come from undoing these and other regulations that we have stopped under the Congressional Review Act, combined with the President's Executive actions and rule delays, will save Americans, approximately, 52 million hours of paperwork annually and, if you accumulate what the costs are over an extended period of time, over \$65 billion in regulatory compliance costs. To the President's credit, he has also been busy using the tools he has available in order to undo burdensome regulations that are crippling growth.

The new administration put a halt to the overreaching waters of the United States—or WOTUS—rule, requiring the Environmental Protection Agency and the Army Corps of Engineers to review the WOTUS rule in order to make certain it promotes economic growth and minimizes regulatory uncertainty. I would suspect that this time around, rather than the last time around, they will actually be required to use sound science in making those determinations.

It also stopped the Obama administration's costly Clean Power Plan, which would have required States to completely rework their electric grids and would have led to dramatically higher electricity bills for every single American in the country.

Now, I am not suggesting that all rules are bad. Some rules are necessary for a government to operate in an orderly fashion and keep Americans safe, but too much regulation is costly and clearly stifles innovation. For the past 8 years, Americans have seen an unprecedented number of new rules and regulations that have been issued by unelected, unaccountable Washington bureaucrats.

We are committed to changing that "Washington knows best" mentality because, at the end of the day, over-regulation hurts families the most because they are the ones who are forced to pay more for goods and services when businesses are forced to spend exorbitant amounts of money just to put their products on the market.

It is time for America to retake its position as a world leader in innovation. It is time for America to get busy on production again—creating new job opportunities, selling more of our products at a competitive advantage overseas, affording young people new job opportunities and the ability to stay here in the United States, inviting more capital to come in because there is a better return on capital, which, once again, gets reinvested in the United States and, thus, grows our economy and allows us to be able to

enjoy the services that economy supports.

It is time to take a second look at regulations. It is time for the United States to be a leader again and for the American people to have the ability to have influence on the laws that are being created. Those laws should be voted on by their elected representatives, not imposed on them by unelected Washington bureaucrats.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to follow up on the remarks that have just been made by our friend from South Dakota.

During his first 100 days in office, President Trump has wasted no time in fulfilling one of his key promises and one of those promises that is hard to appreciate because, if bad things do not happen to you, it is hard to realize they did not happen. Yet there were many bad things in store for the American people and frankly a lot of bad things that have happened through the very kinds of regulations, over the last years, that Senator ROUNDS was talking about.

Over the last 8 years, any time I had been traveling in Missouri, one of the top-of-mind issues with group after group had always been a different and more troublesome and more burdensome recent regulation by the Federal Government. I had heard about healthcare, but often I had heard about healthcare with regard to the irrational regulations that were being put out as part of the bill, and I had heard about taxes. Yet I would say that the No. 1 issue I had heard about for the whole 8 years was that of out-of-control regulators who were clearly also not responsive to anybody and did not need to be. Frankly, in the second 4 years of that Presidency, the regulators were even less responsive than they were in the first 4 years, and I think that is something that happens way too often.

I hear from families, farmers, and job creators who tell me that the biggest barrier to job creation and economic growth is exactly what we are hearing about here this morning; that people do not think out the real consequences of the regulations.

According to regulations.gov, Federal agencies finalized more than 4,000 new regulations in 2016 alone. That was an average of 11 new regulations a day in the final year of the Obama Presidency. Let's think about that. Every one of those 4,000 regulations was a regulation that the country had lived without for the entire history of the country and that the Obama administration had lived without for 7 years.

A number of those regulations had been done so late that we had had a chance to look at them through the Congressional Review Act because they were still available to the new Congress. That is how late they happened. One of them went into effect on Janu-

ary 18, and the Obama administration was over at noon on January 20.

They handed down a record-breaking 600 major new regulations that imposed more than \$700 billion in costs on our economy. Senator ROUNDS just mentioned the estimated total annual compliance costs for regulations of \$1.9 billion—almost \$2 trillion. Imagine. If half of those regulations are either duplicative or unnecessary, talk about a stimulus, if somehow we go back and figure out how to eliminate the half that does not need to be done so one can really focus on the half that needs to be done. I am for every regulation that we absolutely have to have, but I am not for regulations that we do not absolutely have to have.

What is worse is that the completely unnecessary aim of these regulations is frankly the amount of effort some of them require.

There is a \$12.3 billion regulation on efficiency standards for central air conditioners. Now, one has to find a lot of efficiency to find \$12.3 billion in savings. That is a lot of efficiency. There is a \$4.4 billion regulation that sets standards for ceiling fans. I like ceiling fans as much as the next person, but when you add \$4.4 billion to standards, that has to be paid for by somebody just like the \$3.6 billion in regulations of the control of commercial vehicle operators.

What the regulators so often do not seem to understand is that ultimately the consumers have to pay for the costs of these regulations. The cost of regulations is not really a reflection of the government's cost of being the regulator, it is the economic cost of having the regulations.

That is why I have been particularly encouraged to see President Trump taking the steps he has taken to roll back many of the late efforts by the Obama administration. Since taking office, President Trump has signed 13 Congressional Review Act resolutions which, according to the administration, will save \$10 billion in regulatory costs over a 10-year period of time. With regard to the Congressional Review Act, the Congress's passing a rejection of the rule and the President's agreeing to it happened exactly one time in 25 years prior to this administration. It has happened 13 times this year. It will happen, I am confident, a few more times, and it will have a real impact.

When you look at the regulations that have been delayed or repealed by CRAs and Executive orders—Congressional Review Act resolutions or Executive orders—the American Action Forum estimates that \$18.8 billion would be saved annually. Now, the President is not going to get much credit for that, and the Congress is not either, but if in the last few weeks we figured out how to take an \$18.8 billion burden off of people by not moving forward with regulations that the country had not had prior to just a few weeks ago, in some cases, that is a good thing.

Many of the Missourians from whom I have heard are particularly relieved that the President is also moving back from a couple of rules—the power rule and the waters of the United States rule—that Federal courts, fortunately, up until now, had said to President Obama's administration they did not have the authority to do what they were trying to do in either of these rules. The rules would have had devastating impacts on job opportunities and on families in our State. The power rule would have doubled the utility bills in 10 or 12 years.

I have been reminding Missourians over the last several months that if you do not think that is going to impact you when you pay your electric bill the next time, just write it right out of your checkbook one more time—write it—because that is what you would be doing sometime in the next decade and see what impact that has on the kinds of things you and your family would have been doing with the money that you would have been spending on twice your utility bill.

A week ago, EPA Administrator Scott Pruitt was in our State, at the Thomas Hill powerplant, to talk about how these rules would have affected the State and how one can still fulfill the mission of the EPA for clean air and clean water and a better environment without having rules that devastate families as well as deal with problems, many of which have now been on the priority list for 10 years and longer and have never been dealt with, while the EPA has been coming up with something else to do. They would have driven up the cost of groceries. They would have driven up the cost of the utility bill itself. Of course, when the utility bill goes up, the utility bill work goes up, too, and work might not be there at double the utility bill.

The combined cost savings is estimated to be as high as \$67.3 billion over the very foreseeable future of the Congressional Review Act, the President's Executive orders, the announced decisions that they have made about things like the clean power rule and the waters of the United States rule. Even in Washington, \$67.3 billion is a lot of money, not to mention the 52 million hours of paperwork that will be needed to comply with rules that were not necessary to be there and that Senator ROUNDS mentioned.

Our economy cannot grow and thrive with billions of dollars' worth of regulations dragging it down. Let me say again that I am for every regulation that we absolutely have to have—there is no argument about that—but we need to have a process by which we know whether we have to have them. That is why, in the next few weeks, I plan to reintroduce the bipartisan Regulatory Improvement Act, which the Congress looked at last year.

This bill would create a Regulatory Improvement Commission that would review outdated regulations with the

goal of bringing the list back to the Congress and saying that we think that these can all be eliminated.

I have also cosponsored an act called the REINS Act, which would give me and the rest of the Congress the obligation to vote on any regulation that has more than \$100 million of impact on the economy so that if we need it, we are going to go home and justify it, and the American people—where I live and the Presiding Officer lives—can get their hands on us if we cannot explain why we thought it was a good idea to do that.

I believe the government should work for the American people, not the other way around, and I believe the President and the Congress have taken advantage of this historic opportunity to drive that peg a little deeper in the ground.

I look forward to continuing to work on these issues. I think we need to take more responsibility for these issues. I know some of our colleagues have said: Well, why did we repeal these late regulations? Well, they were late regulations for a reason, and the country had done just fine without them up until now.

So I look forward to working with the Presiding Officer and others to continue working on this effort to have regulations that make sense when we need them and not to have regulations when we don't need them.

NORTHWEST MISSOURI STATE UNIVERSITY  
BEARCATS CHAMPIONSHIPS

Mr. President, I would also like to mention one more topic quickly. This is a very Missouri topic.

The Northwest Missouri State University Bearcats this year, in NCAA Division II, won both the football championship and the men's basketball championship. It has been a long time in Division II when any school was able to bring both of those championships back to their campus.

When I was a college president, we were in that conference, the MIAA, which is a competitive conference, and competitive enough that in that Division II level, the Bearcats brought home both of those championships.

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.

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

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

CONGRATULATING SNOWFLAKE JUNIOR HIGH  
SCHOOL

Mr. FLAKE. Mr. President, I have spoken a lot in recent years about how Arizona is quickly becoming one of our country's major tech hubs. From entrepreneurial startups to major technology companies, Arizona is supporting innovation like never before. In fact, it was just announced that Waymo, Google's self-driving car project, will be launching its first pub-

lic trials of self-driving vehicles in the greater Phoenix area.

But, today, the biggest news in tech isn't coming from publicly traded Silicon Valley companies. No, today, the talk of the tech world is the students from my alma mater, Snowflake Junior High School. That is because these students from my small hometown of Snowflake, AZ, just won the Samsung Solve for Tomorrow contest.

This national contest tasks students from across the country with creating a solution to improve their local communities by using STEAM skills—Science, Technology, Engineering, Art, and Math.

The winning project from Mr. Eilertsen's students is something special. Snowflake students designed and constructed a low-cost animal detection system to prevent fatalities from vehicle collisions with wild animals. They were motivated by the fact that an estimated 200 people lose their lives each year in these collisions, which can be common around rural communities like Snowflake.

The winning design consists of a 10-inch, weather-resistant motion sensor that blinks to warn drivers when a large animal is near. These durable, affordable sensors can be placed atop existing fence posts like the thousands that line roads all over rural Arizona.

I had the opportunity to meet with these very bright students—2 of them from a class of, I believe, 23—and those 2 are in the Gallery today, along with their teacher Mr. Eilertsen. I had the opportunity to meet with them yesterday in my office and to hear all about this winning project. Let me tell my colleagues that they blew me away with their creativity, their knowledge, and, most of all, their desire to use the STEAM discipline to save lives.

Think about how remarkable this project is. Here is a device that can actually save hundreds of lives and prevent harm to wildlife and to livestock. With the grit and ingenuity of a great startup, these students at Snowflake Junior High have shown the country that big ideas come from small towns.

In recognition of their innovative project, the students won \$150,000 in technology for their school and an additional \$20,000 for having the most popular project on social media and with the public—not bad for some kids from Snowflake.

Before I yield the floor, I would like to thank Mr. Eilertsen for all that he has done to inspire his students to think big and for making a victory in this Samsung competition possible.

I would also like to thank all of the faculty and staff in Snowflake for their tireless work as educators.

Finally, I would like to congratulate the students of Snowflake Junior High for their victory. I am confident that your project will save lives, and by winning this competition, you have provided your school with educational resources that will help students for years to come.



To the winning students from Snowflake Junior High School: Congratulations. You make me proud to be a Lobo, and, as always, proud to come from Snowflake and proud to be an Arizonan.

## NAFTA

Mr. President, we can't simply ignore the benefits of NAFTA for the U.S. economy. Experts have said that more than one-quarter of global GDP—some \$20.5 trillion—is produced in NAFTA's combined markets of the United States, Canada, and Mexico. Canada and Mexico are the largest export markets for the United States. U.S. trade with Canada and Mexico has more than tripled since 1993, and that was before NAFTA came into effect.

In 1993, U.S. foreign direct investment in Mexico was slightly more than \$15 billion. In 2016, it was more than \$92 billion in foreign direct investment.

NAFTA increased U.S. agricultural exports to Canada and Mexico by 350 percent, supporting U.S. farmers and ranchers like those back in Arizona. NAFTA has resulted in an integrated supply chain between the United States and other countries.

For example, the Wall Street Journal reported that "tens of thousands of parts that make up a vehicle often come from multiple producers in different countries and travel back and forth across borders several times." Abandoning NAFTA would destroy these supply chains, making it harder for our country's private sector employers to grow and to do business.

Arizona has certainly benefited from NAFTA. In 2016, Arizona's trade with Mexico exceeded \$15 billion. Total trade between Arizona and NAFTA countries reached nearly \$20 billion last year.

The Arizona Daily Star noted back in November that "trade with Mexico supports about 100,000 jobs in Arizona and retailers depend on roughly \$8 million Mexican shoppers spend daily in Arizona."

The bottom line is that trade is good for American businesses, it is good for American workers, and it is good for American consumers.

Trade deals like NAFTA make inputs for U.S. manufacturing cheaper than they would be otherwise. Cheaper inputs mean lower production costs for U.S.-based businesses, which, in turn, allows these companies to expand production and to reduce prices. That means everyday consumer products are more affordable for middle-class families.

If the protectionist trade policies of the past have taught us anything, it is that when we increase trade barriers, nobody wins. Do I agree that we should work to make U.S. businesses more competitive? Absolutely. Do I agree that we can modernize NAFTA? You bet. Pro-growth trade policies have been at the top of my list of priorities since I came to Congress. But any efforts to impose new restrictions on our ability to trade with Mexico and Can-

ada will have serious consequences for Arizona, leading to jobs being lost and higher costs for consumers.

If we just think, in 2003 total U.S. trade with Mexico was just around \$50 billion. Today, it is between \$500 billion and \$600 billion.

What is not to like about NAFTA? It is good for Americans. It is good for the Mexican economy. It is good for Canada.

We have noted many times that with regard to border security, the net flow of Mexican migrant workers has been south, not north, over the past couple of years. One of the biggest reasons for that, obviously, is the Mexican economy is doing better, and part of the biggest reason for that is because of NAFTA and their ability to trade. That is good for the United States. It is good for Mexico.

Trade is not a zero sum game where one party wins and the other party loses. Free trade benefits everyone. I hope that we remember this as we look toward NAFTA's future. We need to improve it and to modernize it, certainly, but we shouldn't abandon it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, before I begin my remarks, I just want to say, while the Senator from Arizona is still here, what a privilege it is to hear somebody come to this floor and actually speak about facts as they actually are—economic facts, facts related to immigration. If we had more people in the Senate who spoke on the floor the way the Senator from Arizona just did, there is nothing we wouldn't be able to accomplish together. It is a privilege to serve with him. It is a privilege to hear the clarity with which he spoke about these important issues. So I want to thank him through the Chair for that speech.

## ANTIQUITIES ACT

Mr. President, at the close of the 19th century, many of our country's—almost all of our country's—most historic sites were completely unprotected. Places like Chaco Canyon and Cliff Palace, home to some of the most ancient dwellings in North America, faced looting and desecration. So in 1906, Congress actually passed pieces of legislation and thought about the next generation of Americans. Congress acted to protect these places by passing the Antiquities Act. The act empowered Presidents to preserve sites of cultural and historic importance and protect our most spectacular landscapes by designating them as national monuments using that authority.

Teddy Roosevelt moved to protect places like Devil's Tower, Muir Woods Forest, and even the Grand Canyon. Looking back, it is hard to imagine our country without those iconic places. It is hard to imagine our country without the legacy of those people who were thinking not between sound bites on the television but across generations.

Since Teddy Roosevelt, administrations from both parties, Democratic

and Republicans—he was a Republican, as it happens, but both parties have used the Antiquities Act to preserve places critical to our heritage, including the designation of Colorado National Monument in 1911. I just visited there.

In Washington, we may differ over policies—sometimes sharply. There is no surprise that is true. But both parties have long risen above partisan squabbles of today to protect these special places for tomorrow. But with yesterday's Executive order, President Trump has upended that tradition by opening the door to attacks on our national monuments for generations to come.

I know there are people in this administration who have said they are "lifetime supporters and admirers of Teddy Roosevelt's policies." If they are, now is the time they need to be heard because today's action is an offense to Teddy Roosevelt's vision for America and threatens his bipartisan legacy of conservation. The administration's latest Executive order initiates a review of all national monument designations since 1996 that are larger than 100,000 acres, with an interim report on its findings just 45 days later. I wonder if they know how long it takes to build a consensus in the West and in other places that a place is sacred enough that it should have one of these designations, and in 45 days they are going to threaten to disturb the work of people all over the West who have supported these designations.

Speaking yesterday, President Trump justified this action by calling earlier monument designations an "egregious abuse of federal power." I wonder what he would call a Washington-led effort to undo protections for national monuments that enjoy deep support from communities all across the country, including in my State of Colorado?

For all their rhetoric about Washington overreach, this administration and its allies in Congress seem to have no problem substituting their rash judgment for the thoughtful, community-driven designations of national monuments across the United States of America. Had they studied this issue at all, they would have learned that existing monument designations come from exhaustive consultation and hundreds of meetings over thousands of hours.

Unlike this administration, western communities did our homework. We laid the groundwork and paved the way for these designations, which leads me to wonder what the administration's review hopes to achieve. I would challenge anybody in the Senate to come down here to this floor and explain exactly how this 45-day review will uncover information that somehow our western communities missed. They can't. They can't because that is not the point of this review, which is no more than a Trojan horse for advancing the agenda not of the West but for advancing the agenda of partisan think

tanks and politicians in Washington instead of the real-world interests of western communities.

Worse, if the administration ultimately repeals national monument designations—which I hope they will not—as a result of this order, it would cause real economic pain to Western States, especially in rural areas. A recent study found that rural counties in the West with protected public lands saw jobs grow at a rate more than three times faster compared to areas without protected lands. It just makes sense. Just ask outfitters and guides near Browns Canyon, a national monument, or local business owners around Chimney Rock, a national monument, what the effect has been on their businesses. In fact, those businesses were huge champions of both those national monuments. You can go buy a beer in Pagosa Springs from a brewery that is brewing it and putting a label on it that says “Chimney Rock National Monument.” You can buy the beer and take it rafting through Browns Canyon with outfitters who strongly support the monument.

National monuments not only preserve our heritage, they strengthen rural communities by supporting outdoor economies and attracting visitors from around the country and around the world. We should be more encouraging of that. Let’s do more of that. Instead, this Executive order takes aim directly at our rural economies in the West.

Look at this. As we can see here, nationwide, Americans spend \$887 billion on the outdoor economy each year, supporting \$65 billion in Federal tax revenue and 7.6 million American jobs which can’t be exported anywhere. There is not a country in the world that has a system of public lands like the United States of America and in particular the Western United States of America. There is not a country in the world that has what we have.

If this administration really is serious about creating jobs, strengthening our economy, and remaining faithful to the bipartisan legacy of Roosevelt, it should keep our national monuments intact and uphold the traditions honored by every President since 1906.

These are treasured places. Even though they have a huge value in dollars and cents, their value goes far beyond the economic value. It goes to the heart of who we are as a nation. It goes to our cultural heritage and to the legacy we want to pass on from our grandparents to our grandchildren.

Teddy Roosevelt called conservation “a great moral issue, for it involves the patriotic duty of ensuring the safety and continuance of the nation.” We must do our duty, our patriotic duty, and I will use every tool at my disposal to protect the Antiquities Act and our national monuments because in the end our character as a nation is revealed in what we choose to preserve now and for generations to come.

Mr. President, 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.

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

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

Ms. CANTWELL. Mr. President, yesterday President Trump issued an Executive order that undermined the protection of dozens of our national monuments that were established over the past two decades by three different Presidents. In continuing his administration’s war on our public lands, President Trump and Secretary of the Interior Zinke have attacked one of our Nation’s most prized conservation laws—the Antiquities Act, which gives the President the authority to protect our nationally important lands and waters on Federal land by designating them as national monuments.

In the 111 years since the Antiquities Act was signed into law by President Teddy Roosevelt, 16 Presidents—8 Republicans and 8 Democrats—have used the law’s authority to designate over 150 national monuments. President Trump is trying to undo over 100 years of conservation in just a few days.

Many of our Nation’s iconic national parks were first protected by using the authority of the Antiquities Act, including the Grand Canyon, Acadia, Glacier Bay, Joshua Tree, Zion, and in my home State of Washington, Mount Olympus National Monument, which later became Olympic National Park.

No doubt Presidents of both parties have used the Antiquities Act to preserve the most beautiful places in our country. However, President Trump appears to be very uninformed on the history or the importance of the Antiquities Act. In his remarks signing the Executive order yesterday, he described the designation of national monuments as an “egregious use of federal power” and vowed he would “give that power back to the States.” He truly does not understand the Antiquities Act, nor does he appreciate the bold leadership of all of those Presidents, both Democrats and Republicans, over a period of time—eight Republicans and eight Democrats—who have used this authority in an appropriate way to preserve for all Americans in the future and those in the past who have enjoyed these beautiful places—and to preserve our access to public lands.

I can’t tell you how important access to public lands is for schoolchildren, our returning veterans, our families, hunters, fishermen, and hikers. Putting the Antiquities Act and the millions of acres of national monuments that have been protected back into the hands of a few who are more aligned with special interests to try to open these areas up to oil and gas exploration is the antithesis of what the Antiquities Act is all about.

We plan to continue to emphasize how wrong the President’s Executive order is.

First and foremost, in the Executive order, the President directed the Secretary of the Interior to review the designation or expansion of national monuments under the Antiquities Act where the Secretary deems that the designation or expansion was made without adequate public comment or coordination with relevant stakeholders. That literally gives the Secretary of the Interior broad authority to look at all the land that has previously been designated since 1996 and potentially open it up to saying they are going to try to reverse that.

There have been many discussions about the last 20 years of the designation of some unbelievable, beautiful places in America that are so special—the Grand Staircase-Escalante National Monument in Utah, which is 1.7 million acres; the Grand Canyon-Parashant National Monument in Arizona; the Giant Sequoia National Monument in California; the Canyon of Ancients National Monument in Colorado—I know my colleague Senator BENNET from Colorado was speaking about it earlier; Hanford Reach National Monument in Washington, which covers 195,000 acres; the Ironwood Forest National Monument in Arizona; the Vermilion Cliffs National Monument in Arizona; the Carrizo Plain National Monument in California; the Sonoran Desert National Monument in Arizona; the Upper Missouri River Breaks National Monument in Montana; the Rio Grande del Norte National Monument in New Mexico, on which my colleague Senator HEINRICH worked so hard; the Organ Mountains-Desert Peaks National Monument, also in New Mexico; the San Gabriel Mountains National Monument in California; the Berryessa Snow Mountain National Monument in California; the Basin and Range National Monument in Nevada; the Mojave Trails National Monument in California; the Sand to Snow National Monument in California; Bears Ears, as I have mentioned, in Utah; and the Gold Butte National Monument in Nevada. That sounds like a lot of designations that we have made over the last 20 years. Presidents were very judicious about those designations. It took a lot of public comment, many community meetings, and a lot of scientific analysis about the preservation of these areas. The end result is that for these generations and future generations, national monuments have been designated on public lands that are in our national interests.

This has been so important to us as a nation. As I said, places like the Grand Canyon, Olympic National Park in my State—many places have created what has become an outdoor recreation economy. That outdoor recreation economy is now over \$800 billion of annual revenue and dwarfs what the oil and gas industry represents as an economy of the future. In fact, this industry sector is on par to compete with

other large sectors of our economy—the financial service sector and the healthcare sector. So why are we taking away the very tool that has launched so much outdoor activity and a burgeoning job economy, with 7 million outdoor industry workers? Why are we taking away national monument designations that have been the priority of past Presidents and trying to return them because someone doesn't understand what the Antiquities Act is all about?

In addition to those large monuments that I just mentioned, also under review will be a group of other monuments that are marine national monuments. Yes, according to the definition I mentioned earlier, Secretary Zinke could review all of these monuments. In fact, I noticed that there were several people at the President's signing who represented some of these monuments. I don't know if they are urging the President to remove their areas, but it raises great concern about how important these marine monuments have been.

There is the Papahānaumokuākea marine national monument in the Hawaiian islands that was established in 2006; the World War II Valor in the Pacific National Monument, also in Hawaii; the Rose Atoll National Monument in American Samoa; the Pacific Remote Islands National Monument in Hawaii; the Marianas Trench National Monument in the Mariana Islands; and the Northeast Canyons and Seamounts Marine National Monument in the Atlantic.

In addition to all of those maritime national monuments of grand scale, these also under consideration are an additional two dozen or so—I think it looks like 25—smaller national monuments that could also be reviewed by the Secretary of the Interior. Even though they were designated with this Presidential authority, in previous administrations after great review, they could, by this President and this Interior Secretary, be wiped away very quickly.

We definitely do not believe the President has this legal authority, and we will pursue a vigorous fight. Why should we be wasting taxpayers' money when taxpayers' money was already spent to make these designations, and the taxpayer is getting the huge economic benefit of having these outdoor areas?

What else could be on the President's list according to this Executive order? The California Coastal National Monument; Cascade-Siskiyou National Monument; President Lincoln and Soldier's Home National Monument in Washington, DC; Kasha-Katuwe Tent Rocks National Monument in New Mexico; Minidoka National Historic Site in Idaho; Pompeys Pillar National Monument in Montana; Virgin Islands Coral Reef National Monument; Governors Island National Monument in New York; the African Burial Ground National Monument in New York; Fort

Monroe National Monument in Virginia; Fort Ord National Monument in California; Chimney Rock National Monument in Colorado; the Cesar Chavez National Monument in California; San Juan Islands National Monument in the State of Washington; the Harriet Tubman Underground Railroad National Monument; the First State National Historic Park in Delaware; the Charles Young Buffalo Soldiers Monument; the Honouliuli National Monument in Hawaii; the Pullman National Monument in Illinois; Browns Canyon National Monument in Colorado; Waco Mammoth National Monument in Texas; Castle Mountains National Monument in California; the Belmont-Paul Women's Equality National Monument; Stonewall National Monument in New York; the Birmingham Civil Rights Monument in Alabama; the Freedom Riders National Monument in Alabama; and the Reconstruction Era National Monument in South Carolina.

The Executive order says the Secretary of the Interior can review any national monument designation since 1996 "Where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders."

The Executive order says that for any national monument on the list I just mentioned, the Secretary of the Interior could decide there was not appropriate public outreach. Even though the process used by Presidents under the Antiquities Act makes sure you have that, this Secretary could decide there wasn't enough and recommend to undo any of these monuments and eliminate access to the public for the purposes of recreation and enjoyment.

So this administration has it dead wrong. He is no Teddy Roosevelt. In fact, I saw he had a press conference with a statue of Teddy Roosevelt behind him. Teddy Roosevelt would be appalled because his concept of preserving Federal land was so important. Teddy Roosevelt was an outdoorsman who spent many a time in these great places of our Nation and understood their great significance. That is why we have the Antiquities Act. He knew that these resources strengthened our country. They made us strong as a nation. They show the crown jewels of the United States of America in all their glory and beauty. He knew it was important to protect them for future generations to enjoy, not just for the special interests to take advantage of in the near term.

We have a lot of Federal land and offshore land that is used for resource exploration and development. As people know, natural gas is at an all-time high in the United States and driving an all-time low price. It is not as if you need access to Bears Ears National Monument to drive down the price of natural gas or other fossil fuel. What you are going to do by pursuing this wrongheaded approach on Bears Ears is

take away one of the historic and beautiful archaeological histories of Native Americans and early Americans in the United States—and an area that has excellent outdoor recreation opportunities—and throw it, along with the concept of the Antiquities Act, over the side just because someone wants to try to reverse what our previous Presidents, starting with Teddy Roosevelt, have done to protect these monuments in our national interest.

Representing a State where we have several counties that have lots of Federal land, whether forest lands or BLM lands, I know that it can be challenging for local communities to maintain the infrastructure, the education, the hospitals, the law enforcement. I am a big believer in making sure that what are called PILT payments and the Secure Rural School Program are well funded and financed to make sure that these communities can be there to help us support these public lands. But the notion that with one act we would throw in Teddy Roosevelt's face all of these national monuments and now say that we are going to try to use it in reverse to review the work in the near term, of 3 different Presidents who used this authority is simply wrong-headed.

What we need to do is embrace the outdoor economy. As I said, it is 7 million jobs with over \$800 billion of economic activity. In fact, since the last time they did their report, there has been a \$200 billion annual increase in the economic impact in the United States of America. What great news. An industry and sector, particularly in retail, is growing by leaps and bounds. It is an industry that is providing people with more tools and opportunity to enjoy our beautiful places. The only thing we can do to screw that up is start taking away the beautiful places where people go to recreate. I would say we should be examining how well these areas we have protected are being used and figure out how we can continue to communicate to the general public about these wonderful experiences.

Do not think for one minute that the American people in their souls are not connected to the spiritual nature of these beautiful lands. They are. And that is what Teddy Roosevelt knew. He knew this is where we go to rejuvenate. Let's not take it away for some oil and gas exploration.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Nevada.

NO BUDGET, NO PAY ACT

Mr. HELLER. Mr. President, as we approach yet another deadline to continue funding for the government, I rise to speak today regarding my frustration and disappointment that Congress is once again kicking the can down the road. I am frustrated that I keep having to have this same conversation with my colleagues. I am disappointed in the lack of responsibility of everyone here in Washington, DC, to

do their job. Washington, DC, is the only place I can think of where people believe it is OK not to do their job, miss their deadlines, make up a new deadline, and then repeat that same process year after year after year.

I am upset that continually I have to remind everyone in Congress that the most basic responsibility that we have is to pass a budget and all of the appropriations bills and we should do it on time. It seems like Members of Congress now depend on the countdown clock at the bottom of every news channel to remind them to do their job.

Here we are, 4 months into 2017, and we still have not completed the appropriations process that was supposed to have been done half a year ago. If that is not bad enough, we only have 15 legislative weeks left to finish funding for the next fiscal year. My colleagues, I believe we are setting ourselves up for failure.

Washington is a consequence-free zone. That is why I will continue to advocate for my No Budget, No Pay Act. I have personally never seen Congress pass all 12 appropriations bills on time, on their own, without an omnibus or a CRomnibus. Regardless of who is in the majority, regardless of who is in the minority, my No Budget, No Pay legislation says that if Members of Congress do not pass an annual concurrent bipartisan budget resolution and all 12 spending bills on time, each year, then, they should not get paid.

Let me repeat that last part. If Congress fails to pass all 12 spending bills on time each year, then, they should not get paid. The American public is just as frustrated as I am. Since I have introduced No Budget, No Pay, I have been getting some much positive support for this idea. A woman by the name of Patricia from Fernley, NV, wrote to say No Budget, No Pay is long overdue.

Dorothy from Henderson, NV, wrote me to say No Budget, No Pay is a wonderful solution. Just last week, speaking in Reno, NV, I was asked when Congress is going to finally pass the No Budget, No Pay Act. Until the No Budget, No Pay Act is passed into law, I don't see any other way to motivate Members of Congress to do their job and avoid these continuing resolutions in the future.

I cannot support a CR that just boots our problems to another day without enacting the principles that are outlined in my No Budget, No Pay Act. There are important issues that need to be addressed through the appropriations process. For my home State of Nevada, we are looking at proposals from this new administration to cut funding to vitally important programs, such as the Southern Nevada Public Lands Management Act, better known as SNPLMA, or payments in lieu of taxes, better known as the PILT program.

While these programs may not mean much to some of my colleagues, for Nevada they are vitally important to en-

surging economic viability and competitiveness for our State. Moreover, Nevada has been a good steward of these dollars by utilizing them for job-creating projects within my State.

By taking up individual appropriations bills and engaging in debate on programs important to particular agencies, Members have the opportunity to fight for priorities that are important to their State. Right now, I am fighting to fund these programs. Sometimes this fight needs to ensure certain programs are not funded because they are a waste of taxpayer dollars, like Yucca Mountain. I cannot say it enough times for my colleagues: Congress should not provide any funding to this failed project that has already wasted so many taxpayer dollars.

Nevada will not be a federally subsidized national nuclear waste dump, plain and simple. If I can repeat that, Nevada will not be a federally subsidized national nuclear waste dump, plain and simple. Without exercising the power of the purse, which my No Budget, No Pay legislation ensures, we will all be right back here in a week, a month, or several months, making the same speeches, taking the same votes over and over.

So I would like to say to any of my colleagues who are tired of these continuing resolutions, regardless of what specific issues they are fighting for, to support the No Budget, No Pay Act. I believe the Congress can work again, but it will take some of that accountability—like the No Budget, No Pay Act—to get us there.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### REGULATORY ACCOUNTABILITY ACT

Mr. PORTMAN. Mr. President, I rise today to talk about legislation to give our economy a shot in the arm and to help raise wages for Americans all across our country.

When I am back home, whether it is at a small auto body shop or whether it is at a big steel plant or whether it is at a soybean farm, I hear the same thing, which is people coming up to me and saying: Hey, ROB, with all of these regulations coming from Washington, I would love to hire more people, but I am spending too much time and money trying to keep up with these regulations.

I think that is true with every Member here, whether you are a Democrat or a Republican, when you are back home talking to people. They get frustrated. Sometimes it is local and State regulations as well, but a lot of them are coming from the Federal Government.

One example would be the Whitacre Greer Company, which makes bricks. It

is a small family-owned business in Alliance, OH, just outside of Youngstown. They told me recently that complying with just one regulation is now costing this small company almost a million bucks a year that they don't have. They have had to go out and borrow the money, and that has been difficult for them. The cost of just complying with this one new regulation is about 10 percent of their annual revenue. Otherwise, that roughly million bucks would have been invested, they say, in plant, equipment and people. In other words, they would be able to create more jobs and modernize their facility if not for that compliance cost.

They are not alone. It is happening all over Ohio and across the country. Costly regulations are causing companies to pull back on expanding jobs and creating more opportunity for the people we represent.

Look, regulation has its place. There is no question about it. We need regulations. I think everybody acknowledges that. It has a proper role. We need reasonable laws that protect our health and the environment and prevent dishonest business practices. But let's make sure that, as we regulate more and more and more, we have smart regulations—regulations that make sense and that don't affect these small businesses, as I talked about with this brick company in Alliance, OH.

The reality today is that a lot of Federal regulations are more extensive in scope, more expensive to these companies—and, therefore, these workers—more unpredictable than they have to be to meet whatever the policy objectives are.

So Congress writes a law, and we have certain policy objectives, but then the regulators take that and they change the spirit of the congressional law instead of meeting that objective in the most cost-effective way possible. So I get that from my constituents, and the question is this: What do we do about it?

The other thing I hear about is the fact that regulators aren't accessible. People don't feel like they have any influence over it.

By keeping new businesses from starting and small businesses from growing, regulations are just making it harder for people to be able to make a living.

So how did we get here? Why are regulations so expensive and so burdensome on workers and jobs? I think a big reason is the way the Federal Government goes about writing regulations. Too often the process is unaccountable to the people. Too often it is based on sloppy or even bad information.

The current law that gives us the basic framework for all this process is called the Administrative Procedure Act. This has been around for a long time. But guess what. It has not been reformed in any significant way in 70 years.

The APA, or the Administrative Procedure Act, is something I have studied

in law school, as did other people here in this Chamber. It is something that you would expect to sort of change with the times, but it simply hasn't. That doesn't make sense.

Imagine if we didn't update our healthcare laws for 70 years. We are talking right now about updating the healthcare laws that were passed 7 years ago. Imagine if we didn't update our immigration laws for 70 years. Imagine if we didn't update our criminal laws for 70 years. You know, the world changes. It just doesn't make any sense not to update our regulation policy because we live in a growing and dynamic economy. Things are changing, and we have changed a lot in the last 70 years.

We didn't have things like microwave ovens or color TVs, and our economy was 10 percent the size of what it is today. Yet we are still using the same regulatory process that was put in place for a totally different kind of economy.

By the way, in 70 years, we have also learned a lot about how to regulate in a way that it is more cost effective and more efficient, and we need to put that into practice. So a reform of our regulatory process, in my view, is long overdue.

So far this year, we have taken some steps here in the Congress to give small businesses very specific regulatory relief by rescinding some of the recent regulations that the Obama administration had promulgated. We have done this about 10 times now with what is called the congressional review process. It is estimated that this has saved the economy a total of \$65 billion in regulatory costs and about 45 million hours of paperwork.

I have supported most of these Congressional Review Act bills because I think they make sense. But this is just a handful of recent regulations. We have only addressed a few of the symptoms, not the underlying cause. We still have to deal with the underlying problem of the way regulations get made. If we don't do that, the regulatory burden will just continue to increase.

By the way, this should be true whether it is a Republican administration or a Democratic administration. The same rules ought to apply.

All of this is why yesterday Senator HEIDI HEITKAMP from North Dakota and I introduced bipartisan legislation called the Regulatory Accountability Act, or the RAA, which would put in place some really important and very reasonable safeguards on the regulatory process to get better outcomes.

Every President since Ronald Reagan—Republican and Democrat alike—has agreed with the idea that regulatory agencies should estimate the costs and the benefits of something that we all accept. So they put this into what are called Executive orders saying that they have to go through the cost-benefit analysis the same way that your family does and that families

in Ohio do when they make a decision as to whether to buy that car or whether they can afford to send their kids to college. They figure out what it will cost and what the benefit will be. That has to go into regulations. Although every President from Ronald Reagan to Barack Obama has agreed on the need for that, it has never been put into law.

The first thing this legislation does is very simple. The Regulatory Accountability Act—the RAA—says that there should be a law, we should codify the practice so that businesses have the predictability of knowing that regulations are going to continue to use that commonsense cost-benefit practice.

The Regulatory Accountability Act would then take the next step of requiring regulatory agencies, once they have figured out the costs and benefits of these proposals, to choose the most cost-effective way to achieve their policy objectives. That is common sense, right? It is not done now. This is a big change and an important part of the legislation. Again, it is the same thing people do every day with their families. When they are deciding where they are going to go to school or what brand of milk they are going to choose, they go through that kind of analysis. Let's find the most cost-effective way to accomplish the goal, one that costs less and has the least impact on the ability to create jobs.

As I said before, a lot of regulations are expensive. According to the non-partisan Congressional Budget Office, from 2009 to 2014, in those 5 years, the Federal Government published more than 80 major rules a year, every year. A major rule costs the economy more than \$100 million a year, and there have been 80 a year.

For these major rules, the RAA would let stakeholders ask a court to review the cost-benefit analysis used by the regulators, so that we ensure that agencies are using the best information available, not relying on faulty information or making mistakes. That seems fair to me, that we should have some process to make sure they are doing the right thing. This is going to have a huge impact on regulations.

The RAA makes regulators more accountable by bringing the public into the process. When folks talk about regulations, a lot of the time, their concern is that they feel they are cut off from the process. Although they can come to me or their other elected officials and state their concerns about this or that law, they have no access to the regulators. They are not elected; they don't feel as if they are accountable. They can't complain to them, and there is no influence if they do.

So under the RAA, agencies would have to listen to public comments and proposals before making a decision. Again, this is an important change. Instead of waiting until after the decision has been made and potentially triggering years of litigation, the RAA would move up that process. An ounce

of prevention, my colleagues, is worth at least a pound of cure. It is a lot better for our companies and for job creation to put some time into the effort upfront to get it right than to have to fix it later. I think it is better for the regulatory process and better for a smart regulatory process in terms of taking our laws and putting them into practice.

So the RAA requires agencies to choose the most cost-effective regulations, creates more accountability by involving the public, ensures we are using better information, and takes existing practice and puts it into law. Ultimately, this is going to make smarter rules with better outcomes and will give us a better environment for creating more jobs with better wages. The RAA will free up more resources for small businesses to hire more people, raise wages, and purchase more equipment. That will boost economic growth and benefit all of us.

There are some critics who have suggested that this bill will kill the regulatory process and prevent new regulations from being issued, but clearly they have not read the bill. The reason this bill is bipartisan is because it gives the American people a voice in the regulatory process and it makes it more effective for both our economy and for our health and safety. That is the kind of commonsense regulatory process that hard-working taxpayers expect and deserve from their government.

We have a lot of support for this bill from workers all over the country and from a wide variety of industries, including organizations representing truckers, farmers, electricians, and manufacturers. It is a bipartisan bill because it is a common-ground bill. It is a middle-ground bill.

I first introduced the RAA 6 years ago, and it has passed the House of Representatives five times. By the way, on one of those stand-alone votes, 19 Democrats in the House supported it. Some Democrats who serve in the Senate today have supported it in the past; they were House Members then. By the way, that was when the regulatory burden was less of a problem than it is today. I have always had Democratic cosponsors of the RAA when I have introduced it here in the Senate.

I am happy to have Senator HEITKAMP, Senator MANCHIN, and Senator HATCH as the original cosponsors to this legislation because this idea is needed now more than ever. It is a great opportunity to break through the partisan gridlock and get something that creates more jobs, raises wages, and makes a difference in people's lives. I think that is what the American people are looking for. That is what my neighbors in Ohio tell me. They want us to get stuff done to help families. I urge my colleagues to join Senator HEITKAMP, Senator HATCH, Senator MANCHIN, and me in supporting this legislation that will create

a more stable and reliable regulatory process and give the people we represent more opportunity.

Thank you, Mr. President.

I yield back my time.

The PRESIDING OFFICER. The Senator from Colorado.

TRIBUTE TO JOHN STRAAYER

Mr. GARDNER. Mr. President, in Denver today, the Colorado General Assembly will gather to pay tribute to Colorado State University professor John Straayer, whose 50-year teaching career included 37 years of managing a legislative intern program during the spring semester. Every Tuesday and Thursday, rain or snow, Dr. Straayer, a van or two, and an over caffeinated, sleep-deprived, ambitious crew of college juniors and seniors would travel to Denver from Fort Collins under the tutelage of Dr. Straayer to learn the "art of legislation."

After publishing several seminal books on Colorado politics, accumulating roughly 140,000 miles back and forth to the State capitol, and supervising over 1,000 interns over the years, he is retiring from his service as Colorado's legislative professor emeritus.

Dr. Straayer has a true love of politics—the process, the policy, the people, and the place. He has a passion for every ounce of it, the kind of healthy obsession with a place that means so much to the lives of its citizens. He has seen it all—the good and the bad, the fights and the endearing moments. He watched the impacts of constitutional battles, term limits, and reforms, and 50 years later, he has never lost his passion.

To be a part of his intern program, students were required to take his class on the legislative process. As a young CSU Ram myself, I remember his class vividly, absorbing his drive and drawn into the intrigue of policy. We talked about the cowboy coalition and the Sagebrush Rebellion; about Speaker Bev Bledsoe and Roy Romer; about Anne Burford, who served in the legislature as one of the self-identified "House Crazyes," who in the 1980s became known as Ronald Reagan's EPA Administrator but who this past month became known as Neil Gorsuch's mom. We talked about the high-water mark of rural power and the rise of the suburban legislator.

Dr. Straayer introduced new generations of students to oatmeal with vanilla ice cream and topped with maple syrup.

Dr. Straayer introduced people to public service, including congressional and legislative staffers and many members of my own staff. According to a recent article in the Denver Post, those staffers and interns included former Democratic Governor Bill Ritter, Democratic State Senator Matt Jones, and Republican State Representative Dan Nordberg. They were all proteges of Dr. Straayer's. The article goes on to state that Straayer had arranged these internships, monitored them, and graded the reports of their experiences.

Dozens of Straayer interns have risen to high electoral office or become key legislative lobbyists—and not just in Colorado; one of his former students is a city alderman in Chicago.

I remember visiting Dr. Straayer when I first joined the program and was getting ready to be assigned to a legislator. When I received the assignment, I was disappointed to learn that I hadn't been appointed to the legislator I was hoping to be assigned to. Instead, I was assigned to a legislator from the Western Slope of Colorado. I am from the Eastern Plains, and I wasn't used to the Western Slope issues. Soon I would discover that Dr. Straayer had placed me with an incredible legislator named Russell George, who went on to become Colorado's speaker of the house—an individual who Dr. Straayer knew would be an incredible tutor and an inspiration to me. Dr. Straayer was right. Speaker George taught me about issues I work on each and every day here in the U.S. Senate—about public lands, water, and the West. He was and is an inspiration to me, and it is because Dr. Straayer had the discernment to go above and beyond for his students.

After graduation, Dr. Straayer invited me to speak to his class and later would tease me in the State legislature that perhaps I talked too much from the well. He provided me interns from the very same program I was a part of 10 years before. Most of all, he reminded me of the good that comes from our teachers and mentors, those who look out for us because, from a special place in their heart, they know that through the gift of their teaching, they will have a lasting impact for generations to come.

Congratulations, Dr. Straayer. Thank you for your service to Colorado State University and to the State of Colorado, and thank you for impacting the lives of so many people. From this U.S. Senator, thanks for being that life-changing spark.

I yield the floor.

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, on Monday night we confirmed former Georgia Governor Sonny Perdue to be President Trump's Secretary of Agriculture, and I am here for my 164th "Time to Wake Up" speech to urge Secretary Perdue to listen to his agency, to scientific researchers in farm States across the country, to our major food and agricultural producers, and to farmers, fishermen, ranchers, and foresters about the serious and growing effects of climate change.

Carbon dioxide from burning fossil fuels is changing the atmosphere and the oceans. We see it everywhere. We see it on drought-stricken farms and in

raging wildfires. We see it in fish that are disappearing from warming, acidifying waters. We see it in our dying pine forests. We see it in extreme weather events.

Secretary Perdue is taking the helm of an agency with a key role in mitigating those very effects. The USDA provides farmers, foresters, commodities markets, and State and local officials with analyses of trends and emerging issues affecting agriculture, the food supply, the environment, and rural communities. In its own Climate Change Adaptation Plan, the Department notes: "Climate change has the potential to confound USDA efforts to meet these core obligations and responsibilities to the Nation."

During his tenure as Governor, Secretary Perdue issued a State energy strategy, stating: "Strong scientific evidence exists that increasing emissions of carbon dioxide and other greenhouse gases are affecting Earth's climate."

That is encouraging. Yet, when asked by Senator LEAHY about climate change during the Secretary's confirmation process, he backpedaled and said: "It is clear that the climate has been changing," but there is "significant debate within the scientific community" on whether human activities play a role in that.

Whoops, that is the classic denier dodge, and it is just not true.

Secretary Perdue said several times during his confirmation process that he will use the "best scientific and statistical data available" to make decisions. The National Climate Assessment uses the "best scientific and statistical data" to conclude this: "In the long term, combined stresses associated with climate change are expected to decrease agricultural productivity."

In the Midwest, for instance, the National Climate Assessment reports that temperatures are increasing, and the rate of warming tripled between 1980 and 2010. Under the assessment's worst-case scenarios, temperatures across the Midwest are projected to rise 8.5 degrees Fahrenheit by the year 2100. If you are a farmer, 8.5 degrees changes everything.

In the western mountains, massive forests stand dead on the mountainsides as warmer winters allow the killer bark beetle to swarm into higher latitudes and higher altitudes. Over 82 million acres of national forests are under stress from fires, these insects, or both. Ominously, the assessment says that the combined effect of increasing wildfire, insect outbreaks, and diseases is expected to cause an "almost complete loss of subalpine forests."

The cost to taxpayers of fighting fires in those dead and dying forests is growing dramatically. Firefighting has gone from just 13 percent of the Forest Service's budget in 2004 to over 50 percent in 2015. The Forest Service estimates that by 2025 fighting fires will take up to two-thirds of its budget.



Forest Service Chief Tom Tidwell testified to the Senate: “This increase in the cost of wildland fire suppression is subsuming the agency’s budget and jeopardizing its ability to implement its full mission.”

One place Secretary Perdue can go to find out a little bit about this is from our State universities.

The University of Wyoming’s Center for Environmental Hydrology and Geophysics, for example, reports: “Many of the most pressing issues facing the Western United States hinge on the fate and transport of water and its response to diverse disturbances, including climate change.”

At Kansas State University, professor of agronomy Charles Rice is using climate modeling to help anticipate climate effects in the Great Plains and to help the region mitigate and adapt to those effects.

In Wisconsin, Victor Cabrera, an assistant professor in the University of Wisconsin-Madison Dairy Science Department, says that higher summer temperatures and increasing drought will interfere with both livestock fertility and milk production, and dairy cows could give as much as 10 percent less milk. Secretary Perdue’s own Department of Agriculture predicts that by 2030 climate change will cost the United States’ dairy sector between \$79 million and \$199 million per year in lost production.

South Dakota State University professor Mark Cochrane is working with the Forest Service to better understand how a changing climate is affecting our forests. Professor Cochrane reported: “Forest fire seasons worldwide increased by 18.7 percent due to more rain-free days and hotter temperatures.”

Secretary Perdue could travel to Iowa and hear from Gene Takle, an Iowa State University professor of agronomy and geological and atmospheric sciences, who told a United Nations conference recently that climate change is already affecting Iowa farmers. “This isn’t just about the distant future,” he said. At Iowa State’s Leopold Center for Sustainable Agriculture, Secretary Perdue could also hear about what the center calls “aggravated and unpredictable risk that will challenge the security of our agricultural and biological systems.”

I am from the Ocean State. So let’s turn to the oceans, where the National Climate Assessment predicts: “Fishing costs are predicted to increase as fisheries transition to new species and as processing plants and fishing jobs shift poleward.” In the Pacific Northwest, ocean acidification caused a 70-percent loss of oyster larvae from 2006 to 2008 at an oyster hatchery in Oregon. Wild oyster stocks in Washington State have failed as weather patterns have brought more acidic water to the shore. This is an industry worth about \$73 million annually. So we ought not to laugh this off.

In Alaska, the University of Alaska has an Ocean Acidification Research

Center. That is how seriously they take it. The Ocean Acidification Research Center warns that ocean acidification “has the potential to disrupt (the Alaskan seafood) industry from top to bottom”—a top-to-bottom disruption of one of Alaska’s major industries, and we cannot get a word on climate change out of the Republican side of the aisle in this building.

It is, of course, not just scientists. Some of the largest agriculture and food companies are speaking out as well. For these companies, climate change is not a partisan issue. It is not even a political issue. It is a business survival issue. It is their new reality. In 2015, major food and beverage companies visited Congress to tell us how climate change is affecting their industry.

“Climate really matters to our business,” said Kim Nelson, of General Mills. “We fundamentally rely on Mother Nature.” The choices we make to protect or forsake our climate, she said, will be “important to the long-term viability of our company and our industry.”

Paul Bakus, of Nestle, agreed, saying that climate change “is impacting our business today.” His company cans pumpkins under the Libby’s brand. They have seen pumpkin yields crash in the United States. Mr. Bakus told us: “We have never seen growing and harvesting conditions like this in the Midwest.”

Chief sustainability officer for the Mars Corporation, Barry Parkin, was blunter in his assessment: “We are on a path to a dangerous place.”

Greg Page, the former CEO of Cargill, has publicly stated that climate change must be addressed to prevent future food shortages. Specifically, he said:

U.S. production of corn, soybeans, wheat, and cotton could decline by 14 percent by mid-century, and by as much as 42 percent by late century. From an agricultural standpoint, we have to prepare ourselves for a different climate than we have today.

In advance of the Paris climate conference, the heads of Mars, General Mills, Nestle USA, Unilever, Kellogg Company, New Belgium Brewing, Ben & Jerry’s, Cliff Bar, Stonyfield Farm, Danone Dairy, PepsiCo, Coca-Cola, Hershey, and Hain Celestial signed a public letter—this one here—that said:

Climate change is bad for farmers and agriculture. Drought, flooding, and hotter growing conditions threaten the world’s food supply and contribute to food insecurity.

They continued:

Now is the time to meaningfully address the reality of climate change. . . . We are ready to meet the climate challenges that face our businesses.

These big, successful companies don’t take climate change lightly, and neither do our farmers, loggers, ranchers, and fishermen.

In South Carolina, farms that have been in families for generations, like that of Representative MARK SANFORD’s, are under threat from climate

change. Congressman SANFORD said: “At our family farm in Beaufort, I’ve watched over the last 50 years as sea levels have risen and affected salt edges of the farm.”

Out West, ranchers are experiencing longer and more severe droughts. In a 2012 survey of Southern Colorado ranchers, roughly one-quarter of respondents said they would likely leave the industry if the drought persisted. Carlyle Currier, who owns a ranch in Molina, CO, said: “We just can’t grow enough to feed the cattle ourselves.”

In New Hampshire, Jamey French, President of Northland Forest Products, has seen hardwood tree species begin to migrate, with less valuable timber trees like oak and hickory beginning to take the place of sugar maple and yellow birch.

I sure hope Secretary Purdue will come to Rhode Island and meet our fishermen. Chris Brown is the owner of Brown Family Seafood and the president of the Rhode Island Commercial Fishermen’s Association. He has fished in the waters of Rhode Island Sound for years: “We used to come right here and catch two, three, four thousand pounds [of whiting] a day, sometimes 10,” he told the New York Times. But the whiting have moved north to cooler waters. “Climate change is going to make it hard on some of those species that are not particularly fond of warm or warming waters,” Chris said.

And he is not alone. I have been told by other fishermen that it is getting weird out there in Rhode Island’s waters, that this is not our grandfathers’ ocean. These changes are serious for this industry.

So I hope Secretary Perdue will hear the message of our farmers, foresters, ranchers, and fishermen. They are sending this message loud and clear. Climate change is happening now, and they count on us to face the challenge.

The problem, of course, is the fossil fuel-funded denial machine that has so much influence over the Republican Party in Congress today. That fossil fuel-funded denial machine will do its best to change the subject, to muddy the waters, to create artificial doubt, and to use its anonymous dark political money to break up and thwart any signs of progress, but all the dark money in the world can’t change the things that Iowa farmers, Wyoming ranchers, South Dakota forest managers, and Rhode Island fishermen see.

If this body—if our Republican friends here—will not listen to Mars Corporation, to General Mills, to Nestle USA, to Unilever, to Kellogg, to Coke and Pepsi and Hershey, it is really time to wake up.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MORAN. Mr. President, I ask unanimous consent that I be allowed to address the Senate as in morning business.

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

INCREASING THE DEPARTMENT OF VETERANS AFFAIRS ACCOUNTABILITY TO VETERANS ACT

Mr. MORAN. Mr. President, this afternoon, the President will be signing an Executive order to increase accountability within the Department of Veterans Affairs. For several years, I have been calling on the VA to hold bad actors within the VA accountable. In my view, in too many instances, that has not occurred. There are far too many examples of those who commit wrongdoing while working at the VA, and even crimes against veterans and other VA employees have occurred without any consequence.

On his first day in office, I wrote the President urging him to make accountability within the Department of Veterans Affairs one of his top priorities. We see too many examples, and unfortunately one of those examples—one of those egregious examples—is in my home State of Kansas, where we face a terrible example of a VA employee violating the trust of veterans. Yet the VA seems to have no real sense of urgency in holding this person accountable or committing to fix the process by which he got into the position that he could commit the acts he did.

In 2015, we learned from local newspaper reports—not from the VA—that a physician's assistant at the Leavenworth VA hospital had been sexually abusing veterans. Shortly after that news broke, Leavenworth County prosecutors charged this individual with multiple counts of sexual assault and abuse against numerous veterans. He is currently awaiting trial.

The stories continue to come into our office and to the prosecutor about other victims. Veterans who sought services at the VA—the place they would expect to be cared for, respected, and the place they certainly should find safe—found something exactly the opposite.

As the story unfolded, we learned that Mr. Wisner—the person now charged with crimes—targeted vulnerable veterans suffering from PTSD, post-traumatic stress syndrome; he prescribed opioids that inhibited their thinking, and he used his position to deepen their wounds of war rather than to heal them.

Although Mr. Wisner is now beyond the reach of the VA, he and others like him who fail our veterans are not beyond the reach of Congress. It is ridiculous that taxpayers continue to fund pensions of VA senior executives and personnel convicted of crimes that harmed our Nation's veterans when they should have been serving and caring for them.

In the last Congress, we led significant efforts to develop, introduce, and

pass legislation. Most of those efforts were with the Senator from Connecticut, Mr. BLUMENTHAL, and we passed some legislation unanimously here in the Senate. That legislation increases the accountability of the Department of Veterans Affairs to make certain that senior VA executives and certain healthcare employees convicted of a felony do not receive the same benefits as those who diligently and honorably serve our Nation's veterans.

Not as an aside but as a separate sentence, let me take this moment to say thank you to those people within the Department of Veterans Affairs who conscientiously care for and fulfill their responsibilities to our Nation's veterans each and every day. How saddening it must be that they have to work side by side with people who commit crimes—and other failures for our veterans—and receive no consequence for that behavior.

We want to protect our veterans. We also want to make sure that those who work at the Department of Veterans Affairs know that their profession is honorable and that they are doing the right thing. It is difficult to reach that conclusion when surrounded by individuals who have not fulfilled that responsibility.

In light of the situation with Mr. Wisner—and other cases of wrongdoing so awful that they have been found guilty of a felony—we will not tolerate crimes against veterans that cause harm to their personal safety or that involve corrupt, backroom dealings with senior VA executives.

That legislation passed the U.S. Senate on the final day of our session last year. It passed unanimously. Unfortunately, that legislation did not then pass the House of Representatives, despite what we were told was significant support for it. It just didn't work in the schedule. So today I am back on the Senate floor. A hotline request is pending in which we ask—I ask—that legislation unanimously passed by the U.S. Senate on the final day of the previous session would pass today. That will then give the House of Representatives the time and the mechanics to see that this legislation becomes law.

In fact, the very first piece of legislation I introduced in this session, the 115th, was Increasing the Department of Veterans Affairs Accountability to Veterans Act of 2017. We today call for its swift passage. I am hopeful this legislation will provide an ounce of justice to those victims who have suffered at the hands of this VA employee, and I call on my colleagues to once again stand with me in passing this legislation.

In addition to the issues of accountability of wrongdoing employees of the Department, this legislation also has additional provisions. Those provisions include holding VA leaders accountable for Department mismanagement, hiring well-qualified people and addressing employee performance, preventing

employees from conflicts of interest, and improving manager training.

We have a duty. Of all people in this country, whom should we pay respect and honor to? Whom should we care for? For whom should we make certain we live up to the commitments that were made? One would think that those who served in our military, who protected our freedoms and liberties are the ones we would put on a high pedestal and make sure everything possible to protect them is done.

We have a duty to taxpayers, as well, to make sure funds are not going to employees who are convicted of crimes against those veterans that they are charged to protect and to serve.

There have been a number of VA scandals, corruption, and illegal activity in nearly every State. Whether it has been a secret wait-list in a hospital that delayed critical care, opioid over-medication that led to death or suicide, or physical abuse and neglect, crimes must come to an end. There must be accountability for us to be able to say we are doing everything possible to bring those crimes to an end.

This legislation is an important step in making the VA worthy of the service of those who have sacrificed for this Nation. Given the previous unanimous support, I can't imagine—I hope there is no reason this legislation should not again pass today. I call upon my colleagues in the U.S. Senate to stand with me and Senator BLUMENTHAL and others as we work to make certain the VA is a department worthy of the veterans it serves.

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. ALEXANDER. Mr. President, later this afternoon the Senate will vote on the President's nomination of Alexander Acosta to serve as the U.S. Secretary of Labor. Mr. Acosta has excellent credentials and is well qualified for the position. He understands that a good-paying job is critical to helping workers realize the American dream for themselves and for their families.

After immigrating to the United States from Cuba, Mr. Acosta's parents worked hard to create more opportunities for their son. Alexander Acosta became the first person in his family to go to college, and from there he has had quite an impressive career.

He has already been confirmed by the U.S. Senate three different times: He served as a Republican member of the National Labor Relations Board, he

served as Assistant Attorney General for the U.S. Justice Department's Civil Rights Division, and he served as U.S. Attorney for the Southern District of Florida.

Mr. Acosta's most recent role was serving as dean of Florida International University's law school. The school's president told the Miami Herald recently, "Alex has a destiny in public service. . . . He's a person of integrity, conscientious, thoughtful, he doesn't overreach."

On March 22, Mr. Acosta had a hearing in the Senate Labor Committee that lasted two and a half hours. Following his hearing, he answered 380 follow-up questions for the record—604 questions if you count the sub-questions. Then, on March 30, our committee approved Mr. Acosta's nomination, readying the nomination for consideration by the full Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of 140 groups, which includes business groups and labor unions, which support Mr. Acosta's nomination.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

140 GROUPS THAT SUPPORT MR. ACOSTA'S  
NOMINATION

Aeronautical Repair Station Association; Air Conditioning Contractors of America; Alaska Chamber; Alliance of Wyoming Manufacturers; American Apparel & Footwear Association; American Bakers Association; American Beverage Association; American Coatings Association; American Coke and Coal Chemicals Institute; American Concrete Pressure Pipe Association; American Fiber Manufacturers Association; American Fire Sprinkler Association; American Foundry Society; American Fuel & Petrochemical Manufacturers; American Home Furnishings Alliance; American Hotel & Lodging Association; American Iron and Steel Institute; American Moving & Storage Association; American Staffing Association; American Supply Association; American Trucking Associations; AmericanHort; Americans for Tax Reform; Argentum.

Arizona Chamber of Commerce and Industry; Arizona Manufacturers Council; Arkansas State Chamber/Associated Industries of Arkansas; Asian American Hotel Owners Association; Associated Builders and Contractors, Inc.; Associated Equipment Distributors; Associated General Contractors of America; Associated Industries of Missouri; Auto Care Association; Brick Industry Association; Can Industry Association; Center for Worker Freedom; Coalition of Franchisee Associations; Colorado Association of Commerce and Industry (CACI); Council of Industry of Southeastern New York; Corry & Associates; Delta Industries, Inc.

Fabricators and Manufacturers Association, International; The Fertilizer Institute; Franchise Business Services; Georgia Association of Manufacturers; Global Cold Chain Alliance; Harsco; Heating, Air-conditioning & Refrigeration Distributors International (HARDI); Hispanic National Bar Association; Hispanic Leadership Fund; HR Policy Association; INDA, The Association of the Nonwoven Fabrics Industry; Independent Electrical Contractors; Independent Lubricant Manufacturers Association; Insured Retirement Institute; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; International As-

sociation of Fire Fighters; International Foodservice Distributors Association.

International Franchise Association; International Housewares Association; International Sign Association; International Sleep Products Association; International Warehouse Logistics Association; Investment Casting Institute; ISSA—The Worldwide Cleaning Industry Association; Laborers' International Union of North America; The Latino Coalition; Leading Builders of America; League of United Latin American Citizens; The Linen, Uniform and Facility Services Association (TRSA); Manufacturer & Business Association; Metal Powder Industries Federation; Metals Service Center Institute; Michigan Manufacturers Association; Miles Sand & Gravel; Missouri Association of Manufacturers; MMC Materials, Inc.; Montana Retail Association.

Motor & Equipment Manufacturers Association (MEMA); MSPA Americas; National Association of Home Builders; National Association of Manufacturers (NAM); National Association of Printing Ink Manufacturers (NAPIM); National Association of Professional Employer Organizations; National Automobile Dealers Association; National Christmas Tree Association; National Club Association; National Council of Chain Restaurants; National Federation of Independent Business.

National Franchisee Association; National Grocers Association; National Lumber and Building Material Dealers Association; National Oilseed Processors Association; National Precast Concrete Association; National Ready Mixed Concrete Association; National Restaurant Association; National Retail Federation; National Roofing Contractors Association; National Stone, Sand & Gravel Association; National Wooden Pallet and Container Association; Nebraska Chamber of Commerce & Industry; Nevada Manufacturers Association; New Mexico Business Coalition; North American Building Trades Union; North American Concrete Alliance; Pennsylvania Manufacturers' Association; Plastics Industry Association; Port Aggregates, Inc.; Precast/Prestressed Concrete Institute; Private Care Association.

Puerto Rico Manufacturers Association; Retail Industry Leaders Association; Rhode Island Manufacturing Association; San Jose Police Officers' Association; Seafarers International Union of North America; Sergeants Benevolent Association, Police Department, City of New York; Shipbuilders Council of America; Sioux Corporation; Small Business & Entrepreneurship Council; SNAC International; The Society of Chemical Manufacturers and Affiliates; Society for Human Resource Management; South Carolina Chamber of Commerce; Southeastern Lumber Manufacturers Association; Specialty Equipment Market Association; Spurlino Materials.

Technology & Manufacturing Association; Texas Association of Business; Texas Association of Manufacturers; Tile Roofing Institute; Tree Care Industry Association; Truck Renting and Leasing Association; United Brotherhood of Carpenters and Joiners; United Motorcoach Association; U.S. Chamber of Commerce; United States Hispanic Chamber of Commerce; The Vinyl Institute; Water & Sewer Distributors of America; Wine & Spirits Wholesalers of America; Workforce Fairness Institute.

Mr. ALEXANDER. Mr. President, the supporters include the U.S. Chamber of Commerce, the National Retail Federation, the National Federation of Independent Business, the National Association of Manufacturers, the International Franchise Association, the Associated Builders and Contractors,

and the American Beverage Association.

Here are some examples of what these groups had to say about Mr. Acosta. The International Franchise Association said, "Franchise owners around the country are facing a great deal of regulatory uncertainty as a result of the wreckage created by the previous administration's out-of-control Department of Labor. Mr. Acosta's exemplary record handling labor issues as a member of the NLRB has shown the appropriate balance needed to protect the interests of employees and employers."

The National Federation of Independent Business said, "Alexander Acosta is an experienced public servant with a distinguished record. His knowledge of labor issues and his service as U.S. Attorney make him an especially strong candidate to take on the entrenched bureaucracy, which has imposed unbelievably severe and costly regulations on small business in the recent years."

The National Retail Federation said, "Mr. Acosta's diverse experiences in both public service and the private sector position him well to be an effective and pragmatic leader at the Department of Labor."

Why is this nomination so important? In his new book, New York Times columnist Thomas Friedman uses the term "Great Acceleration" for all of the technological, social, environmental, and market changes simultaneously sweeping across the globe and argues that we are now "living through one of the greatest inflection points in history" as a result. Add Ball State University's finding that automation is responsible for the loss of 88 percent of our manufacturing jobs. Add globalization. Add social, cultural, climate changes, and terrorism, and you get a big mismatch between the change of pace and the ability of the average American worker to keep up and fit in the accelerating forces shaping the workplace.

Earlier this year, after a group of senators listened to a group of scientists talk about the advances in artificial intelligence, one Senator asked, "Where are we all going to work?"

Tom Friedman says that probably the most important governance challenge is a great need "to develop the learning systems, training systems, management systems, social safety nets, and government regulations that would enable citizens to get the most out of these accelerations and cushion their worst impacts."

One of the federal government's chief actors in this drama should be the U.S. Secretary of Labor. In fact, as many have suggested and the House of Representatives has done, the title of the job for which Alexander Acosta has been nominated should be changed to the Secretary of Workforce, not Secretary of Labor.

Labor union membership in the private sector today is down to less than

7 percent. The issue for workers today is not whether they belong to a union. It is whether they have the skills to adapt to the changing workplace and to find and keep a job. To be accurate, to create and keep a job. My generation found jobs. This generation is more likely to have to create their own jobs.

In his inaugural address, President Trump said he heard “forgotten men and women” who are struggling to keep up and fit into today’s changing world: “[F]or too many of our citizens, a different reality exists: mothers and children trapped in poverty in our inner cities; rusted out factories scattered like tombstones across the landscape of our nation . . . .” That is what President Trump said in his inaugural address.

Ten days earlier, in his farewell address, President Obama said he, too, heard those same voices: “[T]oo many families, in inner cities and in rural counties, have been left behind . . . if we don’t create opportunity for all people, the disaffection and division that has stalled our progress will only sharpen in years to come. . . .”

That was President Obama.

What can we do about this? The most important thing is to work with employers and community colleges and technical institutes and find ways to increase the number of Americans earning post-secondary certificates and two-year degrees or more.

Georgetown University’s Center on Education and the Workforce says that by 2020—3 years from now—65 percent of the jobs in this country will require some college or more. And at the rate we are going, Georgetown predicts the United States will lack 5 million workers with an adequate post-secondary education by 2020.

Unfortunately, too many of the federal government’s actions over the last few years have made it harder for American workers to keep up, to adjust to the changing world, and to create, find, or keep a job.

President Obama’s Department of Labor issued 130 percent more final rules than the previous administration’s labor department. Overall, the Obama Administration issued an average of 85 major rules. These are rules that may have an impact of \$100 million or more a year on the economy. Eighty-five major rules a year. President Bush, on the other hand, averaged about 62 a year. That is a 37-percent increase under President Obama.

Take the overtime rule. In my state, its costs would add hundreds of dollars per student in college tuition and it would force small businesses across the country to reduce the jobs that provide the stability that families need. This rule has been delayed by the courts until at least June 30th of this year.

Take the so-called joint employer policy. This is a policy that affects franchising and makes it more likely that a parent company will own and operate its stores instead of allowing

franchisees to own and operate those stores. A Republican majority at the National Labor Relations Board can start undoing the damage caused by this harmful decision.

Then, there is the fiduciary rule, which is going to make it too expensive for the average worker to obtain investment advice about retirement benefits—again making it harder, not easier, to adjust to the changing world of work. The Department of Labor under the Trump administration has delayed this rule for 60 days, until June 9, 2017. Some parts of the rule are delayed until January 1, 2018.

One rule after another from the Obama administration has stacked a big wet blanket of costs and time-consuming mandates on job creators, causing them to create fewer jobs.

The Equal Employment Opportunity Commission’s EEO-1 form will require employers to provide to the government 20 times as much information as they do today about how they pay workers. Earlier this month, the Senator from Kansas, Senator PAT ROBERTS, and I asked the Office of Management and Budget to rescind this time-wasting mandate.

There is the ridiculously complex 108-question FAFSA, the federal aid application form that 20 million families fill out every year as students go to college. It turns away from college many of the very students who most need to adjust to this changing world.

The Affordable Care Act defined full-time work as only 30 hours, forcing employers to cut their workers’ hours or reduce hiring altogether in order to escape the law’s mandate and its unaffordable penalties.

Many of these rules, like the persuader rule, which chills the ability of employers to retain legal advice during union organizing activities, seemed designed for the purpose of strengthening the membership and the power of labor unions.

We are fortunate to have a nominee in Mr. Acosta who can use his good judgment to reevaluate labor policies that make it much harder to create jobs and to find jobs.

We know that Mr. Acosta has support from members of both political parties, and that raises a question for me: Why did the Senate yesterday have to vote to invoke cloture on Mr. Acosta’s nomination? The vote was bipartisan, with 61 senators voting to end debate so Mr. Acosta could have had an up or down vote. He could have been approved by majority vote yesterday. That has been the tradition in the U.S. Senate for 230 years. There never has been a Cabinet member denied his or her position by requiring them to get more than 51 votes. There have been some cloture votes for delay or to take some extra time, but no one has ever been denied the position by requiring more than 51 votes.

During most of the 20th century, when one party controlled the White House and the Senate seventy percent

of the time, the minority never filibustered to death a single presidential nominee. The practice in the Senate since the Senate’s beginning has been that the President nominates and the Senate decides by majority vote whether to approve the nomination. Why are we having these cloture votes? We are getting into more and more of a difficult situation with these votes. It is a bad habit and both sides, Republicans and Democrats, have caused the problem.

During the Obama administration, over the 8 years, there were 173 cloture votes on nominations, and I voted to invoke cloture 41 of those times. For 10 of those nominees, I voted to end debate so that their nomination could have an up or down vote even though I opposed their confirmation.

No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advice and consent to delay and examine, sometimes causing nominations to be withdrawn or even defeating nominees by a majority vote.

What I would like to suggest today is that if we continue the trend of requiring cloture votes on presidential nominees—cabinet members and others—that may work fine as long as we have a president and a Senate of the same political party, but if we have a president and a Senate of different political parties and everybody has become accustomed to voting no on cloture, to requiring a cloture vote and voting no, the Senate may never be able to confirm any cabinet members or any sub-cabinet members when the Senate and the president are of different political parties.

I would suggest to my friends on the other side of the aisle that the Senate is a body of precedent, and I think it would be wise for us to stop and think, as we proceed, about whether it is wise to require cloture votes for presidential nominees. Why don’t we simply go ahead and approve them or not approve them by majority vote?

We have an excellent nominee in Mr. Acosta. We are fortunate that someone of his intelligence and experience is willing to serve as our U.S. Secretary of Labor. I look forward to voting for and to the Senate approving his confirmation later today.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose the nomination of Alexander Acosta to be Secretary of the Department of Labor.

Our Nation’s Labor Secretary has a responsibility to protect the safety and legal rights of the American workforce. From prosecuting civil rights violations to monitoring workplace safety, the Department of Labor ensures fair treatment. The Labor Secretary must also evaluate our economy and advocate for fair and equal pay and benefits for American workers. The Department provides the data and expertise for policymakers, employers, and workers to make economic decisions.

Unfortunately, Mr. Acosta's testimony on these points at his confirmation hearing was disappointing. He would not commit to support updating overtime rules to make sure that employees get fair pay for the hours they work. He would not commit to prioritize closing the gender pay gap. He would not commit to keeping workplace safety inspectors on the job.

Moreover, when Mr. Acosta led the Civil Rights Division of the Department of Justice during the George W. Bush Administration, the GAO reported that there was a "significant drop in the enforcement of several major antidiscrimination and voting rights laws." The Secretary of Labor must be a vigilant defender of the rights of workers.

In a Cabinet where too many department heads are looking out for millionaires and billionaires, we need a Secretary of Labor who will look out for the American worker. I am not convinced that Mr. Acosta will do that job.

The PRESIDING OFFICER. The Senator from Vermont.

COAL MINER PENSION AND RETIREE HEALTH BENEFITS

Mr. SANDERS. Mr. President, it is no great secret that the American people do not have a great deal of confidence in their government. It is no secret that the American people think the Congress is way out of touch with their needs and aspirations. In fact, just confirming that point, a recent poll appeared in the Washington Post and ABC News, and it found that 58 percent of the American people believe that President Trump is out of touch with the concerns of most people in the United States today; 62 percent of the American people believe that the Republican Party is out of touch with the concerns of most people in the United States; and 67 percent of the American people believe that the Democratic Party is out of touch with the concerns of most people in the United States today. Those are numbers that should cause a great deal of concern to Members of the Senate and the House, to Democrats and Republicans, to everybody.

I think one of the reasons is that there is a world outside of Capitol Hill where people are in pain; where people are working longer hours for lower wages; where people are scared to death about facing retirement because they have, in many cases, no money in the bank; where people today are paying 40 percent, 50 percent of limited incomes for affordable housing; where single moms can't afford childcare for their kids; where young people can't afford to go to college; where other people are leaving college deeply in debt. And all of that is taking place within the context of almost all new wealth and income going to the top 1 percent.

We have the absurd situation today where the top one-tenth of 1 percent owns almost as much wealth as the bottom 90 percent, and 52 percent of all new income is going to the top 1 per-

cent. The middle class is shrinking. There are 43 million Americans living in poverty, and the very wealthy are getting wealthier.

In the midst of all that, my Republican colleagues and President Trump are desperately trying to provide hundreds of billions of dollars in tax breaks for the top 1 percent and cut back on programs that working families desperately need, whether it is Pell grants to make it easier for kids to go to college, whether it is afterschool programs, whether it is the Meals on Wheels program, whether it is affordable housing, or whatnot—tax breaks for billionaires, cutbacks on programs that people desperately need.

The American people will not regain confidence in the U.S. Congress unless we keep promises that were made to them. Today I want to talk about promises that were made to coal miners. For decades, coal miners contributed to their pension funds with the promise that when they retired, they would receive a pension and retiree health benefits that would last for a lifetime. Those were the promises to the people who went underneath the ground, who worked incredibly difficult jobs, who died of black lung disease or a myriad of other diseases or injuries. Promises were made to those workers, and those promises were broken.

If Congress does not act by tomorrow, the retiree health benefits of more than 22,000 coal miners will be eliminated. We cannot allow that to happen. It is not only unfair to the retired coal miners and their families, it once again will tell the American people that they cannot trust their government. Promises were made, but they were not carried out.

My understanding is that an agreement to protect these retiree health benefits may be included in the continuing resolution to keep the government from shutting down. As I have walked the hallways here in the Senate, I have met with members, retirees of the United Mine Workers, who have been back here week after week after week, and I applaud them for their persistence.

Let us hope that, in fact, the continuing resolution does contain an agreement to protect those retiree health benefits. It is absolutely imperative that the agreement contain those benefits and that those promises be kept.

Even if we do put that provision in the CR, it still does not address another problem faced by retirees in the coal industry and retirees all over the country, and that is the fact that we are doing nothing to protect the pension benefits of coal miners and tens and thousands of other workers. This is an issue that is of major crisis proportions all across this country, and it is an issue that must be addressed. That is why I am a proud cosponsor of the Miners Protection Act. That is also why I will be introducing legislation on

May 9 to protect the pensions of not only 90,000 coal miners throughout this country, but the retirement benefits of 10 million workers in multiemployer pension plans—10 million workers.

Over 40 years ago, the Federal Government made a solemn commitment to the workers of this country. If a retiree is promised a certain pension benefit after a lifetime of hard work, a company could not renege on that promise. Making that commitment 40 years ago was exactly the right thing to do. When someone works for their entire life, when they give up pay raises, when they work overtime, when they work weekends in order to make sure that he or she has a secure retirement, it is absolutely unacceptable to pull the plug from that worker's benefit.

Guarantees were made, and those guarantees must be kept. This is not the negotiating of wage increases. This is not the negotiating of overtime. This is a promise made to workers and paid for by workers, which simply cannot be nullified if people are to have any faith in our political system.

But more than 2 years ago behind closed doors, a provision was slipped into a must-pass spending bill that now makes it legal to cut the pension benefits of about 10 million workers and retirees in multiemployer pension plans. As a result, retirees all over this country are waking up to the unacceptable reality that the promises made to them could be broken and that the pension benefits they are receiving today may soon be cut by 30, 40 or even 65 percent. What this means is that retirees who are currently receiving a pension benefit of \$18,000 a year are in danger of seeing their benefits cut by \$3,843, a 21-percent cut. Retirees who are currently receiving a pension benefit of \$36,000 a year could see their pension benefits cut by up to \$21,000, a 60-percent cut.

In other words, tens of thousands of retirees all over this country who today are in the middle class, who worked hard their entire lives, who gave up on wage increases, who worked overtime in order to protect those pensions may be seeing significant reductions in what they anticipated. We are talking about retirees who will no longer be able to pay their mortgages. We are talking about retirees who will not be able to pay their utility bills. We are talking about families who may have to go on food stamps to feed their families after working their entire lives. That is unconscionable. We cannot allow that to happen.

In my view, we have to send a very loud and very clear message to the Republican leadership in Congress and to the President of the United States, and that is when a promise is made to the working people of this country with respect to their pensions and retiree health benefits, that promise must be kept.

Today, about 150 multiemployer pension plans are in trouble financially, but let's be clear. The retirees are not

the reason these pension plans are struggling financially. The reason many of these pension plans are in trouble is because of the greed, recklessness, and illegal behavior on Wall Street that drove this country into the worst recession since the Great Depression of the 1930s. Let us never forget, when the largest financial institutions were on the verge of collapse 7 years ago, it was the taxpayers of this country who bailed them out. I didn't vote for it, but a majority of the Members of Congress did.

Congress gave Wall Street some \$700 billion in financial assistance. The Federal Reserve provided \$16 trillion in virtually zero-interest loans to every major financial institution in this country and to foreign banks throughout the world because they were, as we will all recall, too big to fail. If Congress can bail out Wall Street, if Congress can bail out foreign banks, we have to protect the pension benefits of American workers.

The legislation that I will be reintroducing on May 9 would prevent the retirement benefits of about 10 million workers and retirees from being cut by repealing the anti-pension rider that was included in an appropriations bill 2 years ago. It establishes an emergency fund within the Pension Benefit Guaranty Corporation to make sure that multiemployer pension plans can continue to provide every pension benefit owed to every eligible American for decades to come.

It is fully paid for by closing two tax loopholes that allow the wealthiest Americans in this country to avoid paying their fair share of taxes. Closing these loopholes will allow us to protect the earned pension benefits of every worker and retiree in multiemployer pension plans in this country.

At a time of massive wealth and income inequality, when half of all older workers have no retirement savings at all, when 20 percent of seniors are living on less than \$13,000 a year, we have to do everything we can to protect and expand the fine pension benefit plans in America.

I look forward to the support of my colleagues for this important legislation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 987 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MERKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REGULATORY REFORM AND THE BUDGET  
PROCESS

Mr. LANKFORD. Mr. President, there is a lot of conversation about all that is moving this week in the Senate and the House and the executive branch. There is a lot of conversation about 100 days. It is somewhat of a look back, and it is reasonable for Americans to be able to look back and say the beginning of a new Presidency or the beginning of a new session of Congress has begun and what has already happened. There has been quite a bit that has actually happened, but let me highlight one specific area. I want to highlight an area that has moved and to, quite frankly, highlight an area that has not.

What has moved has been a lot of conversation about regulation. When I walked into Congress just a few years ago, I had a lot of people in my State who would catch me and ask for one specific thing. They said: I don't want anything other than to make it stop. Because every time they get news, every time they open up something from an association or try to be able to track something, all they got was a new regulation. Some of them were large and some small, but it seemed like every time they opened the mail, they had a new requirement from some entity they had never heard of, 1,000 miles away, telling them how to operate their business or to submit some new form. Whether they are a school or a hospital or a small business or a large business, whether they are doing manufacturing or are service-oriented or technology, the flood of regulations coming out of Washington, DC, caused people around my State to say: Make it stop; we are trying to catch up. And literally they are hiring more people for compliance than they are to actually do what their business is designed to do. At some point, they want to hire somebody to actually do their business.

A dramatic shift happened starting January 20 of this year when the administration stepped in and for a moment said: Pause on regulations. And literally the Nation could take a deep breath. They didn't turn anything back. They didn't turn anything off. America didn't become less safe. They asked a simple question: How can people actually get involved in the process? And before a regulation comes out, we make sure that it is, No. 1, consistent with the law, and No. 2, that the people who are affected by it actually get a chance to raise their hands and say: When you do a regulation, make sure you consider this.

It doesn't seem unreasonable. If we are going to be a nation of the people, by the people, and for the people, it is a good idea to have people involved in

the process of the regulations that affect them. The government should not be their enemy. The government should be their ally. It should be the way to make sure that we have fair rules, that everyone has a consistent set of guidelines and that those guidelines don't change all the time.

Before this year, there had been only one time in the past decade that the Congressional Review Act was used. The Congressional Review Act was actually due to a fellow Oklahoman named Don Nickles who, in the Senate years ago, passed a simple piece of legislation to say that if a regulation is promulgated by an administration—any administration—that is not consistent with the desires of Congress, that Congress can pull it back out in the first few days after it was passed, and most of the time, it is legislative days—it is actually months in calendar time. In the first few months it is in existence, Congress can pull that regulation out and look at it and say: Is this consistent with what Congress passed? If it is not, Congress would have a fast-track process to be able to look at it and say: This is inconsistent with what Congress desired when it passed the law; that it had to go through the House, the Senate, and then to the White House to be signed. That has happened only one time.

In the past few months, Congress has passed now 13 Congressional Review Acts—13 different reviews of different regulations that were put down by the previous administration in their final months, some of them in their final days of—the administration—an administration that lasted 8 full years. These were the things they crammed into the very end, what are called midnight regulations. Those regulations cost billions of dollars, and some had very little review. Thirteen different times this Congress has pulled those out. It is literally billions of dollars in regulations that were laid on the economy and millions of hours of work on people filling out compliance forms and submitting things to Washington, DC, that most likely no one will ever read.

Those thirteen bills that have now been signed into law have helped free up our economy, and it has started a process that is very simple: What do we do to make sure that we have good regulations as a nation, that they stay consistent and have the maximum number of people involved?

The administration has also laid out something that many called a radical idea; that is, for every one regulation that goes in, an agency would pull two out; to go back and review old regulations and say: Are there other regulations that need to come out? For those who have called this a radical idea, I have had to smile and say: You realize the United Kingdom has done that for years. Canada has done that for years. Australia has done that for years.



It is not a radical, crazy idea; it is a simple statement to say that when regulations go in, we need to have consideration for those who are already regulated and say: Are we burying them in new compliance requirements? Is there an area where we can help free them of things that are not needed anymore, that are old, that are not used or not even appropriate anymore? It is a reasonable thing to be able to look at. It is not in statute, it is an Executive order, but it is one of those things that I think are wise for agencies to be able to take a look at.

Every administration over the past several decades has said they are going to do what is called a retrospective review—go back and look at it. This administration has said: We are really going to look at it. If a new regulation goes in, we have to go back and review and see if two can come out at the same time, to force that retrospective review.

Many other areas of regulations are coming out, but the primary issue that has come out is very simple; that is, slowing down the process and making sure it is wise to be able to impose new regulations. We should have them in health and safety areas, but we shouldn't do regulations just because someone in Washington, DC, thinks it is a good idea to be able to run everyone else's business.

With any set of decisions made by the executive branch, we should resolve many of these things in law. The Congressional Review Act—those are all in law. Those have all been settled. The executive actions like the “one in, two out”—that is an executive action. A future executive can flip it back around and say: We are not going to go back and review it at all.

I proposed a whole series of issues that we need to deal with on regulatory actions. I chair the Regulatory Affairs Subcommittee, in fact. We have had very bipartisan conversations to say: Where can we find common ground, and what do we need to do to be able to resolve this issue of regulations just showing up?

So we have set out a simple set of ideas, one beginning in small business. If we are going to start with regulatory issues, let's start in the area where we have the greatest amount of agreement; that is, on small businesses. Small businesses should have an opportunity to have a voice at the table. Now, when regulations are put out, often those regulations are put out and only the largest businesses are consulted on them—those that might have lobbyists or government relations or have a team of attorneys to be able to go engage with the Federal Government and get their input considered.

We required years ago that small businesses get a voice. The problem is, many agencies actually don't do it. We need to be able to press the issue and put into statute an absolute requirement that small businesses be consulted. So when a regulation is created,

the people who are affected the most—like in my State of Oklahoma, where 97 percent of the businesses are small businesses—that those folks actually get a voice.

It may shock some people in this Chamber to know that small business owners in Oklahoma don't wake up every day and read the Federal Register to see if there is an area they have to give notice and comment to. It may be stunning to know that they don't have a team of lawyers at every small business. In fact, there are towns in Oklahoma where there are many small businesses but there is not a lawyer in that town. We should not require every business to hire attorneys and to read the Federal Register every day for them to be able to stay in business. We should actually reach out to them and say: We are not opposed to small businesses; we want to make sure we facilitate them.

Here is a simple idea of many ideas in the small business bill that I have—not only getting greater input and to make sure they are in consideration, but how about this simple idea: If there is a paperwork violation for a small business, they are not fined immediately. They have forgiveness for that first-time offense. Many of them didn't even know there was a certain amount of paperwork that had to be turned in. It showed up as a requirement in the Federal Register. They are running their small business. They weren't tracking it. Someone comes in and evaluates and says “There is a piece of paper you haven't turned in” and drops a \$5,000, \$10,000, \$15,000 fine on them for not submitting something, and they had no idea what it was.

First-time paperwork forgiveness is a simple idea. To actually be engaged where the Federal Government can go to a small business and say “Hey, you missed one,” and if they are not health or safety related issues, we give them forgiveness in the process—why should that be so hard for us to do?

We have another piece of legislation we proposed called early participation in regulations. Before a regulation is written by an agency, this would require that they actually put out the word that they are thinking about writing a regulation on a certain topic and get as much input as they can, so before they even write the regulation and we are fighting over whether we should use “or” or “and” in a section, we actually talk about whether it is needed at all, or if they are going to write it, make sure it has these certain issues in it—again, getting more people involved in the process.

Just a week ago, there was a march through this town and through many towns saying: We need to have great science in our Nation. I could not agree more. We should have quality science in our research. We should have engagement from science when we put policy papers together.

One of the challenges we currently have and one of the things we are try-

ing to correct with another piece of legislation is just on using best science, just requiring agencies, when they make a decision about something in a regulation, to actually use peer-reviewed, good science that can be shared with other people. We bump into issues now commonly with agencies where they say they have made a decision on some of the regulations, and we ask for the science behind it, and they say that the science is proprietary and they can't share it with us or the American people. The American people aren't good about withholding a secret on something that actually affects their day-to-day life. Don't lay a new requirement on them and tell them: Trust us—we have thought about this, and this is the right way to go. Americans aren't great with that. They just want to be able to know the facts behind it so they can see that science themselves.

So getting best science is something we have talked about within the framework of the Administrative Procedures Act for a long time—something many administrations for the past several decades have said we should do. Well, let's go ahead and do it, and let's require that we actually have best science out there.

This body, with a voice vote, just a year ago, passed a bill called TSCA. That TSCA bill dealt with chemicals and how we are going to approve chemicals and how the EPA can do it. We put new language in that requiring good science, peer-reviewed science, and on a voice vote from everyone in this body, we agreed that is the best way to handle science on chemicals.

So what did I do? I took that exact language that we all agreed to on TSCA and said: Let's apply that to every agency so that whenever an agency of any type makes a decision that is science-based, it has good transparency and it is peer-reviewed. We have agreed that the EPA should do it dealing with chemicals; let's agree that everyone should do it. Let's agree on how we handle guidance, to not allow agencies to be able to create guidance documents. Let's have good transparency and simplicity.

We have a simple bill, as odd as this may sound, that just says that for whatever regulation is out there, the agencies also have to put a description out on it in plain language that a non-attorney can understand in just 100 words, just a 100-word description of what it is. Right now there are folks who actually do try to research things, and if you are not a trained attorney, you can't even understand what it means. So just plain-language descriptions of regulations are called for.

These should all be areas of common ground. These should all be straightforward issues that aren't partisan issues but are commonsense issues.

We have made progress on regulations over the past 100 days. The American people have now been able to take a breath as regulations are not coming

out at rapid speed. We still need them, though. In the days ahead, we need to do good regulations, so let's figure out a good way to do it.

Let me make one more note on the opposite side. We have made progress in regulations, with a ways to go. Where we have not made progress in the past 100 days is on how we do budgeting.

There is a group of us who have talked for several years now and have said that we have to change the way we do budgeting. Year after year, the American people have said: Are we going to have another continuing resolution? Are we going to have another omnibus bill? Are we going to be late again on budgeting?

Year after year, Congress has said: Yes, we are.

Folks around my State occasionally catch me and say: This is different.

I smile at them and say: No, it is not different.

The way we do budgeting was created right after Watergate in 1974 to create a more transparent process. What they actually created was a process so difficult that it has only worked four times since 1974—four times. So if it feels like every year you are saying "How come the budget process didn't work again?" it is because every year but four, since 1974, the budget process didn't work.

At some point, we have to say: The budget process is not in the Constitution. Let's change the way we are doing the process. They were well-meaning in 1974 when they made that process; it just didn't work. So let's fix it instead of saying that once again it didn't work.

We will never get a better product on our budget until we fix the process of our budget. We will never be able to solve the budget debt and deficit issues we have with this continuing resolution autopilot system and with an omnibus system that seems to just perpetuate the same issues over and over again.

We have made specific proposals: doing the budget every 2 years, getting time to get more predictability, to get more time to be able to walk through the research of it; eliminating budget gimmicks, and there are a mess of budget gimmicks that are out there; and getting a better long-term view. The budget has what is called a 10-year window now, where we have to budget over 10 years. So what happens? Congress creates a budget that blows up in the 11th year. Well, that has been done year after year after year, and we have a lot of eleventh-hour years now stacking up and a lot of major problems that are out there.

We need to find a way to prevent us from ever having to get in a conversation about a government shutdown. We have a bill called the government shutdown prevention bill that would keep us from ever having that, and it would put the pressure back on Congress and the White House to resolve the issues

but would prevent us from ever having a government shutdown fight. We shouldn't argue about whether the government is going to be opened or closed. We should argue about how we are going to handle the issue of budgeting and how we are going to actually be able to get us back to balance.

There are a lot of simple, common-sense things that are out there that we can do, but we as a body have agreed that we are going to actually tackle the way we do budgeting. That is going to involve some focus and some time commitment and a risk to say: How it was done in the 1970s is not the way we should do it now. It didn't work. Let's change the system so we can actually get us back on track and bring some predictability again to what we are doing.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### REMEMBERING JAY DICKEY

Mr. BOOZMAN. Mr. President, I rise to address the urgent crisis taking place in Sudan, but, first, I wish to take just a moment to remember former Congressman Jay Dickey, who, as many in Washington and Arkansas now know, passed away last week.

Jay was a native of Pine Bluff and represented Southern Arkansas in the Fourth Congressional District for four terms between 1993 and 2001. Jay was known as a fierce advocate for Arkansas and worked hard to ensure that our State had a strong voice in Washington.

A successful business owner and attorney, Jay was a well-respected member of the Pine Bluff community. He served as Pine Bluff city attorney and had a brief tenure on the Arkansas Supreme Court. Jay was a friend to many and built a warm relationship with almost everyone he met—even those who disagreed with him politically. He also wore his faith on his sleeve as a proud born-again Christian.

I will always appreciate Jay's kindness to me when I first started serving in Congress and truly valued his friendship. He was a loving father, a dedicated public servant, and he will be missed by many.

My thoughts and prayers are with his family and friends as they mourn his loss, but I know they are also incredibly proud, as I have been, of the legacy Jay leaves behind, which will continue to have an impact on us all in the years ahead.

#### SOUTH SUDAN

Mr. President, the Trump administration has stated it will pursue a foreign policy focused on American interests that puts our national security first. I appreciate the President's commitment to a stronger and more respected America and stand ready to work with him to achieve that goal.

A stronger, more respected America does not mean we disengage with the international community. In fact, it means just the opposite. While there are many important issues we must ad-

dress here at home, we cannot lose sight of the places around the globe that are in need of American engagement.

As we have seen with Syria and North Korea, it makes a difference when the United States acts, but not every international crisis gets front page headlines like Syria and North Korea do. One such crisis with little attention but in desperate need of U.S. leadership is South Sudan. Hunger emergencies are on the rise across Africa, but the situation in South Sudan is so grim that it has led the U.N. to use the word "famine" for the first time since 2011.

"Famine" is not a word the U.N. or the international community throws around lightly. In order for the U.N. to officially declare a famine, a population must reach certain death rate, malnutrition, and food shortage thresholds. In blunt terms, a formal famine declaration means that many people have already started dying of hunger.

The famine in South Sudan is almost entirely manmade. The much heralded August 2015 peace agreement has failed to bring peace to South Sudan, which has been mired in a civil war almost entirely throughout the young nation's lifetime.

Thousands of civilians have been killed and millions more were displaced as a result of the civil war in South Sudan. Millions of those who are left in the country are facing a severe hunger crisis. Fighting between rival factions has left an estimated 4.9 million people—more than 40 percent of the country—in urgent need of food. That total is expected to rise to over 5.5 million people—5.5 million people—by summer if the international community doesn't act quickly. These innocent civilians are victims of competing groups that use hunger as a weapon of war while accumulating wealth by exploiting South Sudan's resources. Millions are suffering in South Sudan, but that is not due to shortage of food. It is because they are being denied food by a small few getting rich off the country's oil, gold, and livestock.

Meanwhile, humanitarian aid workers trying to reach the hungry are being kidnapped and held for ransom. Some have even been killed. Food shipments are being blocked, crops are being torched, farmers and herders are being forced from the land, and civilians so fear for their lives, they have been driven away from the violence in population centers to remote locations where aid workers can't reach them to provide the relief they need.

There is plenty of evidence to show that when people don't have enough to eat, they get desperate. Desperation fuels conflict. Conflict in a young country, in an unstable region, poses the risk of spillover into neighboring countries, further exacerbating human suffering. This is why U.S. leadership is needed.

By that, I don't mean throwing money or military personnel into a conflict zone. In fact, that would likely exacerbate the situation as the structural causes will remain once the money dries out and the troops head home.

The approach I am advocating is two-pronged. First and foremost, there absolutely is a need for the United States to take a lead in coordinating relief with NGOs and our international partners like the World Food Program—aid which has proven effective channels, the dedication and compassion of doers, not takers.

Along with helping those who desperately need humanitarian aid, the international community must also take action to end the unchecked corruption that fuels the conflict in South Sudan. This is the structural cause of the crisis. We have to address this problem at its root. If we want to have any chance at long-term stability in South Sudan, we must seriously consider options that would end the corruption which enriches those in power at the expense of the citizens.

I believe President Trump would support these efforts. The President understands how dire the situation in South Sudan is. The administration recently announced the continuation of the national emergency declaration for South Sudan, which was set to expire earlier this month.

Earlier this week, Ambassador Haley rightfully called out the warring parties in South Sudan and urged the U.N. Security Council to move forward with further sanctions and an arms embargo. The Ambassador's words urging the Council to take action to break the cycle of violence in South Sudan are extremely encouraging. They show the administration understands that the United States must remain engaged in corners of the world that need our leadership. It is my hope that Congress and the President can work together to exert that leadership and put an end to the corruption that is causing so much suffering in the country.

There is a role for soft power in a hard-powered administration. Human suffering is never in our national interest, no matter where it is happening. U.S. leadership, through diplomacy and smart foreign aid programs, help prevent situations which lead to serious threats to our national security.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### REPUBLICAN HEALTHCARE BILL

Mr. DURBIN. Mr. President, House Republicans have revived their efforts to repeal the Affordable Care Act.

As a reminder, the original effort to repeal the Affordable Care Act—char-

acterized by some as the TrumpCare bill—was so unpopular that it had to be withdrawn from the floor of the U.S. House of Representatives. That is because, after the Congressional Budget Office took a look, it would have taken away health insurance from 24 million Americans.

Think about that for a moment. The Republican answer to ObamaCare—the Affordable Care Act—was to remove health insurance protection and coverage from 24 million Americans. It would have devastated the Medicaid Program. The Medicaid Program, of course, is one that is easily characterized as a health insurance program for those who are in low-income categories, but that statement doesn't tell the real story.

For example, in my State, half of the children who are born in Illinois are covered by Medicaid. Their mothers and the kids are covered by Medicaid. So when it comes to new babies, particularly in low-income families, Medicaid provides the prenatal care, delivery, and care after the child is born, but the most expensive part of the Medicaid Program is the help it gives to senior citizens—mothers and grandmothers who are in nursing homes who have only a little bit of savings, Social Security, Medicare, and Medicaid cover their medical expenses. The Republican plan to repeal the Affordable Care Act would have decimated the Medicaid Program across the United States. It would have increased costs for the average person for health insurance by \$3,000, and particularly for people in upper ages—I guess I fit in that category—these folks would have seen a change in the calculation of premiums.

The Affordable Care Act protects premiums so they cannot be more than three times the lowest premium for any individual. The Republican approach said: Let's make that five times. If it goes up to five times, it can mean almost doubling the premiums paid by many senior citizens—those approaching, I should say, being senior citizens, from 50 to age 65.

It also would have cut off funding for women's health centers, all while providing a massive tax cut for upper income, wealthy people and big businesses, including tax cuts for drug companies. What a deal—to eliminate health insurance for 24 million Americans, to devastate the Medicaid Program, to increase the cost of health insurance for the average individual, to cut off funding for women's health centers in order to give a tax cut to wealthy people and drug companies.

The new bill does all those things as well—and then something I didn't think was possible. The new version of the Affordable Care Act repeal Republicans are now considering in the House allows insurance companies to impose—get this—an age tax and charge seniors significantly higher premiums than younger people. It says that insurance plans do not have to cover hospital visits, prescription drugs, mater-

nity care, substance abuse treatment, or mental health services.

The Affordable Care Act defined these as essential services so, if you are buying health insurance, you know you are buying that kind of protection. Well, Republicans have said: That is too much insurance for people. We ought to let them buy stripped-down versions of health insurance that may be cheaper. The obvious question, What happens to those people when they need coverage for substance abuse treatment? What if that son or daughter in high school begins an addiction to opioids, leading to heroin, and now your health insurance plan saved you money by not covering it or didn't cover mental health counseling?

It guts protections for people with preexisting conditions. Is there a person alive who doesn't know someone or have someone in their family with a preexisting condition? That used to be grounds for denying insurance coverage or charging outrageous premiums. We did away with it with the Affordable Care Act.

It is back, my friends, with the new Republican approach to the repeal of affordable care. It allows insurance companies to once again charge unaffordable premiums if someone in your family has a history of asthma, cancer, high blood pressure, or diabetes.

Republicans made these changes to win the votes of the most extreme conservative Members of the U.S. House, the so-called Freedom Caucus. What they are fighting for is for freedom from individuals getting protection when it comes to healthcare. These changes may appeal to a handful of extreme people who conveniently see their health insurance policies—their personal policies—protected under their bill, but these sorts of approaches don't appeal to anyone in the medical community.

Who opposes the new Republican repeal of the Affordable Care Act? The American Medical Association—that would be the doctors—the American Heart Association, the American Nurses Association, the American Association of Retired Persons, as well as every major medical and patient group out there. Every one of them opposes the changes proposed by the Republicans in the House to our healthcare system.

Of course, we have a bottom line that we measure proposals against. We go to the Congressional Budget Office, and we say to them: What impact will this have?

No one has sent this bill to the Congressional Budget Office, and no report has been given. So we don't know the impact on premiums of this new version. What is going to happen to seniors, to middle-income families?

Ramming through a bad bill that will harm Americans just because the President wants to have something to say on the 100th day of his Presidency is a bad idea. It is time to stop this

madness. It is time for Democrats and Republicans to sit down and talk seriously about improving our current system.

The Presiding Officer is from the State of Louisiana and is a medical doctor. He has joined on the Republican side with Senator COLLINS of Maine to open this conversation. Thank you. We should have this bipartisan conversation—not about repeal but repair, what we can do to make this better and fairer and more affordable while preserving quality healthcare for Americans. Thank you for your leadership in this. We have talked about it, and I want to continue the conversation.

This notion coming over from the House is unacceptable. I hope that many people will tell the President and tell those who support it that this is no way to celebrate 100 days—by taking health insurance away from 24 million people.

#### FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, during the Senate's consideration of Betsy DeVos to be Secretary of Education, I asked a basic question: As Secretary of Education, would she side with corporate and other for-profit interests or would she be on the side of the students and their families?

I was concerned that the record of Secretary DeVos indicated that she was on the side of corporate interests, looking for opportunities to profit off of students and often exploiting them in the process.

Months into the job, now that she was approved by a historic tiebreaking vote by the Vice President, we are beginning to see which side the Secretary is on. A recent Chicago Tribune article entitled "Targeted by Obama, DeVry and other for-profit colleges rebounding under Trump" put it this way:

Less than 100 days into Trump's presidency, the Department of Education under Secretary Betsy DeVos has delayed implementation of gainful employment rules . . . withdrawn key federal student loan servicing reforms . . . and signaled a less onerous regulatory environment for the essentially taxpayer-financed career education [or for-profit] sector.

A group of State attorneys general, including Lisa Madigan of Illinois, warned of a return to "open season" on students in a letter to Secretary DeVos if she rolled back all of these protections.

I ask unanimous consent that the full text of that letter from the State attorneys general be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### OFFICE OF THE ATTORNEY GENERAL,

February 22, 2017.

Re How For-profit Schools Have Harmed Student Borrowers: the Need for the Gainful Employment Rule, Vigorous Federal Oversight of Accreditors, and the Borrower Defense to Repayment Rule

Hon. ELISABETH DEVOS,  
*Secretary, U.S. Department of Education,*  
*Washington, DC.*

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

Hon. MITCH MCCONNELL,  
*Senate Majority Leader, U.S. Senate,*  
*Washington, DC.*

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

Hon. CHARLES E. SCHUMER,  
*Senate Minority Leader, U.S. Senate,*  
*Washington, DC.*

DEAR SECRETARY DEVOS, SPEAKER RYAN, SENATOR MCCONNELL, CONGRESSWOMAN PELOSI, SENATOR SCHUMER: We, the undersigned Attorneys General of Illinois, Connecticut, Delaware, Hawaii, Iowa, Kentucky, Maryland, Maine, Massachusetts, Minnesota, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and the District of Columbia, as well as the Executive Director of the Office of Consumer Protection of Hawaii, write to express our support for recent federal protections for students and taxpayers in higher education. We are deeply concerned that rollbacks of these protections would again signal "open season" on students for the worst actors among for-profit post-secondary schools. As the chief consumer law enforcement agencies in our states, our offices handle thousands of complaints concerning higher education every year. We also enforce laws to protect consumers from unfair and deceptive practices perpetrated by higher education providers.

#### I. BACKGROUND: THE NEED FOR RULES TO PROTECT STUDENTS AND TAXPAYERS FROM UNFAIR AND DECEPTIVE PRACTICES BY FOR-PROFIT HIGHER EDUCATION PROVIDERS

Over the last ten years, student loan debt has soared from \$450 billion to nearly \$1.4 trillion. A major driver of this increase has been for-profit colleges. Of the top 25 schools where students hold the most student loan debt, over half were for-profit schools in 2014. This is up from only one for-profit institution in the top 25 in 2000.

In addition to driving the increase in student loan borrowing, for-profit institutions also have significantly more loan defaults than other types of institutions. Since 2013, for-profit institutions accounted for 35% of all federal student loan defaults, but enrolled just 27% of all borrowers. Many for-profit schools are almost entirely dependent on federal grants and loans. In December 2016, the U.S. Department of Education ("ED") found that nearly 200 for-profit schools derive more than 90% of their income from federal sources. The only reason that many of these institutions are in compliance with the federal 90/10 Rule is that certain categories of federal money, including GI Bill money, are excluded from the rule and thus count toward the 10% that is supposed to be non-federal money.

Over the past fifteen years, millions of students have been defrauded by unscrupulous for-profit post-secondary schools. With accreditors asleep at the wheel, State Attorneys General Offices have stepped in to stop some of the worst abuses. The list of State Attorney General investigations and enforcement actions against for-profit colleges is long, including actions against: American Career Institute; Ashford University/

Bridgepoint Education, Inc.; Corinthian Colleges, Inc.; Career Education Corporation; Education Management Corporation; Daymar College; DeVry University; ITT Tech; National College of Kentucky; and Westwood Colleges, among others. These schools, and others like them, engaged in a variety of deceptive and abusive practices. Some promised prospective students jobs, careers, and further opportunities in education that the schools could not provide. Many schools inflated job placement numbers and/or promised career services resources that did not exist. Many nationally-accredited schools promised that their credits would transfer, even though credits from nationally-accredited schools often do not transfer to more rigorous regionally-accredited schools. Many students were placed in loans that the schools knew from experience their graduates could not pay back. The schools were overseen by accreditors who failed to take action to protect students or the taxpayers who funded their federal student loans, despite ample evidence of these and other problems. In short, the entire for-profit education system was failing students and taxpayers. As investigations and prosecutions initiated by our offices shed light on these problems, ED began to take steps to remedy these harms, issuing new regulations and reformulating policies to help protect students and taxpayers.

Three of these recent steps—the Gainful Employment Rule, the policy of vigorous federal oversight of accreditors, and the Borrower Defense to Repayment Rule—are essential to protect both consumers and taxpayers from fraudulent actors in the for-profit education sector. The Gainful Employment Rule is a measure of graduates' debt-to-income and is designed to ensure that programs produce graduates that are able to pay back their student loans. Prospectively, the federal government recognizes accreditors who have standards sufficient to show that the schools they accredit provide a quality education and should have access to federal student loans and grants. Finally, where other protections fail and students are defrauded by bad actors, the Borrower Defense to Repayment Rule provides a formal process for students to assert a defense to repayment of their federal student loans.

#### II. CORINTHIAN COLLEGES: AN EXAMPLE OF THE HARM FACED BY STUDENTS AND TAXPAYERS

The egregious conduct of Corinthian Colleges illustrates how each of these three policies is necessary to avoid harm to both students and taxpayers. In March 2016, after an extensive review of published job placement rates at Corinthian campuses nationwide, the Department of Education found that the job placement rates were fraudulent for hundreds of cohorts from 2010-2014. Corinthian was telling the world that far more of its students obtained jobs than actually did, inducing students to enroll. Many of these students were left without jobs in their field of study. Without these jobs, many are saddled with debt they cannot repay, defaulting on loans funded with taxpayer dollars.

Had the gainful employment regulations been in place, Corinthian's programs that weren't producing jobs for students would have been shut down because the median debt-to-income ratio would have shown that students were not making enough money to pay down their loans. Had Corinthian's accreditors reviewed the school's self-reported job placement data on a regular basis, the fraud would have been discovered and stopped much earlier, saving students and taxpayers billions of dollars.

The absence of policies in place to protect prospective students from Corinthian's fraudulent practices also demonstrates the

need for an effective process for students to assert a defense to loan repayment. This defense was established in the 1990s when Congress passed legislation allowing students to assert claims against their schools as a defense to repayment of their federal student loans. There was little detail, however, on the process for asserting such claims. The regulations set to take effect on July 1, 2017 give borrower defense to repayment set processes so that students, schools, and taxpayers have an orderly process, and a degree of certainty, moving forward.

Without the Gainful Employment Rule, meaningful oversight of accreditors, and an orderly borrower defense process, we face the prospect of for-profit schools continuing to line their pockets with taxpayer dollars while students and taxpayers experience another crushing wave of defaulted student loan debt.

### III. THE GAINFUL EMPLOYMENT RULE

ED's gainful employment regulations are designed to further a simple idea—that students who attend career training programs should be able to repay their federal student loans once they graduate. The Rule allows prospective students to compare debt-to-income ratios across schools. By doing this, the Rule creates an incentive for schools to make good on their promises to students, and protects students from programs that will leave them saddled with debt and without job prospects in the careers for which they trained.

The Rule generally applies to vocational programs at for-profit institutions and to non-degree programs at community colleges. If graduates' annual loan payments exceed 30% of discretionary income and 12% of total earnings in two out of three consecutive years, the program loses access to Title IV federal student loans and grants. A program can also lose access if graduates' annual loan payments exceed 20% of discretionary income and 8% of total earnings for four consecutive years.

Data released on January 9, 2017 indicate that over 800 programs fail the Department's Gainful Employment metrics. For-profit institutions are responsible for 98% of the failing programs. But these 800 programs are only a portion of the for-profit school programs that have failed their students. With the Gainful Employment Rule pending, for-profit institutions have already eliminated hundreds of programs where students did not make enough money to cover their debt obligations, sometimes closing entire institutions that would have failed to provide students with gainful employment under the regulations.

It is essential that the Gainful Employment Rule be kept in place. Removing the Rule would open students and taxpayers up to the worst excesses of the for-profit higher education sector. It would greatly increase the regulatory and enforcement burden on states and accreditors by removing a central protection from the federal leg of the triad that oversees higher education in the United States.

### IV. VIGOROUS OVERSIGHT OF ACCREDITORS BY ED

The federal government and states need strong partners with specialized knowledge of higher education to provide prospective quality assurance of schools in order to protect students and taxpayers. Accreditors are the organizations tasked with this role. Our experience, however, has shown that without substantive oversight by the federal government, some accreditors are negligent in their role.

The primary example of this dereliction of duty to students and taxpayers is the Accrediting Council for Independent Colleges

and Schools (ACICS). As noted in our April 8, 2016 comment to the National Advisory Committee on Institutional Quality and Integrity (NACIQI) opposing ACICS's application for renewal of recognition, a recent study found that only 35% of students enrolled in ACICS accredited programs graduate, the lowest rate for any accreditor.

NACIQI, a bipartisan panel, voted to revoke ACICS's recognition in June 2016. The Senior Department Official at ED agreed with NACIQI and revoked ACICS's recognition as an accreditor in September, 2016. ACICS appealed the decision to the Secretary of Education, and in December 2016, the Secretary denied ACICS's appeal.

An accreditor's failure to verify program quality at its accredited institutions jeopardizes the effectiveness of state enforcement efforts and regulations, exposing each state's students to subpar educational programs that provide little value, but for which each student may borrow tens of thousands of dollars in student loans, that are nearly impossible to discharge in bankruptcy.

A prime example of the harm that stems from lax accreditation was brought to light by state action against Westwood College. The Illinois Attorney General's Office sued Westwood College for systematically misrepresenting the ability of its criminal justice graduates to pursue careers in law enforcement. Thousands of Westwood students in Illinois borrowed up to \$75,000 each for careers they were unable to pursue because many police departments in Illinois, including the Chicago Police Department and the Illinois State Police, did not accept credits from nationally-accredited schools. Graduates of Westwood's criminal justice program have a median salary below the median salary of a 25-year old with a high school diploma, in part because they were locked out of the career they had been promised. This combination of high debt and limited job prospects is a crushing blow not only to students, but to taxpayers who bear the burden of defaults on these loans. Despite the Illinois Attorney General's January 2012 suit against Westwood, ACICS accredited Westwood up to the day it closed its doors in March 2016.

Similarly, on September 8, 2016, a Hennepin County Court found that the Minnesota School of Business and Globe University systematically misrepresented their criminal-justice program as allowing students to pursue careers as Minnesota police officers or probation or parole officers. The Minnesota School of Business and Globe University were accredited by ACICS throughout the time period of the fraud determined by the Court, and their Chief Operating Officer during that time was in fact the Chair of ACICS's board of directors. Terminating ACICS's recognition is a responsible action that will protect students and taxpayers for years to come.

### V. THE BORROWER DEFENSE TO REPAYMENT RULE

In order to fairly and efficiently redress the harms suffered by for-profit college students, the borrower defense to repayment rule promulgated by ED must be allowed to take effect on July 1, 2017. As we noted in our August 1, 2016 comment to the proposed rule, students need a fair and transparent process to apply for borrower defense to repayment, and that process is missing from the existing regulation. The regulation finalized by ED also contains significant protections for taxpayers, including the requirement that schools cannot use arbitration agreements to bar students from bringing borrower defense claims directly against the school in court.

It is important to note that these regulations do not create a new defense to repayment. Congress established the borrower defense to repayment in the 1990s. Furthermore, over the last two years, ED has created substantial documentation of what constitutes a valid borrower defense claim under the existing regulation. Not only will the defense continue to be available, but it is likely that claims will continue to be asserted, particularly if regulations surrounding for-profit institutions, such as gainful employment, are loosened, allowing the bad practices of the past to return. Because the defense will continue to exist, a formal, transparent process to assert the defense, as reflected in the new repayment rule, is essential.

A basic sense of justice requires that the borrower defense to repayment rules be allowed to take effect. Millions of students paid tens of thousands of dollars each in federal student loan money to for-profit schools and received worthless degrees in return. Federal student loan debt is non-dischargeable in bankruptcy. These students cannot be left without a clear recourse. The new borrower defense to repayment regulations provide that recourse and should be allowed to take effect.

Our extensive experience in the higher education field, and our participation in the process of developing these recent policies and regulations, gives us unique insight into the abusive and deceptive practices of for-profit schools over the last ten years. We cannot overemphasize the harm to students and taxpayers that a rollback of federal protections would cause. Our offices hear from former for-profit students on a daily basis; sadly, many are hopeless. They have little hope of paying off their student loans without the career prospects promised by their schools. They have little hope of continuing their educations without the ability to transfer their credits from the many nationally-accredited for-profits to more rigorous regionally-accredited schools. Allowing for-profit schools unfettered access to federal student loan money without reasonable oversight and accountability is a mistake that American students and taxpayers should not be made to pay for again.

Sincerely,

Lisa Madigan, Illinois Attorney General;  
Matthew Denn, Delaware Attorney General;  
Tom Miller, Iowa Attorney General; Brian E. Frosh, Maryland Attorney General; Maura Healy, Massachusetts Attorney General;  
Hector Balderas, New Mexico Attorney General; George Jepsen, Connecticut Attorney General; Douglas S. Chin, Hawaii Attorney General; Andy Beshear, Kentucky Attorney General; Janet T. Mills, Maine Attorney General.

Lori Swanson, Minnesota Attorney General; Eric Schneiderman, New York Attorney General; Josh Stein, North Carolina Attorney General; Josh Shapiro, Pennsylvania Attorney General; TJ Donovan, Vermont Attorney General; Karl A. Racine, District of Columbia Attorney General; Ellen F. Rosenblum, Oregon Attorney General; Peter Kilmartin, Rhode Island Attorney General; Bob Ferguson, Washington State Attorney General; Stephen H. Levins, Executive Director, Hawaii Office of Consumer Protection.

Mr. DURBIN. Mr. President, we know what open season means when it comes to these students. Gilbert Caro of Chicago can tell us. He was profiled in the Chicago Tribune article that I mentioned. Gilbert received his master of business administration degree from DeVry University. It is possibly the second largest for-profit college in the United States.

He took on nearly \$100,000 in debt for his master of business administration degree. He believed that debt was worth it because it was going to unlock the door to a high-paying job and financial security.

Do you have any idea what Gilbert Caro is doing now with his DeVry master of business administration degree? He is a prison guard in Joliet, IL.

While Gilbert has a good job, he certainly didn't need \$100,000 in debt to be a prison guard. It is far from what he was promised by DeVry when he signed up. Gilbert, like so many other students who go to for-profit colleges, was lured in by an amazing marketing campaign, flashy advertisements and empty promises.

In 2016, DeVry University, a for-profit school, agreed to a \$100 million settlement with the Federal Trade Commission for misleading "prospective students with ads that touted high employment success rates and income levels upon graduation."

DeVry is not alone. For-profit college giants like Corinthian and ITT Tech collapsed after they were caught engaging in similar deceptive, disgusting practices. The predatory practices of these and other for-profit colleges have left tens of thousands of students across the country, just like Gilbert Caro, with worthless degrees and a mountain of debt.

In fact, during the early part of this century, when for-profit colleges acted with near impunity, just the students from the for-profit colleges and universities accounted for 47 percent of all student loan defaults. Ten percent of the students coming out of high school went to for-profit colleges, and 47 percent of the student loan defaults were those same students—10 and 47. Why? Because they were overcharged for worthless degrees. That is why.

The University of Phoenix students held almost \$35 billion in cumulative debt. When I look at their flashy advertising and the commercials about how life is going to be perfect if you sign up at the University of Phoenix, it is hard for me to imagine how many of those students are burdened with debt they will never be able to repay.

We also know what open season means for the for-profit college industry and its executives and investors. Between 1998 and 2008, enrollment at for-profit colleges exploded by 225 percent—a lot of advertising, a lot of marketing, a lot of recruiting. With it came exploding profits for these schools.

By 2009, the seven largest publicly traded for-profit college companies were worth a combined \$51 billion—2009, \$51 billion.

In 2010, the University of Phoenix alone enrolled nearly half a million students, more than the combined enrollment of all the Big Ten universities.

When former Senate HELP Committee Chairman Tom Harkin released his seminal report on the industry in

2012, for-profit colleges had grown to take in an incredible \$32 billion a year in Federal taxpayer dollars, 25 percent of all Federal aid in education, despite enrolling only 10 percent of the students that went to college after high school.

For-profit colleges and universities are the most heavily subsidized private businesses in America that exist. No one rivals them. No other industry is even close, and 80, 85, 90, 95 percent of the revenue of these so-called private, for-profit universities ends up coming out of the Federal Treasury.

John Murphy, the cofounder of the University of Phoenix, talks about those days by saying that what started off as a serious venture to educate students soon became too focused on "chasing stock prices."

To pump up those stock prices, companies needed students and they needed Federal student aid dollars. They proved that they would do and promise nearly anything to get "the juice," as Mr. MURPHY, the cofounder of the University of Phoenix, called it.

Boy, is this industry itching for the Trump administration to return to those bad old days. The Chicago Tribune reports that since the November 8 election, the stock prices of DeVry University, a for-profit college, have increased 52 percent.

In a recent New York Times article by Patricia Cohen entitled "For-Profit Schools, an Obama Target, See New Day Under Trump," the paid spokesman for the for-profit college industry, former Congressman Steve Gunderson, said he "has repeatedly spoken with members of Trump's transition team . . . White House domestic policy advisers . . . and congressional Republicans."

He is truly an insider. Mr. Gunderson promised: "We're going to get some regulatory relief."

Sadly, it looks like he is right. Take for example the delay of the gainful employment regulation. The Obama administration spent years writing and rewriting regulations to ensure that career training programs meet the statutory requirement to prepare students for "gainful employment."

Is that a radical idea—that if the Federal Government is going to provide grants and loans for a student to go to a school, the school should provide education and training that would lead to "gainful employment"?

My colleague from Oklahoma was on the floor a little while ago talking about overregulation, too many rules, and the impacts on small business. I would say that I am prepared to stand up and defend what the Obama administration did in saying that if you were going to lure a young man like Gilbert Caro into a school and put him \$100,000 in debt for a master's of business administration, he ought to at least end up with a job that is consistent with his education.

Today, Mr. Caro is a prison guard with \$100,000 of debt and a business administration degree of no value to him.

The gainful employment rule cuts off title IV funding for programs where graduates' ratio of student debt to earnings is too high. Literally, the students are too deeply in debt.

Prior to leaving office, the Obama Department of Education released the first set of gainful employment data. It showed that the graduates of public undergraduate certificate programs, like community colleges, earn \$9,000 more than their for-profit counterparts on average.

Think about that. You go to the virtually free community college, get a certificate, and you are going to earn \$9,000 more than if you get deeply in debt at one of the for-profit schools seeking the same degree. Of the programs that saddle students with too much debt compared to the income its students receive after their program, 98 percent of the violators were for-profit colleges.

This is not just a chance occurrence. It is a pattern. The rule is meant to protect students from taking on debt to attend programs that don't lead to a good-paying job. The rule is also meant to prevent billions in taxpayers' dollars on worthless programs.

Many for-profit colleges receive more than 90 percent of the revenue straight from Federal taxpayers. My Republican colleagues are committed to the free market system. So am I. I am committed to capitalism. I believe in it. Though, I think there is need for us to have regulation when it gets out of hand. That is why we have an antitrust division, for example.

In this circumstance, to argue that these are just private companies that are doing what ordinary people do when they start a business is to ignore the obvious. These for-profit colleges could not exist if they weren't receiving 80, 85, 90, and 95 percent of their revenue directly from the Federal Treasury.

In recent testimony before a House subcommittee, the Department of Education inspector general agreed that the gainful employment regulation "is a good rule in terms of protecting [students] and protecting taxpayers."

I sent a letter—along with Senators PATTY MURRAY, ELIZABETH WARREN, and nine other colleagues—expressing our concerns to Secretary DeVos about her delaying this rule. In our letter, we made clear that these delays undermine the rule and are going to be a danger to students and taxpayers.

It is also a betrayal of students not to ensure that they are treated fairly after they have been taken advantage of by for-profit schools.

Today, POLITICO reported that the Trump administration has dramatically slowed, if not stopped, processing applications from tens of thousands of students seeking to have their Federal student loans discharged after they have been defrauded by for-profit colleges.

Think about that. A student is about to sign up for a for-profit school.



Maybe he doesn't know much about higher education. His parents say: Listen, if you can get a Pell grant and a Federal student loan, this must be a really good school.

He is defrauded into signing up for a school that is too expensive and offers a worthless degree, and then they turn around and that school goes bankrupt. Now the student has the debt, no degree, and we are left holding the bag. What has happened in previous cases is the Federal Government stepped in and discharged the students from the debt if they were defrauded into signing up for the college.

Secretary Betsy DeVos has decided to slow that down—to slow down the discharge of these students' debt. Students who were misled or defrauded by their schools are eligible for discharge of their Federal student loans under the Higher Education Act—the law as it now exists. Yet during her confirmation process, Secretary DeVos would not commit to providing this relief to students—relief already specified in law—and has now effectively stopped processing the claims.

On the day before President Trump took office, more than 3,200 Illinois students applied to the Department of Education for relief. While the Department fails to process these claims, these students are left in the lurch. It adds insult to injury that students taken advantage of by for-profit colleges, nominally supervised and regulated by the Federal Government, are now being ignored by the Federal Government's Department of Education. That is unacceptable. It is unfair, and the Trump administration should change it.

We've started to see the true colors of the administration and Secretary DeVos when it comes to these students who have been victimized. As feared, the Department has thus far put for-profit and other commercial interests ahead of students and taxpayers.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Mississippi.

T-45 GOSHAWK FLEET

Mr. WICKER. Mr. President, I come to the floor to speak about a troubling issue for our Navy, our national defense, and a problem that should be of concern to Members of this body. Our Navy pilot training installations, including Naval Air Station Meridian in my home State of Mississippi, produce some of the finest pilots on the planet. They trained on the T-45 Goshawk.

On Friday, March 31, a significant number of T-45 instructor pilots at NAS Meridian, NAS Kingsville in Texas, and NAS Pensacola in Florida decided not to fly because of safety concerns. As you can imagine, this was an almost unprecedented act and brought considerable attention to a problem plaguing the Navy's tactical fighter community: a dramatic and sustained increase in so-called physiological episodes, or PE events, across the FA-18 Hornet, the EA-18 Growler,

and the training jet T-45 Goshawk fleets.

Physiological episodes occur when air crew experience diminished in-flight performance related to loss or contamination of oxygen, depressurization in the cockpit, or other factors. There are some technical terms I am going to mention to my colleagues. Hypoxic hypoxia occurs when pilots are getting insufficient oxygen. A more serious phenomenon called histotoxic hypoxia occurs when they are breathing contaminated oxygen, and of course depressurization occurs when the cabin pressure drops.

I have been assured that solving this physiological episode problem is now naval aviation's No. 1 one safety priority. As chairman of the Armed Services Committee's Seapower Subcommittee, I intend to continue the committee's oversight on this issue and, if necessary, include provisions in the upcoming Defense authorization bill to help. I applaud the work of our full committee chairman, Senator MCCAIN, on his efforts so far. In fact, Senator MCCAIN knows NAS Meridian very well, having served there as an instructor pilot. The airfield named "McCain Field" is in honor of Senator MCCAIN's grandfather, ADM John McCain.

The Navy has told Congress and the American people repeatedly that its effort to mitigate and solve the problems of these PE events, including histotoxic hypoxia, are "resource unconstrained." In other words, the Navy has told us that money is no object in solving this problem, time is no object, and personnel is no object. As chairman of the Seapower Subcommittee, I intend to put that claim to test.

I would like to update my colleagues on the situation—my factfinding trip to Meridian, the state of play, and the plan going forward.

Beginning around 2010, a significant increase in reported PE events occurred, which led to the establishment of a Physiological Episode Team to identify root causes, develop mitigation efforts and solutions. This team mainly addressed the less serious problem of hypoxic hypoxia, but in recent months, there has been an alarming uptick in histotoxic hypoxia, a relatively new phenomenon involving contaminated oxygen in the cockpit. This has presented new challenges. The Navy has not identified a root cause for either type of hypoxia but has taken steps to mitigate effects through new maintenance rules, equipment changes and redesigns, and by adding data collection tools. However, there is currently not adequate mitigation for the more serious type of hypoxia, which has led to this halt in training.

As a search for the root causes continues, data collection is worth stressing. These aircraft do not have automatic sensors. In effect, the pilot is the sensor. Maximizing data collection on every training flight is critical. The collection of more data can help in the

analytical effort, which will get us closer to finding the root cause. After the instructor pilots' boycott—which I stress they had every right to do—the Navy issued a safety standdown and stopped all training flights for a period of days. This tactical pause allowed the Navy to send senior leadership to visit the training installations and hear directly from the instructor pilots and students. I respect the considered decisions of both of these groups, the instructor pilots who continued to fly and the ones who engaged in the boycott.

After meeting with Pentagon experts on this matter, I then made a factfinding trip to NAS Meridian on April 8. I met with VADM Mike Shoemaker, the commander of Naval Air Forces. Admiral Shoemaker is the air boss who commands operational naval aviation forces. I also met with RADM Dell Bull, who is the chief of Naval Air Training, and I met with NAS Meridian's excellent installation leadership. Perhaps most important, I convened two focus groups: one group of instructor pilots who chose to fly and another group who chose not to fly. Both groups agree that a serious communication problem existed. The meetings with pilots demonstrated that some in the Navy hierarchy did not fully appreciate that this histotoxic hypoxia, contaminated oxygen, was a new and different phenomenon. In addition, the efforts of the Navy leadership were not being communicated effectively to the instructors and the students. In other words, the message was not getting down to the flight line, and the people on the flight line did not feel the message was getting back up to the hierarchy. Many felt their concerns were being ignored. The lack of action on the relatively new emergence of histotoxic hypoxia in the Goshawk only exacerbated the feeling among some that the Navy's actions were not matching its rhetoric.

Following my visit on April 8, the Navy took the important step of establishing a Physiological Episode Team for the T-45 alone. This is an important action which should bring more focused attention to the Goshawk community. The Navy ended the safety standdown on April 14 and resumed flying the next week under restricted conditions, such as flying at lower maximum altitudes and pulling fewer Gs. Of course, this is not the optimal way of training.

Then, following a subsequent PE incident in Kingsville and feedback from instructor pilots on the mitigation plan, the Navy has chosen to restrict training flights even further. This is a problem. The Navy tells us the current practice would allow a student to complete only about 20 to 25 percent of the curriculum. That is the status today. The Navy is already short on pilots, and continuing the status quo could further constrict the pilot production pipeline.

Where do we go from here? The Navy has brought three T-45s that have experienced physiological episodes to

Naval Air Station Patuxent River, MD, for extensive engineering investigation and analysis. They are taking the airplanes apart at Pax River. I applaud this action. Initial results of the testing should be available next week with more information to follow as the data is processed. At the same time, engineers have teamed up with pilots from both the test community and the training command, including at least one Meridian instructor pilot. They are investigating possible mitigations, such as alterations to pilot masks. This will allow our instructors and student pilots to get back to what they want to do most; that is, to fly and train new pilots to fly.

In addition, on April 21, Vice Chief of Naval Operations, Admiral Moran, directed Admiral Scott Swift, commander of the U.S. Pacific Fleet, to lead a month-long review of the facts, circumstances, and processes surrounding the recent episodes and how the Navy has addressed them. The Swift review will evaluate the Navy's organizational structures and processes and make recommendations for additional action.

These efforts are desperately needed. Still, we have no real diagnosis. Still, we have no real solution in the works. Senators should know this: As of 3 weeks ago, problems with histotoxic hypoxia at our naval training bases have earned the full attention of the top leadership in the Navy. These problems also have the full attention and oversight of the Senate Armed Services Committee and the Seapower Subcommittee.

I look forward to continued interaction with the Navy leadership on this very important issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### ANTIQUITIES ACT

Mr. HATCH. Mr. President, I rise to commemorate an important day for Utah and the western way of life. Just yesterday, the President signed an Executive order calling for review of monument designations across the United States, with a specific focus on two national monuments that have caused significant damage in my home State of Utah: Bears Ears and the Grand Staircase-Escalante.

Yesterday's Executive action is the culmination of countless hours of hard work and close coordination with the White House. When I first spoke with President Trump in the Oval Office during his first week on the job, I asked for his help in addressing the Bears Ears debacle. From day one, our President has been committed to helping us fix this disaster and ensuring that our smallest counties get a fair shake.

Throughout my Senate service, I have fought to give voice to the needs of our rural communities in the debate over public lands. Too often, past Presidents have ignored the concerns of Utah's families in declaring massive

monuments that threaten the western way of life. Too often, Presidents have abused the authority under the Antiquities Act to satisfy the demands of an extreme environmental agenda but no more.

Following yesterday's Executive order, I look forward to working with the Trump administration to address past abuses and restore the original meaning of the Antiquities Act. The Executive order directs Secretary of Interior Ryan Zinke to review dozens of national monuments. This is a welcomed opportunity to set a new precedent for the responsible use of the Antiquities Act—a precedent that will take into account the needs of locals and foster greater trust between the States and the Federal Government as we work toward a shared goal of preserving our cultural antiquities.

For decades, I have sought to rein in Executive abuse under the Antiquities Act. That is why I traveled to Bears Ears just last week to hear firsthand from the local residents and Tribal members who have been hurt most by this monument designation. That is why, in the opening days of his Presidency, I met personally with President Trump in the Oval Office to discuss the public lands issue at length. I made clear to the President that Utahns have had enough of monument designations that come down unilaterally with zero support from locals, State officials, or Congress. Many of my own constituents have had their lives upended by this abuse of Executive power.

For too long, Utahns—many of whom depend on public lands for their very livelihood—have been at the mercy of out-of-touch bureaucrats who have little knowledge or personal connection to the land. President Obama only made their situation worse when he spurned the men and women of San Juan County by declaring the Bears Ears National Monument last December. In doing so, he defied the will of the State legislature, the Governor, and the entire Utah congressional delegation. President Obama's last-minute monument designation imposed even greater land use restrictions on a region that is already predominately controlled by the Federal Government.

As I have said before, in opposing the Bears Ears National Monument designation, I am in no way opposing the protection of lands that need to be protected. Indeed, there are many cultural sites in Utah that warrant preservation, and I am committed to working with the President and with Congress to protect those sacred places for future generations. But as I have also said previously, I believe that it is both unlawful and undemocratic for any President to seize millions upon millions of acres of land through the Antiquities Act—a law that was geared to give the President only narrow authority to designate special landmarks, such as a unique national arch or the site of old cliff dwellings.

We desperately need a new process for creating national monuments. Congress and impacted local communities, not the President alone, should have a say in decisions that restrict access to millions of acres of federally owned land. In making such decisions, the voice of the people is paramount.

Let me be clear: Abusing the Antiquities Act at the expense of local communities is not a sustainable public lands strategy. This strategy is counterintuitive because it puts Antiquities Act authority at great risk. The Antiquities Act was designed to provide specific protections for objects of antiquity, but out West, particularly in Utah, the law has become synonymous with land grabs and Federal overreach.

Restoring the legitimacy of Antiquities Act authority in the eyes of westerners requires a more measured approach to monument designations, an approach that takes into account the needs of locals and restores trust between States and the Federal Government.

To be clear, I have no objection when Presidents use the Antiquities Act according to its original purpose, which was to protect cultural antiquities by designating the minimum acreage necessary. Take, for example, the great State of Washington, which is home to several national monuments that were created in line with the law's original intent. The State's beautiful San Juan Islands cover only 970 acres, while the Hanford Reach encompasses 195,000 acres. At first glance, this amount of acreage may seem large, but compared to Utah's two most prominent national monuments, it is a tiny speck on the map. In fact, the total acreage of the San Juan Islands and Hanford Reach combined is only 6 percent of the size of Bears Ears and Grand Staircase-Escalante National Monuments.

In the State of Washington, Presidents have used the Antiquities Act within reason. Unfortunately, the same cannot be said for my home State of Utah, where Presidents have repeatedly abused their authority under the law to declare eight national monuments that together span more than 3.3 million acres. In Utah, national monuments cover roughly 10 percent of all Federal land in a State where 67 percent of the land is already owned and dominated by the Federal Government. By contrast, only 28 percent of the land in the State of Washington is owned by the Federal Government. Of that Federal land, only 1.6 percent is locked away as a national monument. It is no wonder, then, that Utahns feel more threatened by the Antiquities Act than Washingtonians. This is a law that past Presidents have brandished as a weapon to cut up entire sections of our State.

This is far from the first time I have taken to the floor to speak out against Antiquities Act abuse. It certainly won't be the last. But I am encouraged by yesterday's Executive order with President Trump and Secretary Zinke

on our side. I believe we can plot a path forward to correct past abuses and forge a new precedent for future monument designations.

The President's Executive action signifies a critical milestone in the effort to include local voices in the management of our public lands. As the Trump administration reviews various national monuments, we must replace the top-down approach of past administrations with a grassroots strategy that engages local leaders, State officials, and Members of Congress in the decision-making process. Bringing all stakeholders to the table is essential to establish a new precedent that will undo the decades of abuse we have endured under, I think, false interpretations of the Antiquities Act.

I am eager to continue working with the President and the Secretary of the Interior to preserve our Nation's cultural treasures in a way that honors the original meaning of the Antiquities Act. I am likewise eager to involve locals in that process. With all parties working together, I firmly believe we can restore a relationship of trust between the States and the Federal Government in the management of public lands.

I am grateful for a President who is willing to work with us to reset the status quo. Better than any of his predecessors, President Trump understands the lasting damage wrought by past Presidents under the Antiquities Act. Indeed, in all my years of public service, I have never seen a President so committed to reining in the Federal Government and so eager to address the problems caused by these overreaching monument designations.

I wish to thank President Trump and Secretary Zinke for taking concrete steps to rein in abuse through yesterday's Executive order.

I also wish to thank the President's Chief of Staff, Reince Priebus, who helped make yesterday's victory possible. Reince has done exceptionally well in one of the toughest jobs in all of Washington. The President is lucky to have Reince in the White House. I am lucky to call him a friend.

I also wish to thank my former chief of staff, Ron Porter, who is now a special assistant to the President and the Staff Secretary at the White House. Rob is an invaluable asset to the President's team and ours as well. Without him, yesterday's Executive order would never have come to fruition, at least in my opinion. Rob was among the finest men ever to serve as my chief of staff. I have enjoyed watching him succeed at the White House.

Yesterday we took a meaningful first step to fix past abuses under the Antiquities Act. Yet there is still much work to be done, and I look forward to working with the White House every step of the way.

With that, I am grateful for all those who have participated in helping us to right the wrongs that have been going on for far too long, as some of the

Presidents have played pure politics with public lands at the expense of the States involved, especially my State. It is easy to pick on a State that is 67 percent owned by the Federal Government and up to well over 70 percent owned by the Federal and State governments. It is easy to pick on these States—a small State indeed. But our State is resilient. We have some of the better people in Congress, and we also have the ability to be able to raise all kinds of hell here.

All I can say is that I just want my State treated fairly. I want to make sure the bureaucrats here in Washington don't walk all over the West because they think they can because of the wide expanses of territory and the many, many other aspects of the Western States that make them vulnerable to this type of inappropriate activity.

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

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

#### VA ACCOUNTABILITY

Mr. BLUMENTHAL. Mr. President, one goal we share in this body, which is a very bipartisan goal, is keeping faith with our veterans, making sure no veteran is left behind.

I had the great honor to work as ranking member with Senator ISAKSON, the chairman of the Veterans' Affairs Committee, on a bill called the Veterans First Act that unfortunately failed to cross the finish line during the last session. One of the major goals of that bill was to ensure accountability at the Department of Veterans Affairs so employees of the VA who fail to do their job are held accountable. That goal of accountability is one of a number that must be pursued and will be sought during this session, including ending the backlog of appeals and providing better healthcare, ensuring skills training and job opportunities for our veterans.

Today the President signed an Executive order at the Department of Veterans Affairs to designate an individual responsible for accountability and whistleblower protection, a worthwhile first step. It is a commendable step toward accountability. But that individual and the Office of Accountability and Whistleblower Protection must have real responsibility and power and must be insulated from any kind of political interference through establishment through statute. That office should be established by statutory authority. That is why I will be advocating and likely introducing legislation that involves supporting and training employees and listening to veterans about what they want from the VA through that Office of Accountability and Whistleblower Protection,

to provide real accountability to the Congress by requiring reporting to Congress about what it finds and real whistleblower protection, so that anybody who complains about the VA's misdirected or misguided action is assured protection against any kind of revenge or retaliation, which is the essence of whistleblower protection, and a Senate-confirmed director so that the accountability function is, again, accountable to us. That kind of statutory embodiment is necessary to make sure that the Office of Accountability and Whistleblower Protection has power and reporting requirements so that it is accountable to us as elected representatives and advocates for our veterans.

My hope is that the Senate and House will adopt that provision, one that was contained in the Veterans First bill that Senator ISAKSON and I championed during the last Senate and which I hope we will pursue again in a very bipartisan way.

I also hope that the Senate will take up and pass S. 12, the Increasing the Department of Veterans Affairs Accountability to Veterans Act of 2017. My colleague, Senator MORAN, a cosponsor with me, spoke about it earlier today. It would provide reduction of benefits for senior executives and certain healthcare employees of the Department of Veterans Affairs if they have been convicted of a felony in connection with their work. VA employees who commit serious crimes in connection with their employment should not be receiving pensions. That is one of the key provisions to activate a deterrent to misconduct and also to assure that misconduct is adequately punished.

Accountability for leaders who manage the Department of Veterans Affairs Employee Affairs would be another goal of this legislation, S. 12, so that the men and women who hire and fire are themselves evaluated when they do those jobs.

These kinds of details are important—as important as any new office with an individual whose unspecified powers may include them or not. Right now they do not, under the Executive order, specifically include such enumerated powers. That is our job, to make sure that this office of accountability is real in its responsibility, is clearly assigned in its functions, is held accountable for its performance and has real teeth, not just rhetoric.

I am hopeful that we will move ahead with this very, very important office to make sure that our veterans receive what they deserve—real accountability, a genuine assurance that the people who serve them will do their jobs, not just adequately but excellently. That is the goal that I believe we will share.

I welcome this Executive order. I believe we can and must do more to make sure that the VA keeps faith with our veterans and leaves no veterans behind.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

All time has expired.

The question is, will the Senate advise and consent to the Acosta nomination?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Michigan (Mr. PETERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 116 Ex.]

YEAS—60

Alexander	Gardner	Murkowski
Barrasso	Graham	Nelson
Blunt	Grassley	Paul
Boozman	Hatch	Perdue
Burr	Heitkamp	Portman
Capito	Heller	Risch
Cassidy	Hoeben	Roberts
Cochran	Inhofe	Rounds
Collins	Isakson	Rubio
Corker	Johnson	Sasse
Cornyn	Kennedy	Scott
Cortez Masto	King	Shelby
Cotton	Lankford	Strange
Crapo	Lee	Sullivan
Cruz	Manchin	Tester
Daines	McCain	Thune
Enzi	McCaskill	Tillis
Ernst	McConnell	Warner
Fischer	Menendez	Wicker
Flake	Moran	Young

NAYS—38

Baldwin	Feinstein	Murray
Bennet	Franken	Reed
Blumenthal	Gillibrand	Sanders
Booker	Harris	Schatz
Brown	Hassan	Schumer
Cantwell	Heinrich	Shaheen
Cardin	Hirono	Stabenow
Carper	Kaine	Udall
Casey	Klobuchar	Van Hollen
Coons	Leahy	Warren
Donnelly	Markey	Whitehouse
Duckworth	Merkley	Wyden
Durbin	Murphy	

NOT VOTING—2

Peters Toomey

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT REQUEST—JOINT RESOLUTION

Mr. McCONNELL. Mr. President, colleagues, it is my understanding that the four corners who are working on the omnibus appropriations are very, very close to agreement. We still need

a few days to process the larger bill. The House has posted a 1-week CR to keep the government open. We are prepared to clear the 1-week CR on this side of the aisle.

Therefore, I ask unanimous consent that the text of a joint resolution, which is at the desk—that is, a 1-week continuing resolution—be printed in the RECORD; further, that if the Senate receives a joint resolution from the House, the text of which is identical to the text of the joint resolution printed in the RECORD, the joint resolution be considered to have been read three times and passed, and that the motion to reconsider be considered to have been made and laid upon the table; provided further, that if the language is not identical, then this order be vitiated.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, colleagues, I am objecting because we still have to resolve the issue of poison pill riders before Democrats can agree to the short-term CR.

Let's make no mistake about it, we are indeed making great progress. I thank the majority leader. He has been cooperative and extremely helpful throughout the process. I thank Chairman COCHRAN and Senator LEAHY the same. But our position has been clear, and it is nothing new: no poison pill riders. The sooner we can resolve this issue, the quicker we can have an agreement on appropriations for 2017.

So I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. McCONNELL. Mr. President, I would only add—not to prolong the discussion, but I don't think the failure to pass the 1-week CR necessarily impacts in a positive way the concerns the Democratic leader has. But that is his call to make. This 1-week CR is cleared on our side.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, there is a simple way to resolve it, and that is, the Republican leader of the Senate and the Speaker of the House just agree to no poison pill riders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

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

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

Mr. McCONNELL. Mr. President, I wish to make sure my colleagues on

the other side of the aisle know that if we don't pass the 1-week extension, the miners' healthcare expires, but it is in the 1-week extension. If we don't pass the 1-week extension, the miners' healthcare revision expires.

Mr. SCHUMER. We are aware.

Mr. McCONNELL. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

25TH ANNIVERSARY VERMONT SMALL BUSINESS DEVELOPMENT CENTER

Mr. LEAHY. Mr. President, the Vermont Small Business Development Center, VtSBDC, is joining SBDC's across the country in celebrating its 25th anniversary as a crucial resource for entrepreneurs. These centers provide services to facilitate the creation, sustainability, and growth of viable businesses. In Vermont, it is no secret that we take particular pride in our local businesses. Our entrepreneurs and their businesses are at the heart of our vibrant communities, and they are the roots of a thriving economy.

Over the past 25 years, VtSBDC has helped countless businesses capitalize on their potential. From glassblowers to forestry and sugarmakers to restaurants, VtSBDC has delivered thousands of hours of professional business counseling and training that is focused on strategic planning, business development, financial planning, and cash flow management. After the devastation of Tropical Storm Irene, VtSBDC reached out with State and Federal partners to offer small business owners the assistance and support necessary to undergo full recovery efforts. I am regularly reminded of VtSBDC's worth to entrepreneurs through client testimonials, regularly highlighting that, without the assistance of VtSBDC staff, their business would not have been able to reach the next levels. In addition to working with individuals to achieve their dreams, VtSBDC has also supported business incubators, or coworking spaces, where fledgling businesses and industries find their footing alongside other new businessowners.

Founded as a pilot program run by the Small Business Administration in 1977, national small business development centers have a long history proving public-private partnerships and,

when done right, are a successful tool in expanding local pilot programs that benefit communities and States across our Nation. Small business owners always face many obstacles, but the professionals at VtSBDC provide invaluable resources, support, and advice to help overcome these challenges.

I want to congratulate the Vermont Small Business Development Center on their 25th anniversary and thank their dedicated staff for their commitment, energy, and time working to make sure that Vermont's small businesses remain strongly grounded and growing in Vermont.

**BUDGET SCOREKEEPING REPORT**

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for April 2017. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2017, S.Con.Res. 3. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. The Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act, CBA.

My last filing can be found in the RECORD on March 1, 2017. The information contained in this report captures legislative activity since that filing through April 25, 2017.

Republican Budget Committee staff prepared Tables 1–3 of this report.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the most recently adopted budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. For this reporting period, 14 of the 16 authorizing committees are in compliance with their allocations. The two committees out of compliance are: the Committee on Commerce, Science, and Transportation, for spending \$1 million more in budget authority and outlays than allowed over each enforcement window due to passage of the National Aeronautics and Space Administration Transition Authorization Act of 2017, P.L. 115–10; and the Committee on Veterans Affairs, which violates its outlay allocation by \$200 million over both the fiscal year 2017–2021 and fiscal year 2017–2026 periods. The latter violation—the largest of this reporting period—stems from passage of a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes, P.L. 115–26. This measure removed the August 7, 2017, sunset from the program to allow funds previously appropriated to be fully exhausted.

Tables 2–3 remain unchanged from the last report as no new appropria-

tions activity has occurred for the fiscal year 2017 cycle.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by the Congress.

CBO provided a spending and revenue report for fiscal year 2017, which helps enforce aggregate spending levels in budget resolutions under CBA section 311. In its report, CBO annualizes the temporary effects of the latest continuing resolution, which provides funding through April 28, 2017. For the enforcement of budgetary aggregates, the Budget Committee excludes this temporary funding. As such, the committee views current-law levels as being \$953 billion and \$583.2 billion below budget resolution levels for budget authority and outlays, respectively.

Revenues are consistent with the levels assumed in the budget resolution for fiscal year 2017. Over the fiscal year 2017–2021 and fiscal year 2017–2026 period, however, revenues are \$1 million below assumed levels due to the enactment of H.J. Res. 83, P.L. 115–21, a resolution considered under the Congressional Review Act for disapproving of the rule by the Department of Labor relating to “Clarification of Employer’s Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness.”

Social Security outlays and revenues are at the levels assumed in S.Con.Res. 3.

CBO’s report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The Senate’s PAYGO scorecard currently shows increased deficits of \$202 million over the fiscal year 2016–2021 and fiscal year 2016–2026 periods. For both of these periods, outlays have been increased by \$201 million, and revenues have been reduced by \$1 million. The Senate’s PAYGO rule is enforced by section 201 of S. Con.Res.21, the fiscal year 2008 budget resolution.

Finally, included in this submission is a table tracking the Senate’s budget enforcement activity on the floor. No budget points of order have been raised since my last filing.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS**

[In millions of dollars]			
	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Armed Services			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Banking, Housing, and Urban Affairs			
Budget Authority .....	0	0	0

**TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS—Continued**

[In millions of dollars]			
	2017	2017–2021	2017–2026
Outlays .....	0	0	0
Commerce, Science, and Transportation			
Budget Authority .....	1	1	1
Outlays .....	1	1	1
Energy and Natural Resources			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Environment and Public Works			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Finance			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Foreign Relations			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Homeland Security and Governmental Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Judiciary			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Health, Education, Labor, and Pensions			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Rules and Administration			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Intelligence			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Veterans’ Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	200	200
Indian Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Small Business			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
<b>Total</b>			
Budget Authority .....	1	1	1
Outlays .....	1	201	201

**TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>**

[Budget authority, in millions of dollars]		
	2017	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits .....	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	9
Commerce, Justice, Science, and Related Agencies .....	0	7
Defense .....	45	0
Energy and Water Development .....	–340	–340
Financial Services and General Government .....	0	0
Homeland Security .....	0	9
Interior, Environment, and Related Agencies .....	0	120
Labor, Health and Human Services, Education and Related Agencies .....	0	24,570
Legislative Branch .....	0	–1
Military Construction and Veterans Affairs, and Related Agencies .....	7,898	74,600
State Foreign Operations, and Related Programs .....	0	0
Transportation and Housing and Urban Development, and Related Agencies .....	0	4,400
Current Level Total .....	7,603	103,374
Total Enacted Above (+) or Below (–) Statutory Limits .....	–543,465	–415,157

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

**TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)**

[Budget authority, millions of dollars]	
	2017
CHIMPS Limit for Fiscal Year 2017 .....	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	0
Defense .....	0

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

	2017
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	0
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	0
Total CHIMPS Above (+) or Below (–) Budget Resolution .....	–19,100

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 27, 2017.

Hon. MIKE ENZI,  
Chairman, Committee on the Budget  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through April 25, 2017. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Since our last letter dated March 1, 2017, the Congress has cleared and the President has signed the National Aeronautics and Space Administration Authorization Act of 2017 (Public Law 115–10). That act has significant effects on budget authority and outlays in fiscal year 2017.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF APRIL 25, 2017

(In billions of dollars)

	Budget Resolution <sup>a</sup>	Current Level <sup>b</sup>	Current Level Over/Under (–) Resolution
<b>On-Budget</b>			
Budget Authority .....	3,226.1	3,308.0	81.9
Outlays .....	3,224.6	3,254.7	30.1
Revenues .....	2,682.1	2,682.1	0.0
<b>Off-Budget</b>			
Social Security Outlays <sup>c</sup> .....	805.4	805.4	0.0
Social Security Revenues .....	826.0	826.0	0.0

Source: Congressional Budget Office.

<sup>a</sup> Excludes \$81.872 billion in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non-regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, that is not yet allocated to the Senate Committee on Appropriations.

<sup>b</sup> Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

<sup>c</sup> Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF APRIL 25, 2017

(In millions of dollars)

	Budget Authority	Outlays	Revenues
<b>Previously Enacted <sup>a</sup></b>			
Revenues .....	n.a.	n.a.	2,682,088
Permanents and other spending legislation .....	2,054,297	1,960,884	n.a.
Appropriation legislation .....	138,258	619,553	n.a.
Offsetting receipts .....	–834,250	–834,301	n.a.
<b>Total, Previously Enacted .....</b>	<b>1,358,305</b>	<b>1,746,136</b>	<b>2,682,088</b>
<b>Enacted Legislation:</b>			
National Aeronautics and Space Administration Authorization Act of 2017 (P.L. 115–10) .....	1	1	0
<b>Continuing Resolution:</b>			
Further Continuing and Security Appropriations Act, 2017 (P.L. 114–254) <sup>b,c,d</sup> .....	1,034,868	613,341	0
<b>Entitlements and Mandatories:</b>			
Budget resolution estimates of appropriated entitlements and other mandatory programs .....	914,848	895,267	0
Total Current Level <sup>e</sup> .....	3,308,022	3,254,745	2,682,088
Total Senate Resolution <sup>f</sup> .....	3,226,128	3,224,630	2,682,088
Current Level Over Senate Resolution .....	81,894	30,115	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	n.a.
<b>Memorandum:</b>			
Revenues, 2017–2026:			
Senate Current Level .....	n.a.	n.a.	32,351,659
Senate Resolution .....	n.a.	n.a.	32,351,660
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	1

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

Includes the budgetary effects of enacted legislation cleared by the Congress during the 114th session, prior to the adoption of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 does not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

Further Continuing and Security Assistance Appropriations Act, 2017 (P.L. 114–254) ..... –2 –1 0

<sup>c</sup> Division A of P.L. 114–254 contains the Further Continuing Appropriations Act, 2017, which provides funding for those agencies within the jurisdiction of 11 of the 12 regular appropriations bills through April 28, 2017; those amounts are shown under the “Continuing Resolution” section of this table. Certain provisions in Division A provide funding until or beyond the end of fiscal year 2017; those amounts are shown in the “Previously Enacted” section of this table. In addition, Division B of P.L. 114–254 contains the Security Assistance Appropriations Act, 2017, which provides funding until or beyond the end of fiscal year 2017 for overseas contingency operations; those amounts are shown under the “Previously Enacted” section of this table.

<sup>d</sup> Sections 193–195 of Division A of P.L. 114–254 provided funding, available until expended, for innovation projects and state responses to opioid abuse. CBO estimates that, for fiscal year 2017:

The \$20 million in discretionary budget authority provided by section 193 would result in an additional \$5 million in outlays for FDA innovation projects; The \$352 million in discretionary budget authority provided by section 194 would result in an additional \$91 million in outlays for NIH innovation projects; The \$500 million in discretionary budget authority provided by section 195 would result in an additional \$160 million in outlays for state response to opioid abuse.

Consistent with sections 1001–1004 of P.L. 114–255, for the purposes of estimating the discretionary budget authority and outlays for these provisions under the Congressional Budget and Impoundment Act of 1974 and the Balanced Budget and Emergency Deficit Act of 1985, these amounts are estimated to provide no budget authority or outlays.

<sup>e</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

<sup>f</sup> Excludes \$81.872 billion in budget authority and \$40,032 million in outlays assumed in S. Con. Res. 3 for non-regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, that is not yet allocated to the Senate Committee on Appropriations.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF APRIL 25, 2017

(In millions of dollars)

	2016–2021	2016–2026
Beginning Balance <sup>a</sup> .....	0	0
<b>Enacted Legislation: <sup>b,c,d</sup></b>		
Tested Ability to Leverage Exceptional National Talent Act of 2017 (P.L. 115–1) .....	*	*
Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (P.L. 115–5) .....	*	*
National Aeronautics and Space Administration Transition Authorization Act of 2017 (P.L. 115–10) .....	1	1
Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues (P.L. 115–14) .....	*	*

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF APRIL 25, 2017—Continued

(In millions of dollars)

	2016–2021	2016–2026
Disapproving the rule submitted by the Department of Labor relating to “Clarification of Employees Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness” (P.L. 115–21) .....	1	1
Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees (P.L. 115–24) .....	*	*

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF APRIL 25, 2017—Continued

(In millions of dollars)

	2016–2021	2016–2026
An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes (P.L. 115–26) .....	200	200
Current Balance .....	202	202
<b>Memorandum:</b>		
Changes to Revenues .....	–1	–1
Changes to Outlays .....	201	201

Source: Congressional Budget Office.

Notes: P.L. = Public Law; \* = between –\$500,000 and \$500,000.

<sup>a</sup> Pursuant to the statement printed in the Congressional Record on January 17, 2017, the Senate Pay-As-You-Go Scorecard was reset to zero.



<sup>b</sup>The amounts shown represent the estimated effect of the public laws on the deficit.

<sup>c</sup>Excludes off budget amounts.  
<sup>d</sup>Excludes amounts designated as emergency requirements.

ENFORCEMENT REPORT OF LEGISLATION POST-S.CON.RES. 3, FY 2017 CONGRESSIONAL BUDGET RESOLUTION

Vote	Date	Measure	Violation	Motion to Waive	Result
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ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-15, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Greece for defense articles and services estimated to cost \$80 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
Vice-Admiral, USN Director.

Enclosures.

TRANSMITTAL NO. 17-15

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Greece

(ii) Total Estimated Value:  
Major Defense Equipment\* \$34 million.  
Other \$46 million.  
Total \$80 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):  
Five (5) CH-47D Aircraft.  
Seven (7) Common Missile Warning Systems (CMWS) (one (1) for each aircraft plus two (2) spares).

Twelve (12) T55-GA-714A Turbine Engines (two (2) for each aircraft plus two (2) spares).

Non-MDE includes: Also under consideration for this sale is mission equipment, communications and navigation equipment, ground support equipment, special tools and test equipment, spares, publications, Maintenance Work Order/Engineering Change Proposals (MWO/ECPs), technical support, and training, and other associated support equipment and services.

(iv) Military Department: Army.  
(v) Prior Related Cases, if any: GR-B-JBK, GR-B-XMH.

(vi) Sales Commission, Fee, etc. Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 27, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Greece—CH-47D Helicopters

The Government of Greece requested the possible sale of five (5) CH-47D helicopters, seven (7) Common Missile Warning Systems (CMWS) (one (1) for each aircraft plus two (2) spares), and twelve (12) T55-GA-714A turbine engines (two (2) for each aircraft plus two (2) spares). Also included are mission equipment, communications and navigation equipment, ground support equipment, special tools and test equipment, spares, publications, Maintenance Work Order/Engineering Change Proposals (MWO/ECPs), technical support, and training, and other associated support equipment and services. The total estimated cost is \$80 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that has been, and continues to be, an important force for political stability and economic progress. Greece intends to use these defense articles and services to modernize its armed forces by increasing its rotary-wing transport capability. This will contribute to the Greek military's goal to upgrade its capability while further enhancing greater interoperability between Greece, the U.S. and other allies.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

There is no principal contractor as the systems will be coming from U.S. Army stocks. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government or contractor representatives to travel to Greece for equipment de-processing/fielding, system check-out and new equipment training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-15

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The CH-47D is a medium lift aircraft, manufactured from CH-47A, B, and C aircraft. The CH-47D aircraft, which includes two T55-GA-714A turbine engines, has been identified as Major Defense Equipment (MDE). The avionics system in the CH-47D helicopter consists of the communications equipment providing HF (AN/ARC-220), VHF AM/FM (AN/ARC-186) and UHF-AM (AN/ARC-164) communications. The voice secure equipment consists of the TSEC/KY-58 and the TSEC/KY-100. The navigation equipment includes ADF (AN/ARN-89 or 149, VOR ILS

Marker Beacon, (AN/ARN-123, Doppler/GPS (AN/ASN-128, Tactical Air Navigation (TACAN) System AN/ARN-154(V), VGH FM Homing (AN/ARC-201D) is provided through the FM communication radio. Transponder equipment (AN/APX-118) consists of an IFF receiver with inputs from the barometric altimeter for altitude encoding. The AN/APX-118 and AN/APX-118A transponder is classified SECRET if Mode 4, or Mode 5 fill is installed in the equipment with a crypto device. Mission equipment consists of the radar signal detecting set, (AN/APR-39A(V)1) and the Common Missile Warning System (CMWS) (AN/AAR-57). The AN/APR-39 Series Radar Warning Receiver sets are sensitive items are classified SECRET if the Unit Data Module has threat data software installed. The software for this system determines the classification. Normally a customer has specific software developed to meet their requirements.

2. All defense articles and services listed in this transmittal have been authorized for release and export to Greece.

3. A determination has been made that the Government of Greece can provide the same degree of protection for the sensitive technology being released as the U.S. Government. The sale is necessary in furtherance of the U.S. foreign policy and national security objectives as outlined in the Policy Justification of the notification.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-11, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$137.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
Vice Admiral, USN Director.

Enclosures.

TRANSMITTAL NO. 17-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia

(ii) Total Estimated Value:  
Major Defense Equipment \* \$119.5 million.  
Other \$18.1 million.  
Total \$137.6 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):  
Up to seventy (70) AGM-88B High Speed Anti-Radiation Missiles (HARM) Tactical Missiles.

Up to forty (40) AGM-88E Advanced Anti-Radiation Guided Missiles (AARGM) Tactical Missiles.

Up to sixteen (16) CATM-88B HARM Capable Air Training Missiles (CATM).

Up to sixteen (16) CATM-88E AARGM CATM.

Up to twenty-five (25) AGM-88B Control Sections.

Up to twenty-five (25) AGM-88B Guidance Sections.

Up to twenty (20) AGM-88E Control Sections.

Up to twenty (20) AGM-88E Guidance Sections.

Non-MDE includes: Up to forty-eight (48) Telemetry/Flight Termination Systems, U.S. Government and contractor engineering, technical and logistics support services, and other associated support equipment and services.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any: AT-P-AZN.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress:

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Government of Australia—Anti-Radiation Missiles

Australia has requested a possible sale of up to seventy (70) AGM-88B High Speed Anti-Radiation Missiles (HARM) Tactical Missiles; up to forty (40) AGM-88E Advanced Anti-Radiation Guided Missiles (AARGM) Tactical Missiles; up to sixteen (16) CATM-88B HARM Captive Air Training Missiles (CATM); up to sixteen (16) CATM-88E AARGM CATM; up to twenty-five (25) AGM-88B Control Sections; up to twenty-five (25) AGM-88B Guidance Sections; up to twenty (20) AGM-88E Control Sections; up to twenty (20) AGM-88E Guidance Sections; up to forty eight (48) Telemetry/Flight Termination Systems; U.S. Government and contractor engineering, technical and logistics support services; and other associated support equipment and services. The total estimated cost is \$137.6 million.

This sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major contributor to political stability, security, and economic development in the Western Pacific. Australia is an important Major non-NATO Ally and partner that contributes significantly to peacekeeping and humanitarian operations around the world. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

Australia is requesting these missiles for its Electronic Attack EA-18G Growler aircraft. The proposed sale will improve Australia's capability in current and future coalition efforts. Australia will use this capability as a deterrent to regional threats and to strengthen its homeland defense. Australia will have no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractors will be Orbital ATK (OA), Ridgecrest, CA, and Raytheon Missile Systems Company, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of additional U.S. Government or contractor representatives to travel to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AGM-88E Advanced Anti-Radiation Guided Missile (AARGM) weapon system is an air-to-ground missile intended to suppress or destroy land or sea-based radar emitters associated with enemy air defenses and provides tactical air forces with a lethal countermeasure to enemy radar directed, surface-to-air missiles, and air defense artillery weapons systems. Destruction or suppression of enemy radars denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. It uses a multimode seeker that incorporates global positioning system/inertial measurement unit (GPS/IMU) midcourse guidance, a radio frequency (RF) radiation homing receiver, an active millimeter wave seeker, an Integrated Broadcast Service Receiver (IBS-R) and a Weapons Impact Assessment (WIA) transmitter. The AARGM AGM-88E when assembled is classified SECRET. The AARGM Guidance Section (seeker hardware) and Control Section with the Target Detector is classified CONFIDENTIAL.

2. The AGM-88B High Speed Anti-Radiation Missiles (HARM) weapon system is an air-to-ground missile intended to suppress or destroy land or sea-based radar emitters associated with enemy air defenses and provides tactical air forces with a lethal countermeasure to enemy radar directed, surface-to-air missiles, and air defense artillery weapons systems. Destruction or suppression of enemy radars denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. The AGM-88B HARM when assembled is classified CONFIDENTIAL. The HARM Guidance Section (seeker hardware), and Control Section with the Target Detector are classified CONFIDENTIAL.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements of this possible sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Australia can provide substantially the same degree of protection for the technology being released as the US Government. The sale is necessary in furtherance of the US foreign policy and national security objectives as outlined in the Policy Justification of the notification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

DEFENSE SECURITY

COOPERATION AGENCY,

Arlington, VA.

Hon. BOB CORKER,

Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-14, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Slovakia for defense articles and services estimated to cost \$150 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,

Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 17-14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Slovakia.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$150 million.

Total \$150 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Nine (9) Bell 429 Light Utility Helicopters with customer-unique modifications. Also included are WESCAM MX-10 cameras, training, spare parts, and logistical support, mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, maintenance work order/electronic change proposals, technical assistance, repair and return, quality assurance team, and transportation of aircraft.

(iv) Military Department: Army.

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 27, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Government of Slovakia—Bell 429 Light Utility Helicopters

Slovakia has requested a possible sale of nine (9) Bell 429 Light Utility Helicopters with customer-unique modifications. Also included are WESCAM MX-10 cameras, training, spare parts, and logistical support, mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, maintenance work order/electronic change proposals, technical assistance, repair and return, quality assurance team, and transportation of aircraft. The estimated cost is \$150 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that has been, and continues to be an important force for political stability and economic progress within Europe.

The proposed sale of the Bell 429 light utility helicopters will improve Slovakia's capability to meet current and future threats. Slovakia will use the enhanced capability to strengthen its homeland defense and deter regional threats. Slovakia will have no difficulty absorbing these helicopters into its armed forces.

The proposed sale will not alter the basic military balance in the region.

The principal contractor will be Bell Helicopter of Piney Flats, Tennessee. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Slovakia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Bell 429 is a light twin, newly manufactured helicopter and is optimized for Instrument Flight Rules (IFR), Category A, and JAROPS-3 compliant operations. The Bell 429 features two/three multi-function displays, dual digital 3-axis autopilot and an integrated electronic data recorder provides enhanced situational awareness and post flight analysis. The Bell 429 standard configuration for Communications, Navigation and Surveillance (CNS) consists of Garmin GTN 650/750 NAV/COM/WAAS GPS system. The Identifier, Friend or Foe (IFF) will be the APX-123, which provides the Mode 4/5 capability. One (1) each Multi Sensor Cameras, L3 WESCAM MX10s will be equipped on four (4) of the nine (9) Bell 429 Helicopters. The communications suite is as follows: one (1) each AN/ARC-231 Multi-mode radios providing VHF FM, VHF-AM, UHF, HQII and DAMA SATCOM. Aircraft survivability equipment (ASE) will not be provided on this LOA.

Identification and security classification of sensitive technological information and/or restricted information contained in the equipment, major components, subsystems, software, technical data (Performance, Maintenance, R&M, etc.) documentation, training devices and services to be conveyed with the proposed sale to include a brief justification/explanation of why information is sensitive provided as follows:

(1) The AN/APX-123A, Identification Friend of Foe (IFF) Transponder, is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the RCU (or other appropriate control unit), the transponder provides identification, altitude and surveillance reporting in response to interrogations from airborne, ground-based and/or surface interrogators. The transponder provides operational capabilities for Mark XIIIA Identification Friend of Foe (IFF) capabilities of Modes 1, 2, 3/A,C and 4&5 and Mode S (levels 1, 2, and 3 capable). Additionally, the AN/APX-123 also provides automated ID, position and latitude of the aircraft, and unencrypted ADS-B and is compatible with the Traffic Alert and Collision Avoidance System (TCAS) II equipment.

(2) The WESCAM MX-10 is a small Multi-Sensor, Multi-Spectral Imaging System with Inertial Measurement Unit (IMU) and Embedded with Global Positioning Systems (GPS) Standard Positioning Service (SPS). The WESCAM MX-10 camera system contains a LN-200 IMU manufactured by Northrop Grumman in the United States. WESCAM MX-10 is embedded with GPS SPS. SPS is a three-dimensional position and time determination capability provided to a user equipped with a minimum capability GPS SPS receiver in accordance with GPS national policy.

(3) The AN/ARC-231 (V)(C) is a secure communication system that provides Line-of-Sight (LOS) communications and Beyond Line-of-Sight (BLOS) satellite communications (SATCOM), as well as Voice and data communications capabilities. In addition to Satellite Communications, the AN/ARC-231 (V)(C) provides Secure/Electronic Counter-Countermeasures (ECCM) communications in the following waveform. The Single Channel Ground and Airborne System (SINCGARS) and the HAVE QUICK (HQ). The AN/ARC-231 functions by transmitting and receiving the Radio Frequency (RF) in the 30 MHz-511.995 MHz range. The Receiver Transmitter provides communication in Frequency Modulation (FM), Very High Frequency—Amplitude Modulation Air Traffic Control Band (VHF AM ATC), Very High Frequency—Frequency Modulation Public Service & Maritime Band, Ultra High Frequency—Amplitude Modulation (UHF AM)

HAVEQUICK/Ground-Air Band, Ultra high Frequency Satellite (UHF SATFCOM) Band and Ultra High Frequency—Frequency Modulation Public Service Band.

2. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweighs the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Slovak Republic.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(I) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-06, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the NATO Support and Procurement Agency for defense articles and services estimated to cost \$33.5 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures:

TRANSMITTAL NO. 17-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: NATO Support and Procurement Agency (NSPA)

(ii) Total Estimated Value:  
Major Defense Equipment\* \$25.0 million.  
Other \$8.5 million.  
Total \$33.5 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The NATO Support and Procurement Agency requested the sale of AN/AAQ-24(V) Large Aircraft Infrared Countermeasures (LAIRCM) components to support the upgrade of the LAIRCM system on three C-17 aircraft, along with spares.

Major Defense Equipment (MDE): Fourteen (14) Guardian Laser Terminal Assemblies (GLTA) (9 + 5 spares).

Six (6) LAIRCM System Processor Replacements (LSPR) (3 + 3 spares).

Non-MDE: This request also includes contractor spares, consumables, support equipment, technical data, aircraft installation, flight test, certification, publications, training, program and logistics support services.

(iv) Military Department: Air Force.

(v) Prior Related Cases, if any: K8-D-QAE.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 27, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

NATO Support and Procurement Agency (NSPA)—Large Aircraft Infrared Countermeasures (LAIRCM) System Components

The NATO Support and Procurement Agency (NSPA) requested the sale of four-

teen (14) Guardian Laser Transmitter Assemblies (GLTA) and six (6) LAIRCM System Processor Replacements (LSPR) along with contractor spares, consumables, support equipment, technical data, aircraft installation, flight test, certification, publications and training in order to upgrade the AN/AAQ-24(V) LAIRCM system on three (3) of its C-17 aircraft. The estimated total value is \$33.5 million.

This proposed sale contributes to the foreign policy and national security of the United States by enhancing the aircraft self-protection capabilities of C-17 aircraft operated by the NATO Airlift Management (NAM) Programme, a consortium of 12 nations, including the United States. The partner nations in this program fly missions in and around Europe, Afghanistan, Iraq, the Levant, and North Africa. This sale an enhanced military capability for the NAM, and will assist its associated nations in providing airlift for personnel and equipment to locations requiring enhanced threat countermeasures.

The proposed sale advances U.S. and NATO policy goals of expanding the capabilities of strategic airlift to NATO allies and partners. The capabilities associated with this proposed sale bolster the military strength of the NATO alliance and its partners by increasing the self-protection capabilities of NAM airlift aircraft. NSPA will have no difficulty absorbing this equipment.

As these systems are defensive in nature, the proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor for production is Northrup Grumman of Rolling Meadows, Illinois. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to NATO.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/AAQ-24V Large Aircraft Infrared Countermeasures (LAIRCM) is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system components required to upgrade the system are the Guardian Laser Transmitter Assemblies (GLTA) and LAIRCM System Processor Replacement (LSPR). The upgraded LAIRCM for the C-17 uses three (3) GLTA and one (1) LSPR. LAIRCM system software, including Operational Flight Program is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

a. The LSPR component analyzes the data from each Missile Warning System Sensor and automatically deploys the appropriate countermeasure via the GLTA.

b. The GLTA uses aimed bursts of laser energy to jam infrared seeker equipped missiles when directed by the LSPR. The hardware is UNCLASSIFIED. The software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

2. If a technologically advanced adversary were to obtain knowledge of the specific

hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal are authorized for release and export to the NATO Support and Procurement Agency, NATO Airlift Management Program pursuant to the NATO C-17 SAC MOU.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-19, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the NATO Support and Procurement Agency for defense articles and services estimated to cost \$300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 17-19

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: NATO Support and Procurement Agency (NSPA).

(ii) Total Estimated Value: Major Defense Equipment\* \$0 million.

Other \$300 million.

Total \$300 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Follow-on support for three (3) C-17 aircraft to include participation in the Global Reach Improvement Program, contract labor for Class I modifications and kits, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine logistics support, inspections, and other U.S. Government and contractor engineering, logistics and program support.

(iv) Military Department: Air Force (X7-D-QAC).

(v) Prior Related Cases, if any: K8-D-QAG.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 27, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

NATO Support and Procurement Agency (NSPA)—Continuation of C-17 Logistics Support Services and Equipment

The NATO Support and Procurement Agency (NSPA) has requested the possible

sale of follow-on support for three (3) C-17 aircraft to include participation in the Global Reach Improvement Program, contract labor for Class I modifications and kits, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine logistics support, inspections, and other U.S. Government and contractor engineering, logistics and program support. The total estimated program cost is \$300 million.

This proposed sale will contribute to the foreign policy and national security of the United States (U.S.) by providing sustainment for three (3) C-17s operated by a consortium of twelve nations, including the U.S. This program flies missions in and around Europe, Afghanistan, Iraq, the Levant, and North Africa. This proposed sale will provide a similar readiness level for these C-17s as U.S.-operated C-17s. The current FMS case supporting these C-17s will expire on 20 September 2017.

The proposed sale will advance U.S. and NATO policy goals of expanding the capabilities of strategic airlift to NATO allies and partners and sustain the ability to deploy in support of contingency operations outside of Europe. As the C-17 is a support asset, it would not affect the basic military balance in the region. NSPA will have no difficulty absorbing this support.

The prime contractor will be the Boeing Corporation of Chicago, Illinois. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the NATO Support and Procurement Agency.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale. All defense articles and services listed in this transmittal are authorized for release and export to the NSPA.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-13, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of New Zealand for defense articles and services estimated to cost \$1.46 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 17-13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: New Zealand.

(ii) Total Estimated Value:

Major Defense Equipment\* \$1.03 billion.

Other \$ .43 billion.

Total \$1.46 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Four (4) P-8A Patrol Aircraft, which includes: Eight (8) Multifunctional Informa-

tion Distribution System Joint Tactical Radio System (MIDS JTRS) (one (1) for each aircraft, two (2) for the ground operations support center, and two (2) spares).

Five (5) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N Large Aircraft Infrared Counter Measures (LAIRCM) system (one (1) for each aircraft and one (1) spare).

Five (5) System Processors for AN/AAQ-24(V)N LAIRCM system (one (1) for each aircraft and one (1) spare).

Thirty (30) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N LAIRCM system (six (6) for each aircraft and six (6) spares).

Ten (10) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs) (two (2) for each aircraft and two (2) spares).

Non-MDE includes: Commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared (IR) MX-20HD; AN/AAQ-2(V)1 Acoustic System; AN/APY-10 Radar; ALQ-240 Electronic Support Measures; support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineering, and logistics technical assistance; foreign Liaison officer support, contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, support equipment and services.

(iv) Military Department: Navy (XX-P-SAH).

(v) Prior Related Cases, if any: This would be New Zealand's first purchase of the P-8A Patrol Aircraft. New Zealand has one related P-8A case, NZ-P-GEE, which provides P-8A study and technical analysis support.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: April 27, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

New Zealand—P-8A Aircraft and Associated Support

New Zealand has requested the potential sale of up to four (4) P-8A Patrol Aircraft. Each includes: commercial engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IR) MX-20HD, AN/AAQ-2(V)1 Acoustic System, AN/APY-10 Radar, ALQ-240 Electronic Support Measures. Also included are eight (8) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS); five (5) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N; five (5) System Processors for AN/AAQ-24(V)N; thirty (30) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N; ten (10) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs); support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineering, and logistics technical assistance; foreign Liaison officer support, contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, support equipment and services. The total estimated cost is \$1.46 billion.

This proposed sale will enhance the foreign policy and national security of the United States by strengthening the security of a Major Non-NATO ally which has been, and continues to be, an important force for political stability within the region. New Zealand is a close ally in the region and an important partner on critical foreign policy and defense issues.

The Government of New Zealand intends to use these defense articles and services to continue its Maritime Surveillance Aircraft (MSA) capability, following retirement of its P-3K maritime patrol aircraft. The sale will strengthen collective defense and enhance New Zealand's regional and global allied contributions.

New Zealand has procured and operated U.S. produced P-3 MSA for over 40 years, providing critical capabilities to NATO and coalition maritime operations. New Zealand has maintained a close MSA acquisition and sustainment relationship with the U.S. Navy over this period. The proposed sale will allow New Zealand to recapitalize, modernize and sustain its MSA capability for the next 30 years. As a long-time P-3 operator, New Zealand will have no difficulty transitioning its MSA force to the P-8A and absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Seattle, WA. Additional contractors include:

- Air Cruisers Co LLC.
- Arnprior Aerospace, Canada.
- AVOX Zodiac Aerospace.
- BAE.
- Canadian Commercial Corporation (CCC)/EMS.
- Compass David Clark.
- DLS/NiaSat, Carlsbad, CA.
- DRS.
- Exelis, McLean, VA.
- GC Micro, Petaluma, CA.
- General Electric, UK.
- Harris.
- Joint Electronics.
- Marin Baker.
- Northrop Grumman Corp, Falls Church, VA.
- Pole Zero, Cincinnati, OH.
- Raytheon, Waltham, MA.
- Raytheon, UK.
- Rockwell Collins, Cedar Rapids, IA.
- Spirit Aero, Wichita, KS.
- Symmetries Telephonics, Farmingdale, NY.
- Terma, Arlington, VA.
- Viking.
- WESCAM.

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require approximately five (5) contractor representatives to support the program in New Zealand.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P3C as the Navy's long-range Anti-Submarine Warfare (ASW), Anti-Surface Warfare (ASuW), Intelligence, Surveillance and Reconnaissance (ISR) aircraft capable of broad-area, maritime and littoral operations. The overall highest classification of the P-8A weapon system is SECRET. The P-8A mission systems hardware is largely UNCLASSIFIED, while individual software elements (mission systems, acoustics, ESM, EWSP, etc.) are classified up to SECRET.

2. P-8A mission systems include:

a. Tactical Open Mission Software (TOMS). TOMS functions include environment planning, tactical aids, weapons planning aids,

and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

b. Electro-Optical (EO) and Infrared (IR) MX-20HD. The EO/IR system processes visible EO and IR spectrum to detect and image objects.

c. AN/AAQ-2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor or the aircraft ASW missions. The system has multi-static active coherent (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

d. AN/APY-10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS-137(V) installed in the P-3C. The radar capabilities include GPS selective availability anti-spoofing, SAR and ISAR imagery resolutions, and periscope detection mode.

e. ALQ-240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification and specific emitter identification (SEI).

f. Electronic Warfare Self Protection (EWSF). The P-8A aircraft Directional Infrared Countermeasures (DIRCM) suite consists of the ALQ-213 Electronic Warfare Management System (EWMS), ALE-47 Countermeasures Dispensing System (CMDS), and the AN/AAQ-24(V)N Large Aircraft Infrared Countermeasure (LAIRCIM) Guardian Laser Transmitter Assemblies (GLTA) processor, and AAR-54 Missile Warning Sensors (MWS). The AN/AAQ-24(V)N LAIRCIM is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared guided surface-to-air missiles. The system features digital technology and micro-miniature solid state electronics. LAIRCIM system software, including Operation Flight Program is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

g. Multifunctional Information Distribution System-Joint Tactical Radio System (MIDS JTRS) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and vice, among air, ground, and sea elements. The MIDS JTRS terminal hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified CONFIDENTIAL. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

3. If a technologically advanced adversary were to obtain access of the P-8A specific hardware and software elements, systems could be reverse engineering to discover USN capabilities and tactics. The consequences of the loss of this technology, to a technologically advanced or competent adversary, could result in the development of countermeasures or equivalent systems, which could reduce system effectiveness or be used in the development of a system with similar advanced capabilities.

4. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to New Zealand.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-87, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost \$440 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,  
J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-87

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Israel.
- (ii) Total Estimated Value:  
Major Defense Equipment\* \$400 million.  
Other \$ 40 million.  
TOTAL \$440 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): Thirteen (13) 76mm Naval Guns (includes the Digital Control Console).

Non-MDE: Shipboard spares to support operation and preventive maintenance; spares to support repairs; special tools needed for maintenance; holding and transportation fixtures; test equipment; technical manuals, other documentation, and publications; U.S. Government and the contractor engineering, technical, and logistics support services; site surveys of ships and maintenance facilities; installation, checkouts and testing of the systems on the boats; operations and maintenance training; and other related support services.

- (iv) Military Department: Navy (LHN).
- (v) Prior Related Cases, if any: None.
- (vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.
- (viii) Date Report Delivered to Congress: April 26, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Israel—76mm Naval Gun and Technical Support

The Government of Israel has requested a possible sale of thirteen (13) 76mm naval guns. Also included are shipboard spares to support their operation and preventive maintenance; spares to support repairs; special tools needed for maintenance; holding and transportation fixtures; test equipment; technical manuals, other documentation, and publications; U.S. Government and the contractor engineering, technical, and logistics support services; site surveys of ships and maintenance facilities; installation, checkouts and testing of the systems on the boats; operations and maintenance training; and other related support services. The estimated cost is \$440 million.

The United States is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel to develop and maintain a strong and ready self-defense

capability. This proposed sale is consistent with those objectives. This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic regional partner that has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Israel's capability to meet current and future threats in the defense of its borders and territorial waters. The naval guns will be installed on Israeli Navy SA'AR 4.5 and SA'AR 6 Missile Patrol Boats. One gun will be located at an Israeli Naval Training Center to be used for training maintenance personnel. Israel will have no difficulty absorbing this equipment into its armed forces.

The proposed equipment and support will not alter the basic military balance in the region.

The potential principal contractor will be DRS North America (a Leonardo company). There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Israel.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-87

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) Of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The naval gun system proposed in response to this request is a modern variant of the MK-75 naval gun system. The naval gun system is mounted aboard the ship and supports multiple missions while deployed at sea and at home port stations. The missions include ship's surface to air defense and surface to surface defense or attack modes. It also can be used for sea surface to land surface for bombardment or as offshore artillery to support troops on the ground. This gun system does not include Global Positioning System (GPS) or sensors. The naval gun hardware and support equipment, test equipment, and maintenance spares are UNCLASSIFIED.

2. Some of the prospective ammunition types that may be used with the gun system are either laser or GPS guided. Ammunition is not part of this proposal.

3. The naval gun system provides an interface (Digital Control Console) so that it can be used in conjunction with the ships' Fire Control System (FCS) and Combat Management System (CMS). The FCS and CMS are not proposed as part of this sale.

4. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Israel.

#### ANTIQUITIES ACT

Mr. WYDEN. Mr. President, apparently the Trump administration couldn't let its first 100 days go by without going after America's National Monuments. Anybody who cares about protecting some of the greatest treasures in Oregon and across the country ought to be worried.

The President is lining up an Executive order requiring a review of the boundaries of all National Monuments designated since 1996. It might sound bureaucratic, but it is more than that. The President's Executive order is a short-sighted attempt to roll back protections for some of America's most cherished landscapes.

The Executive order flies in the face of a century-old tradition that has ensured generations of Americans can enjoy natural treasures like the Cascade-Siskiyou National Monument in my home State.

Colleagues, for over 100 years, Presidents from both parties have used authority granted by the Antiquities Act to permanently protect special Federal lands as National Monuments, to preserve natural, cultural, and historic values for the benefit of everyone. Two of Oregon's most cherished areas were established as National Monuments through the Antiquities Act: Oregon Caves and Cascade-Siskiyou. Both of these areas have a remarkable diverse range of biological, geological, and historic objects.

I am proud to have worked with President Clinton to establish the original boundaries of the Cascade-Siskiyou National Monument in 2000. I am proud to have worked with Senator MERKLEY to expand the monument earlier this year and to expand the boundary of the Oregon Caves National Monument in 2014.

There are two important points to make about this debate.

First, it is important that the individuals who live near and recreate on these lands have an opportunity to make their voices heard. As public lands everywhere, they ultimately belong to all of the people.

Some people, the President included, say these monuments are an example of overreach and designated without the right process.

On this issue, the President is wrong. These monuments are not the result of administrative overreach. The boundaries of these monuments are based on years of collaboration between the administration, States, and local stakeholders.

The second point to make is about rural economies. National Monuments, National Parks, and public lands across the United States are important economic generators for rural communities.

According to a report released just this week, public lands generate billions of dollars in consumer spending and millions of jobs every year. In Oregon, the outdoor recreation economy generated \$12.8 billion in consumer spending in 2012 and over 140,000 direct jobs. Nationally, the numbers are even bigger; in 2012, the outdoor recreation economy generated \$889 billion nationwide and over 7 and a half million jobs.

Colleagues, there is an agenda behind this Executive order, and it puts some of our greatest outdoor treasures and a lot of jobs in danger.

Some members of this administration—including the Secretary of the Interior—have said the right things about public lands, and that was reassuring to millions of people who care about recreation. I hope it wasn't just talk, and I certainly hope the President's Executive order is not the first step in dismantling America's National Monuments and public lands.

#### 70TH ANNIVERSARY OF THE "EXODUS 1947"'S ARRIVAL IN HAIFA

Mr. CARDIN. Mr. President, July 18, 2017, marks the 70th anniversary of the day that the ship *Exodus 1947* arrived in Haifa, Israel.

The story of *Exodus 1947* is as important today as it was 70 years ago. In 1947, the world was horrified and outraged by the British policy of violently preventing Holocaust survivors from reaching Palestine and forcing their return to Europe and refugee camps in Germany. Watching the British Navy ram the *Exodus 1947*, which had 4,515 Holocaust survivors on board, inflamed world opinion and prompted the United Nations Special Committee on Palestine, UNSCOP, to scrutinize the actions of the British. Eventually the British were forced to end their policy of preventing Jewish immigration to Israel, and the State of Israel was born.

Why is the story of the *Exodus 1947* so important that we are still talking about it 70 years later? After all, geopolitical transitions have launched multiple large-scale refugee migrations around the world in the 20th century, including Armenians in 1915, Russians in 1917, Chinese in 1949, Hindus from Pakistan and Muslims from India in 1947, East Germans between 1945 and 1961, Bosnians in the 1990s, Rwandans in 1994, Syrians in 2016—and many more.

The story of the *Exodus 1947* is important to remember and consider today because it reminds us of our responsibility to protect human rights, help people outside of our own borders, stand up for Americans values, and work with our allies and international organizations to advance our goals. It reminds us that our work is not finished. It reminds us that, while it was the Jews on the *Exodus 1947* 70 years ago, political outrages around the world continue to require our leadership and our action.

As a U.S. Senator from Maryland and vigilant friend of the Chesapeake Bay and Maryland's Maritime history, I would like to highlight the fact that, prior to its service in support of Jewish refugees from the Holocaust, the *Exodus 1947* was called the *President Warfield* and it sailed the Chesapeake Bay for the Baltimore Steam Packet Company. The *President Warfield* changed hands many times, from the Baltimore Steam Packet Company to the British Navy to the U.S. Navy to the Potomac Shipwrecking Company, which was actually acting as clandestine purchasing agents of the Haganah who wanted the



ship because the conditions that made it ideal for navigating the Chesapeake Bay, shifting sand of 3 feet or less in depth, made it ideal for getting immigrants quickly and closely up to the coastal areas of Palestine.

After the Haganah secured the ship, she was retrofitted in Baltimore from where she sailed towards France to pick up 4,515 Holocaust the refugees and deposit them in Palestine—a plan which was destroyed after the British rammed the ship, prevented the refugees from disembarking in Palestine, detained them in inhumane conditions, and eventually returned them to Germany.

The world witnessed the inhumane treatment of the *Exodus's* passengers and some righteous people cried out. We continue to talk about the *Exodus 1947* to remind ourselves never to forget both our suffering and our empowerment.

I would like to acknowledge all who have made the creation of this memorial possible. Along with a series of associated commemorative projects, the *Exodus 1947* memorial is the culmination of decades of tireless effort by the Jewish American Society for Historic Preservation, JASHP, to recognize the historic events that led to the formation of Israel. In particular, I applaud the work of Dr. Barry S. Lever, chairman of the 50th Anniversary Commemoration of the Final Voyage of the SS *President Warfield—Exodus 1947*, the Jewish Museum of Maryland, the Chesapeake Bay Museum, and the individuals and organizations here and abroad who have aided in the efforts to honor the *Exodus 1947* and its passengers.

Thank you.

#### 100TH ANNIVERSARY OF THE LEWISTON-AUBURN ROTARY CLUB

Ms. COLLINS. Mr. President, on May 1, 1917, the International Association of Rotary Clubs welcomed a new member into its growing global network of neighbors, friends, and leaders working together for positive change in their communities and around the world. I rise today to celebrate the 100th anniversary of the Rotary Club of Lewiston-Auburn in my home State of Maine.

There are more than 35,000 Rotary Clubs worldwide. The Lewiston-Auburn club was the 291st to be chartered and is part of the first great wave of expansion that took the Rotary movement from major American cities to smaller communities and to Canada and Europe.

It is remarkable that what began as a small group of civic leaders in Chicago in 1905 has grown to a service organization of 1.2 million dedicated members in more than 200 countries and territories around the world. In any language, Rotarians live up to their motto of "Service Above Self."

Rotary International is a powerful force for good around the world. The

global effort to eradicate polio is considered to be the most successful public health campaign in human history, one that would not be possible without Rotary's commitment. When Rotary launched its PolioPlus program back in 1985, it was described as a "gift from the 20th century to the 21st." It has been just that.

In addition to its strong support for PolioPlus, the Lewiston-Auburn Club is part of a Rotary International effort to make affordable and safe water more widely available in Haiti. As a result of this effort, a tanker truck was purchased to address this great humanitarian need.

Locally, the Lewiston-Auburn Rotary Club has a special focus on families and children. The club has been a leader in the creation of Lewiston's Universally Accessible Playground, which will provide recreation for all, regardless of physical or developmental limitations. The club also sponsors an annual event to benefit the Autism Society of Maine and awards scholarships to area high-school graduates pursuing higher education.

"Service Above Self" has a special meaning to the members of the Lewiston-Auburn Rotary. The application for membership in Rotary International was signed on March, 21, 1917, by Frank W. Hulett of Lewiston. On June 6, 1918, Captain Hulett gave his life in the defense of freedom during the World War I Battle of Belleau Wood in France. Hulett Square in Lewiston, the Frank W. Hulett VFW Post, and the Lewiston-Auburn Rotary Club all help to preserve the memory of this great hero.

When Paul Harris led the way in founding Rotary International 112 years ago, he said this: "Whatever Rotary may mean to us, to the world it will be known by the results it achieves." The results are inspiring and the world is grateful. The Rotary Club of Lewiston-Auburn, ME, is part of that effort, and I congratulate its members for this accomplishments and contributions.

Mr. KING. Mr. President, today I wish to commemorate the 100th anniversary of the Rotary Club of Lewiston-Auburn, ME. There are over 35,000 Rotary Clubs worldwide, with the LA Rotary being the 291st. Since 1917, the LA Rotary has demonstrated a commitment to community and global service by supporting local organizations, awarding scholarships to local students, and providing clean water to communities in Haiti. In their 100 years of service, this exceptional organization has gained members who represent the unique and diverse business community of the Lewiston-Auburn area.

The LA Rotary was founded by Captain Frank W. Hulett, who gave his life during WWI on June 6, 1918, at the Battle of Belleau Wood in France. Since Captain Hulett signed the application for membership of Rotary International on March 21, 1917, the LA Ro-

tary has made great contributions to the worldwide Rotary organization of business and professional leaders. The LA Rotary has upheld an international presence by providing humanitarian service, encouraging high ethical standards in all vocations, and helping to build and maintain goodwill and peace throughout the world.

I applaud the LA Rotary's emphasis on local and global charity and giving back to their local communities. The LA Rotary is sponsored by the many donors who attend their successful fundraisers, including one that takes place at the famous Lewiston Hot Air Balloon Festival. The money raised from these fundraisers has gone towards several valuable projects like the Autism Movie Events, an ongoing project in partnership with a local movie theatre and the Autism Society of Maine. The LA Rotary has sustained their all-inclusive pattern by donating to the construction of the Lewiston Universally Accessible Playground Project. The playground will be barrier free, with smooth and level surfaces to make it easier for those with physical limitations, and is meant to provide an attractive and meaningful space for all, regardless of physical or sensory development. Another example of their excellent charity work is that, each May, the LA Rotary also gives back to local students by choosing seven high school seniors throughout the State to award \$1,000 college scholarships.

I wish to join the communities of Lewiston and Auburn, as well as the State of Maine, in congratulating the LA Rotary for this remarkable achievement. I look forward to following their continued growth and service, and I thank them for their commitment to bettering Maine and the world.

#### OHIO HIGH SCHOOL ARMED SERVICE ENLISTMENT

Mr. PORTMAN. Mr. President, I wish to honor 374 high school seniors in eight northeast Ohio counties for their decision to enlist in the U.S. Armed Forces. Of these 374 seniors from 118 high schools in 98 towns and cities, 86 will enter the Army, 98 will enter the Marine Corps, 55 will enter the Navy, 26 will enter the Air Force, 3 will enter the Coast Guard, 95 will enter our Ohio Army National Guard, and 11 will enter the Ohio Air National Guard. In the presence of their parents/guardians, high school counselors, military leaders, and city and business leaders, all 374 will be recognized on May 10, 2017, at the Northeast Ohio Foundation for Patriotism "Our Community Salutes" event.

In a few short weeks, these young men and women will join with many of their classmates in celebration of their high school graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees or are uncertain about their future, these young men

and women instead have chosen to dedicate themselves to military service in defense of our rights, our freedoms, and our country. They should know that they have the full support of this Senate Chamber and the American people, who are with them in whatever challenges may lie ahead.

It is thanks to their dedication and the dedication of an untold number of patriots just like them that we are able to meet here today in the U.S. Senate and openly debate the best solutions to the problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a dangerous world. We are grateful to them, and we are grateful to their parents and their communities for instilling in them not only the mental and physical abilities our Armed Forces require, but also the character, the values, and the discipline that leads someone to put service to our Nation over self.

I would like to personally thank these 374 graduating seniors for volunteering to risk their lives in defense of our Nation. We owe them, along with all those who serve our country, a deep debt of gratitude.

I ask unanimous consent to have printed in the RECORD the names of the 374 high school seniors.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## UNITED STATES ARMY—86

Allan-Berea; Anderson-Medina; Ashford-Maple Heights; Barnes-Cleveland; Bartoe-Medina; Bonzcek-Fairport Harbor; Brogan-Brunswick; Brown-Eastlake; Burhoe-Fairlawn; Carey-Cleveland; Cawrse-Mentor; Clark-Warrens Heights; Clements-Maple Heights; Copen-Cleveland; Dachtler-Parma; Daugherty-Madison; Davis E.-North Royalton; Davis T.-Mentor; DeGeorge-Mentor; Dohar-Strongsville; Dolan-Willoughby Hills; Dorsey-Akron; Dunn-Maple Heights; Eakin-Tallmadge; Flanders-Akron; Frazier-Lorain; Gamble-Euclid; Gatrell-Lorain; Grissom-LaGrange; Hagan-Perry; Hayes T.-Euclid; Hayes E.-Strongsville; Hochenberry-Brook Park; Horvat-Medina; Jackson-North Ridgeville; Johnson-Hudson; Karl-Elyria; Kelly-North Ridgeville; Kincer-Amherst; Kline-Rootstown; Kurtz-Elyria; Lebron-Lorain; Lee-Conneaut; Lin-Lakewood; Major-Tallmadge.

Marthe-Mentor; Martin-Cleveland; McCraw-Cuyahoga Falls; McVay-Akron; Mooney-Eastlake; Morales Rubio-Cleveland; Motsinger-Strongsville; Nagy-Wickliffe; Nelson-Elyria; Oyola-Lorain; Patterson-Euclid; Plymel-Mentor On The Lake; Reeves-Garfield Heights; Reid-Elyria; Ripley-North Ridgeville; Rodriguez-Lorain; Rohlman-Wogaman-Akron; Ryman-North Olmsted; Sikora-Parma; Smith-Medina; Sokolowski-Medina; Solon-Streetsboro; Stillisano-Wickliffe; Surovey-Wellington; Szabo-Olmsted Falls; Taveras Smith-Euclid; Vance-Olmsted Falls; Volak-Lorain; Walker-Perry; Washko-Hinckley; Webb-Medina; White-Maple Heights; Whitelaw-Reminderville; Wilfong-Garrettsville; Wilkinson-Medina; Williams-Medina; Wilson-Cleveland; Workman-Ravenna; Wright-Cuyahoga Falls; Zalek-Sheffield Lake; Zaranko-Medina.

## UNITED STATES AIR FORCE—26

Bibby-Brecksville; Brezovsky-North Ridgeville; Caraballo-Brooklyn;

Cottingham-Olmsted Falls; Cummings-Akron; Dominguez-Cleveland; Evans, II-Akron; Freed-Brook Park; Genovese-Akron; Griffith-Ravenna; Hamilton-Bay Village; Hicks-Brook Park; Hocker-South Euclid; Jones-Akron; Kerr-LaGrange; Maximovich-North Olmsted; Patton-Elyria; Pritts-Mogadore; Robinson-Akron; Ryder-Strongsville; Sandoval-Chagrin Falls; Schillero-Garfield Heights; Swatson-Akron; Waites-Lakewood; Williams-Akron; Williams-Kipton.

## OHIO AIR NATIONAL GUARD—11

Aguiar-Medina; Alston-Amherst; Brittain-Richmond Heights; Burton-Ashland; Chappell-Brunswick; Delzoppo-Eastlake; Fassnacht-Warren; Pauly-Ashland; Reik-Eastlake; Tector-Medina; Winterfield-Oak Harbor.

## OHIO ARMY NATIONAL GUARD—95

Anderson-Cleveland; Ashdown-Willowick; Asian-Mayfield Heights; Bailey-Kent; Bailey-Elyria; Bailosky-Elyria; Baxter-Akron; Becerra-Cleveland; Bertrand-Conneaut; Blevins-Elyria; Bowns-Lorain; Boyes-Ravenna; Brosky-Lorain; Burkhard-Barberton; Cacho-Cleveland; Clements-Brook Park; Cornier-Akron; Cooper-Ashtabula; Deets-Highland Heights; Doepel-Mogadore; Earlenbaugh-Peninsula; Elliott-Painesville; Ewart-Lodi; Felix-Euclid; Ferguson-Akron; Fields-Akron; Figueroa-Akron; Flemister I.-Bedford; Flemister J.-Bedford; Fohner-Cuyahoga Falls; Garrison-Medina; Gerlach-Avon Lake; Gibbs-Stow; Gilbreath-Wadsworth; Glaze-Akron; Grimm-Barberton; Harrison-Barberton; Hoover-Hiram; Hoyle-Akron; Huffriagle-Mayfield Heights; Jackson-Euclid; Jones-Akron; Kelly-Twinsburg; Keown-Mogadore; Klinehamer-Bratenahl; Koloda-Medina; Lane-Grafton; Layne-Doylestown; Lebron-Lorain; Lero-Munroe Falls.

Lietke-Uniontown; Light-Parma Heights; Lockhart-Cleveland; Loparo-Wadsworth; Lutkus-Cuyahoga Falls; Madigan-Rittman; Massaro-Akron; Miles-Cleveland; Mobley-Sheffield Lake; Moore-Barberton; Nicely-Novelt; Novak-Elyria; Ohara-Fairport Harbor; Pennington-Cleveland; Pescatrice-Medina; Pierce A.-Mogadore; Pierce J.-Sheffield Lake; Piper-Cleveland; Priestly-Twinsburg; Prochniak-Stow; Prunty-Elyria; Raines-Elyria; Reyes-Cleveland; Riley-Bedford; Rinearson-Seville; Robinson-Twinsburg; Russell-Cleveland; Scurlock-Chardon; Sellers-Eastlake; Simmons-Jefferson; Sims-Cleveland; Singleton-Wadsworth; Sinsel-Mogadore; Smith-Bay Village; Spigner-Euclid; Thompson-Cleveland; Trujillo-Grafton; Veon-Olmsted Township; Vroman-Sheffield Lake; Warner-Doylestown; Wells-Parma Heights; Williams-Maple Heights; Workman-Ravenna; Yontz-Rittman; Yurtz-Medina.

## UNITED STATES MARINE CORP—98

Allen-Willowick; Anglin-Cleveland; Anthony-Brook Park; Baggett-Chagrin Falls; Banks-Rootstown; Barr-Kent; Bell-Streetsboro; Benefield-Akron; Bentley-Kent; Bly-Cuyahoga Falls; Boose-Medina; Bouhall-Cleveland; Boyer-Akron; Brady-Painesville; Breault-Brook Park; Brown-Cleveland; Bruce-Middleburg Heights; Bufkin-Mentor; Caradine-North Olmsted; Collins-Perry; Cooper-Barberton; Cox-Solon; Creter-Brook Park; Cupedro-Parma; Dabydeen-Cleveland; Devore-Parma; Fincham-Mogadore; Flanagan-Munroe Falls; Frankland-Norton; Frejofsky-Twinsburg; Garrett-Akron; Geiss-Brunswick; Gerber-Clinton; Gerson-Mentor; Green-Hudson; Haas-Solon; Hall-Barberton; Harasyn-Ravenna; Harte-Cleveland; Hernandez-Cleveland; Hill-Middleburg Heights; Houston-Brunswick; Hughes-Mentor; Hurst-Cuyahoga Falls; Johnson-North Olmsted.

Kawalek-Strongsville; Ken-Mentor; Kiel-Ashtabula; Kimmel-Norton; King-LaGrange;

Konicek-Stow; Kramer-Akron; Krickhan-Brunswick; Kucharski-Ravenna; Lord-Parma; Manigault-Cleveland Heights; McConahy-Kent; McCraney-Akron; McElroy-Wadsworth; McHugh-Mentor; McLaren-Rock Creek; McLaughlin-Bay Village; Mendez-Painesville; Morris-Mentor; Moyer-Twinsburg; Nagy-Conneaut; Navratil-Chagrin Falls; Nelson-Litchfield; Ortizramos-Cleveland; Pachecorangal-Painesville; Palchesko-Aurora; Paulo-North Olmsted; Philipp-Ashtabula; Ploskonka-Parma; Pollay-Ashtabula; Purtell-Eastlake; Ratigan-Parma; Ray-Akron; Roth-Clinton; Schlauch-Wadsworth; Serrano-Olmsted Falls; Serva-Ravenna; Shanley-Ravenna; Simon-Willoughby; Skidmore-Ravenna; Smigel-Cleveland; Smith-Ashtabula; Stack-Brook Park; Staley-Parma; Stansky-Norton; Strausser-Stow; Sturgill-Conneaut; Watkins-Strongsville; Watts-Stow; Weiss-Mentor; Wilmoth-Medina; Wilson-Cuyahoga Falls; Wood-Conneaut.

## UNITED STATES NAVY—55

Academia-Geneva; Bowles-Rock Creek; Branham-Barberton; Bryan-Ashtabula Coyle-Brooklyn; Czworkowski-Strongsville; Davis-Brunswick; Dreger-Ravenna; Dudek-Bay Village; Gibson-Medina; Grays-Cleveland; Gregoire-Streetsboro; Halabica-Fairview Park; Hardman-Mentor; Higgins-Geneva; Hill-Mentor; Horton-Ashtabula; Irizarry-Olmsted Township; Juncker-Grafton; Koehring-Wadsworth; Konopa-Geneva; Kozma-Alliance; Lada-Lakewood; Martin S.-Chippewa Lake; Martin A.-Willoughby.

McClanahan-New London; Miller-Kirtland; Mills-Kent; Moore-Wadsworth; Morgan-Parma; Muzic-Ravenna; O'Donnell-Parma; On-Akron; Palcic-Chardon; Phillips-Willoughby; Piper-Mentor; Rayburn-Medina; Rodriguez N.-Cleveland; Rodriguez A.-Olmsted Falls; Selders-Medina; Sharpe-Geneva; Shepherd-Avon Lake; Singleton Jr.-Ravenna; Skipper-Akron; Sledz-Painesville; Sokalski-Mentor; Soto-Painesville; Sweeney-Mentor; Tirado-Lorain; Trimble-Parma; Verdi-Geneva; Walker-Ashtabula; Welk-Madison; Williams-Ashtabula; Wimberly-Streetsboro.

## UNITED STATES COAST GUARD—3

Montgomery-Fremont; Reese-Sagamore Hills; Sanders-Brunswick.

## TRIBUTE TO STEVE STIVERS

Mr. PORTMAN. Mr. President, today I wish to join my colleagues from Ohio in congratulating our good friend and colleague, Congressman STEVE STIVERS, on his new promotion to the rank of brigadier general in the Ohio Army National Guard.

This is a big deal. STEVE is one of the highest ranking National Guard officers ever to serve simultaneously in Congress. I think that is really important because it gives him a unique perspective as a legislator and puts him in an unique position to advocate on behalf of our troops.

The title is a great honor, but what is more important, in my view, is the fact that he earned it. STEVE has been serving Ohio as a soldier for 30 years. He deployed to the Middle East during Operation Iraqi Freedom, while simultaneously serving as a State senator in Columbus, and he even earned a Bronze Star for his accomplishments.

Since he came home, he has been serving his neighbors in central and southern Ohio as a legislator for more

than a decade. We are really grateful for that because he has been a faithful Representative in speaking up for his constituents.

I want to congratulate STEVE, Karen, and the kids on this exciting time for them. On behalf of the people of Ohio, I want to thank STEVE and all of our troops for their service.

Thank you.

#### TRIBUTE TO DR. CANDACE KENDLE

Mr. PORTMAN. Mr. President, today I wish to recognize the contributions of Dr. Candace Kendle, recipient of the 2017 Lifetime Achievement Award from the Association for Corporate Growth, Cincinnati.

As the visionary cofounder of one of the largest international providers of drug development services to the biopharmaceutical industry, Dr. Candace Kendle is being honored for her achievements in founding and growing Kendle International, Inc., from a small, private startup in 1981, to a global clinical research organization traded on NASDAQ, KNDL, and acquired by INC Research in 2011.

Under Dr. Kendle's leadership, Kendle International delivered a wide range of clinical development and clinical trial services to biopharmaceutical companies around the world, including the development of Celebrex.

Prior to founding Kendle International, Inc., Kendle held senior faculty positions at several leading academic institutions, including the University of North Carolina, Chapel Hill, Schools of Pharmacy and Medicine; the University of Pennsylvania, School of Medicine; Philadelphia College of Pharmacy and Science; and the University of Cincinnati College of Pharmacy.

A first-generation college student, Dr. Candace Kendle earned a bachelor of science and doctorate in pharmacy from the University of Cincinnati, College of Pharmacy, and was awarded an honorary Ph.D. in science from the University of Cincinnati in 2010.

Dr. Candace Kendle is recognized worldwide as a leader in the CRO industry and is a founding member and past chairperson of the Association of Clinical Research Organizations. She has served as a mentor for the Fortune—U.S. State Department Global Women Leaders Mentoring Partnership and as a member of the Committee of 200, where she served on the board of directors for its foundation. She has also served on biotechnology task forces for the U.S. Department of Commerce, as well as for two Ohio Governors.

Dr. Kendle serves on the boards of directors for USP, Emerson, and the H.J. Heinz Company. She is cofounder of Next Chapter Press and ReadAloud.org, an organization to encourage children and adults to read aloud to encourage lifelong learning. She is also a former trustee for the University of Cincinnati, the National Underground

Railroad Freedom Center, and numerous other nonprofit organizations.

#### TRIBUTE TO DAVE SHOJI

Ms. HIRONO. Mr. President, today I wish to congratulate retiring University of Hawaii women's volleyball coach Dave Shoji on an outstanding 42-year career.

In 1975, at just 28 years old, Dave Shoji tallied his first win as head coach of the Rainbow Wahine volleyball team. Since then, he has gone on to compile one of the most decorated resumes in collegiate volleyball history. In fact, there has been no such thing as a losing season during Dave's tenure with the Rainbow Wahine. In 2013, he earned the title of the National Collegiate Athletic Association's alltime winningest coach. In 2016, he became just the second coach in NCAA history to win 1,200 matches.

He departs the university with an astonishing record of 1,202 wins, 204 losses, and 1 tie, including 4 national titles, 25 conference championships, and more than 30 postseason national tournament appearances.

Coach Shoji leaves the confines of the Stan Sheriff Center with a legacy much larger than the numbers.

It is fitting that Coach Shoji's tenure began just a few short years after the enactment of title IX, a law now named for Hawaii Congresswoman Patsy Mink who championed its passage. Title IX seeks to ensure equal opportunity and prohibit sex discrimination in higher education. It is most widely known for expanding opportunities for women in collegiate athletics. Coach Shoji's tenure at the helm of Rainbow Wahine volleyball has clearly demonstrated the value of opportunity for young people—not just young women—in Hawaii. His teams have been examples of what can be achieved through hard work, professionalism, and teamwork. That example has led many local players to aspire to 1 day don the green and white Wahine jersey, play in front of sold-out crowds, and look to Coach Shoji in the center of the huddle during a nail-biting set. Parents were always hopeful, too, that they would witness their daughter's transition from girl to woman in the care of Coach Shoji and company.

During his tenure, Coach Shoji's has coached 86 All-American selections, 35 conference players of the year and, 175 all-conference picks. His players' successes extended beyond the court. More than 100 players have earned all-academic conference recognitions under his guidance.

Over the past 42 years, Coach Shoji has built a reputation for excellence built on hard work, integrity, and love for the game. He has helped shape countless student athletes and brought pride to their families and legions of fans. Coach Shoji has set the standard for those who follow.

Hawaii extends our warmest aloha and mahalo nui loa to Coach Shoji for

his passion and commitment to not only the sport of volleyball but the State of Hawaii. "Let's go 'Bows!"

#### TRIBUTE TO TERESA SHOOK

Ms. HIRONO, Mr. President, one of the life lessons that I try to keep in mind is that one person can make a difference.

Today I wish to recognize one of these remarkable people—Hawaii resident Teresa Shook.

Most of my colleagues probably don't know who Teresa Shook is, but I am certain all of them know what difference she has made.

Teresa lives in the idyllic but isolated community of Hana on Maui. Following the recent Presidential election, like many Americans, Teresa had concerns about where our country was headed. She felt that it was time to pursue real action. Unsure of where to begin, she took to social media, posing the following question: "What if women marched on Washington around Inauguration Day en masse?"

Little did she know what that simple Facebook post would lead to. She created a public events page, which caught the attention of 40 people in the first few hours of its posting. She woke up the following morning to find that the event had garnered international attention, and more than 10,000 individuals had pledged their attendance. The numbers and support would only go up from there.

On January 20, 2017, the President delivered his inaugural address in which he painted a grim picture of America. The next day, millions across the United States and around the globe took to the streets to demonstrate against his bleak view of our shared future. Coined the Women's March on Washington, the event united women, men, and children of all ages, races, and religions. From Hilo to Hanalei, San Francisco to New York City, the march assisted in generating meaningful conversations about how to combat the hateful rhetoric and discriminatory agenda of the new President. It has helped and encouraged everyday citizens, many of whom have never been involved in politics, to get outside of their comfort zone and participate.

The need for progressive solutions to reform our criminal justice system, protect and expand access to affordable health care, improve immigration, fight climate change, and protect a woman's right to choose are just a few of the many reasons why Teresa and many others alike decided action needed to take place.

The Women's March on Washington was one event, but the network it generated remains engaged. It is now a global movement against nationalism, discrimination, and hate. It all started when a retired attorney, grandmother of four, and breast cancer survivor decided to speak up. While demonstrations are integral to democracy, the Women's March on Washington pointed

to the need for everyday individuals to take their desire for political advancement beyond the streets.

Teresa started a global movement from her rural Maui home, showing us the difference one person can make. It is up to all of us to keep that momentum going, to stay engaged. For those who feel as though their voice has no place within a conversation to pursue change, Teresa has shown a path forward. If there is anything to learn from Women's March on Washington, it is that we are not alone. There is no greater time than now to mobilize your communities and make your voices heard.

Teresa, who has been honored by the Maui County Council and continues to be recognized by many internationally, is a shining example of what we call "Living Aloha." A heartfelt mahalo nui loa to Teresa.

#### REMEMBERING PAUL LEVENTHAL

Mr. MARKEY. Mr. President, this year we mark the 10th anniversary of the untimely passing of our friend Paul Leventhal. Paul was a trailblazer when it came to addressing the dangers of nuclear power and nuclear weapons. I personally relied on Paul's insight to craft my approach to preventing the spread of dangerous nuclear technology and nuclear weapons.

As a Senate staffer during the 1970s, Paul made major contributions to our Nation's security by working on two landmark laws.

The first was the Energy Reorganization Act, which created the Nuclear Regulatory Commission and the agency that later became the Department of Energy. Before this legislation, a single agency, the Atomic Energy Commission, was responsible for both promoting nuclear energy and regulating the nuclear industry, to the detriment of public safety.

Paul was also instrumental for passage of the Nuclear Non-Proliferation Act, which required countries to adopt full-scope safeguards from the International Atomic Energy Agency before they could receive civilian nuclear technology from the United States. This requirement later became an international standard when the Nuclear Suppliers Group adopted it.

During the 1980s, Paul played an important role in helping to kill the Clinch River Breeder reactor, which shut down U.S. efforts to develop a full plutonium fuel cycle. Throughout this time, he was also a strong proponent of my efforts to close loopholes in U.S. nuclear nonproliferation law, including tightening nuclear export controls affecting China following Tiananmen Square. He actively worked to ensure House passage of the Nuclear Proliferation Prevention Act, which imposed sanctions on those who knowingly contribute to efforts to acquire unsecured fissile material or nuclear weapons.

Paul was ahead of his time in raising alarms about the threat of nuclear ter-

rorism. His warnings about the need to reduce reliance on highly enriched uranium and to limit the use of plutonium for commercial nuclear power later formed the core of the global nuclear security agenda. His warnings about the flaws in nuclear cooperation agreements continue to reverberate in today's debates over the export of nuclear technology.

Today's ongoing nuclear challenges remind me of our solemn responsibility to carry out Paul's legacy.

The nuclear industry continues to push against stringent safety standards. The Trump administration wants to promote the export of nuclear technology and walk away from the Obama administration's nuclear security mission. The India nuclear deal continues to increase the risk of a nuclear clash in South Asia. Plans for commercial-scale plutonium reprocessing in East Asia threaten to create a new nuclear arms race in the region.

All of these challenges will require us to take inspiration from Paul's work to promote nuclear security and non-proliferation. To honor Paul, we must rededicate ourselves to fighting these threats to international peace and human survival.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO NEIL SMIT

• Mr. CASEY. Mr. President, today I wish to pay tribute to a great Pennsylvanian and a great American: Neil Smit. Neil has made extraordinary contributions to our country through his service as a Navy SEAL, his leadership and innovation in the business world, and his dedication to community service.

Neil has served as a leader in the business community for decades with Comcast, Charter Communications, AOL, Pillsbury, and Nabisco. His notable career began serving his country as a member of the elite Navy SEAL Team Six. He retired from Active Duty as a lieutenant commander. He has never lost his commitment to his country and his comrades. In the private sector, he has worked on behalf of veterans by championing Comcast's pledge to hire veterans and to help Active-Duty servicemembers transition from the military to the civilian workforce.

In all of his roles, Neil has always exemplified the best traits of a leader. During his time as CEO of Comcast Cable, Neil led his team to innovate and develop game-changing products and businesses that benefited consumers.

His devotion to his community is evident in his role with the executive committee of the Children's Hospital of Philadelphia's board of trustees. Neil is also a member of the board of visitors for Nicholas School of the Environment at his alma mater, Duke University. He also serves as chairman of the executive committee and is a member of the board of directors of C-SPAN.

Neil's life of service and leadership is an inspiration to many, and we thank him for his service to our great country.●

##### TRIBUTE TO EMMA HOMER

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Emma Homer of Ashland for the many years she has helped children in eastern Montana. Her generosity and compassion is commendable.

Emma began fostering children in 1979. For nearly 38 years, she has opened her home, and her heart in order to help the local community. The longevity of her noble accomplishment is truly remarkable. Over the years, Emma has directly helped to improve the lives of over 40 children through her service as foster parent. The children she has cared for have varied in age from infants just a few months old to teenagers in high school.

In addition to her contributions as a foster parent, since 1981, Emma has worked in the food service department at St. Labre Indian School. During that time, she has helped prepare hundreds of thousands of nutritious meals for the students and staff.

A loving home and a warm meal are essential elements in every Montana community. Emma has helped provide both of these essentials to many children for well over a generation. Thank you, Emma, for the outstanding example you have set for the next generation.●

##### REMEMBERING CLYDE SEE, JR.

• Mr. MANCHIN. Mr. President, I rise today to honor Clyde See, Jr., a noble veteran, a dedicated community leader, and a beloved member of my home State of West Virginia.

Clyde and I were friends for many years, and I witnessed his unwavering dedication to public service, firsthand.

Clyde was born in Hardy County and continued to give back to his community throughout his life. He was a high school dropout, who received his GED after serving in the U.S. Army. With use of his G.I. Bill, Clyde earned his undergraduate degree from West Virginia University and then attended WVU's Law School. He served as an attorney in Hardy County for 47 years.

Clyde always took great pride in helping others achieve their goals. From 1975 through 1984, he served in the West Virginia House of Delegates, with 6 years as speaker of the house. Among his many achievements and roles in leadership, he served as president of the board of directors of the Mutual Protective Insurance Association for the 20 years, serving on its board for more than 40 years.

He ran unsuccessfully for Governor in 1984 and 1988, but never gave up the opportunity to give back to the State he loved.

He was a member of the Moorefield Volunteer Fire Company and fought

fires years ago because he believed so deeply in public service. He knew that, if you can count your blessings, you can share your blessings, and he did indeed share them with the Moorefield region and with our entire State.

Clyde was especially passionate about the passage of Hardy County School Bonds that would enable new schools to be built in the county. He worked tirelessly for this cause and was so very proud to see the passage of the bond for the new Moorefield High School. Clyde knew that our students are the future of our State and Nation and that we must do everything in our power to equip them with the tools they need for success. He had great compassion for students who needed support and was very proactive in making sure they were prepared for the future.

One of Clyde's favorite projects was Brighton Park, located just outside of Moorefield. It is a project that came to fruition, thanks to Clyde's design, development, and funding efforts, as well as with his determination to create something special for the entire region to enjoy. Clyde often enjoyed walking through this beautiful park, and now it remains in our hearts as a place to cherish his memory.

Clyde had the most wonderful sense of humor and such a quick wit. He was also one of the most brilliant and eloquent speakers I have ever heard. It is my hope that his friends and family have found comfort in one another and in the support of our entire home State for their loss.

What is most important is that he lived a full life, surrounded by his loved ones. Clyde was a true West Virginian, always willing to help a neighbor in need. I extend my condolences to his loving companion, Marion Marshall, his children Josh, Lucas, Jenny, and Amy and their families, and to his brother Jack. Again, I am honored to recognize Clyde's memory, as well as the unwavering love he had for his family, friends, and our home State.●

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#### REMEMBERING DR. ROLANDO ALUM, SR.

● Mr. MENENDEZ. Mr. President, today I wish to honor the memory of the late Dr. Rolando Alum, Sr., of West New York, NJ. At the age of 104, Dr. Alum passed away on March 27, a month ago today, leaving behind a legacy of community service and a family full of achievements. I had the distinct pleasure of knowing Dr. Alum personally. He was my constituent from when I first served in the New Jersey State Assembly over 25 years ago to when I became U.S. Senator. I could not be more impressed with the accomplished life of Dr. Rolando Alum, Sr., and his embodiment of the American spirit.

Dr. Alum was born and raised in Havana, Cuba. He began his career as a professor and dean at a local technical college, educating his students on literature and grammar. He then went on

to become a dentist, treating patients with whom who he would keep in touch throughout his life. In 1961, Dr. Alum and his family fled Cuba in pursuit of liberty and a better life after the Castro brothers turned the island-nation into a Soviet-modeled totalitarian country.

When Dr. Alum came to the United States, he decided to settle and raise his family in Hudson County, NJ. His first job was at a cardboard box factory in Essex County. Wanting more for his family, Dr. Alum worked tirelessly to become a successful research scientist for a pharmaceutical company, eventually joining a research team that included a Nobel Prize winning doctor. At his company, Dr. Alum established important quality control measures and developed influential drugs.

The light of Dr. Alum's life was his family. Rolando and his pre-deceased wife, Sara, raised a truly exceptional family by any measure. I have worked side by side with his oldest son Roland Alum, Jr., on many civic and community engagement activities to better the State of New Jersey. Dr. Alum's youngest son Luis is an accomplished attorney and a leader in New Jersey's legal community. Rolando's grandson, Alexander, is the Assistant U.S. Attorney in Puerto Rico. Janelle, Dr. Alum's granddaughter, is a school teacher in my hometown of Union City. With such a successful family, I have no doubt that Dr. Alum was proud of each and every member of his family.

One of Dr. Alum's dreams was to one day see democracy in Cuba. Fearing violence from the Castro regime, Dr. Alum, like countless other Cubans who fled from the Castro regime, never returned to his native land. As a U.S. Senator of Cuban descent, I have dedicated my entire career to fighting for the Cuban people and will continue to work towards bringing freedom to Cuba.

Dr. Rolando Alum, Sr., was a model U.S. citizen and is a testament to what Cuban Americans, Latinos, and immigrants contribute to our great country.●

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#### RECOGNIZING THE ALASKA ACES

● Ms. MURKOWSKI. Mr. President, today I wish to recognize Alaska's one and only professional sports team and an organization that has become part of the fabric that makes up the Alaskan society, the Alaska Aces.

The team started as a small semi-professional hockey team in the late eighties known as the Anchorage Aces, but quickly gained the support and popularity of the community and rose through the ranks to become a professional hockey organization in 1995. In 2003, after becoming the Alaska Aces, the team joined the East Coast Hockey League and almost immediately became one of the league's powerhouses, winning three ECHL Kelly Cups in 2006, 2011, and most recently 2014.

The Aces have produced some of the biggest Alaskan professional athletes

such as Scotty Gomez, who went on to win two Stanley Cups and became an NHL All-Star on multiple occasions, and Eagle River's Brian Swanson, whose hockey career took him to the National Hockey League, Europe, and finally back home to the Aces before he retired in 2012.

As good as the team has become, it is their dedication to the community that made them a staple with multiple generations of Alaskans. Whether it was their "Skate with the Aces" events in which families could skate with the players and get to know them after home games or the ever-popular military appreciation games, this organization has made a lasting impact on the lives of many hockey players and fans alike.

The Aces are full of fond memories and traditions such as the cowbell crew, which is the name given to its enthusiastic fan section. Then there is Bobby Hill, also known as "The Horseman," who is not only the Alaska Aces superfan in charge of keeping the energy alive at every home game by going up and down the length of the ice riding a hockey stick, but is also a Special Olympics Gold medalist.

The Alaska Aces will be dearly missed in what is certainly an unfortunate end for such a storied franchise. Economic times have taken a hit on many sectors of the Alaskan economy, and we have seen the impact with our sporting events, but Alaskans are resilient and our sports teams and athletes are no different. Hockey has a rich history in Alaska and is culturally ingrained in the fabric of our State. Alaska has over 45 hockey associations, reflecting the passion and involvement shared by Alaskans of all ages. It is this passion and dedication to the sport that will surely keep the spirit and memory of our Alaska Aces alive.

I want to commend the leadership of the team's owners, the dedication of its fans and players, and the community for making the Alaska Aces one of the league's best franchises and perennial contenders for the ECHL Kelly Cup every season. The Aces play their very last game on April 8, 2017; however, the memories that countless Alaskans have with our hockey team will not fade, but will last a lifetime.●

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#### REMEMBERING DR. ANDRE LARSON

● Mr. ROUNDS. Mr. President, today I wish to honor the life and legacy of Dr. Andre Larson, who passed away on March 24, 2017, at the age of 74. Dr. Larson grew up in Brookings, SD, and graduated from the University of South Dakota, USD, in Vermillion with a BFA in music education and later, a MM degree in music literature.

A lifelong advocate for fine arts and music, Dr. Larson created the renowned National Music Museum in Vermillion, on USD's campus. Today it has the most complete collection of well-preserved and historically important musical instruments in the world.

The National Music Museum houses and preserves over 15,000 rare musical instruments: Stradivarius violins, and one of the only two Stradivarius mandolins that exist, dombaks and didgeridoos, the oldest playing harpsicord, more than a dozen saxophones made by the instrument's inventor, Adolphe Sax, bouzoukis, hurdy-gurdies, and a bombardon, a 1772 bowlback mandolin, a Javanese gamelan, lutes, flutes, harmonicas, and zithers, the world's oldest cello, called the King cello and created around 1550 A.D., Johnny Cash's guitar, and everything in-between, including a substantial collection of historic instrument documents.

Dr. Andre Larson was inspired by his father, Arne B. Larson, who was a high school music teacher, bandleader, and later a college music professor. Arne began collecting musical artifacts and instruments while serving in World War II, and his passion for music was not lost on his son, Andre. Wanting to share his and his father's passion, Andre conceptualized, planned, and implemented the development of the National Music Museum in Vermillion. In 1972, he was hired as the first director of the museum, then named the Shrine to Music Museum, with his father's 2,500 instruments as the foundation. Andre served as director of the museum until his retirement in 2011.

Under Dr. Andre Larson's leadership, the museum expanded significantly from one room in the Carnegie Library to now occupying the entire building today. His intelligence and great knowledge of instruments and history enabled him to select the best instruments for the collection. He also had a very unique skill in matching instruments to generous donors who would allow the museum to showcase their purchases.

In addition to teaching at the University of South Dakota and running the museum, Dr. Larson also created, produced, and marketed many musical events every year that sometimes included internationally known musicians performing music with the museum instruments. He also created the Nation's only graduate degree program in the history of musical instruments.

Throughout his life, Dr. Larson also served three terms as the president of the American Musical Instrument Society. He edited its newsletter for 18 years, and he was honored with the Curt Sachs Award, the highest honor given by the American Musical Instrument Society. In 2016, he was elected to the South Dakota Hall of Fame for his contributions to the arts in South Dakota.

Dr. Andre Larson's commitment to excellence and his dedication to music have inspired thousands of students and music lovers, not just across South Dakota, but throughout the entire Nation. His work in creating the National Music Museum will continue to inspire others for as long as there is music and there are people.●

#### TRIBUTE TO ALEC DiFRUSCIA

● Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Alec DiFruscia. Alec hails from Tewksbury, MA, and is a senior at George Washington University.

During his internship, Alec assisted the committee's press office. He is a dedicated worker who has been committed to getting the most out of his internship. I extend my sincere thanks and appreciation to Alec for all of the fine work he did for the committee and wish him continued success in the years to come.●

#### TRIBUTE TO JOHN "JACK" KILL

● Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Jack Kill. Jack hails from Houston, TX, and is a rising senior at Notre Dame University.

While interning on the Commerce Committee, Jack assisted the Consumer Protection, Product Safety, Insurance, and Data Security Subcommittee. He is a dedicated worker who was committed to getting the most out of his internship. I extend my sincere thanks and appreciation to Jack for all of the fine work he did for the committee and wish him continued success in the years to come.●

#### TRIBUTE TO ALTER WIENER

● Mr. WYDEN. Mr. President, I want to take a few minutes today to honor Alter Wiener, a selfless Oregonian who endured the horrors of the Holocaust and has shared his powerful story with countless students and adults. I would like to share his story with the Senate so that my colleagues can hear how he survived the Nazi atrocities and came to live in Hillsboro, OR, teaching young men and women in my home State the dangers of intolerance and exclusion.

Alter Wiener's story begins more than 90 years ago in the Polish town of Chrzanów, where he was born on October 8, 1926. Like many Jewish children, he attended both public and religious school and was taught the importance of family and faith. What was a happy childhood ended abruptly when the Nazis invaded his hometown in September of 1939. Mr. Wiener fled with his mother and siblings, but his father, forced to stay behind, was ultimately murdered by the Germans.

Barred from practicing his faith or attending school, Mr. Wiener was eventually ripped from his home in the middle of the night and deported to Blechhammer, a forced labor camp. He saw and experienced unimaginable horrors as he was moved from labor camp to labor camp, spending 3 long years in five concentration camps. When the Russian Army freed him in May 1945, he weighed only 80 pounds.

Mr. Wiener made his way to New York City, where he joined his cousins, the only other members of a family that numbered 123 to survive the Nazi atrocities. In New York, he worked tirelessly to rebuild his life, earning his high school diploma at age 38 and then a degree from Brooklyn College. He got married, started a family, and worked as an accountant. Through it all, he rarely spoke of surviving the Holocaust or the atrocities he had witnessed and endured. He says now that he simply didn't feel others would understand.

In 2000, Mr. Wiener moved to Hillsboro, OR. The Oregon Holocaust Resource Center asked him to share his story, and, though he hesitated at first, he ultimately agreed to speak at Century High School. To his surprise, Mr. Wiener received hundreds of letters from students thanking him for changing their lives.

Mr. Wiener has since gone on to volunteer his time and energy to Holocaust education, giving more than 850 presentations to a wide range of audiences. In 2007, he published his autobiography "64735: From a Name to a Number," detailing his harrowing experiences under the Nazi regime and his life thereafter.

Many of my colleagues have heard me talk about my own family's experience: how my parents fled Nazi Germany, how not everybody made it out, how we lost family in Kristallnacht and at Theresienstadt. Tolerance and inclusiveness are issues the Wydens take very seriously. That is why it is so special for me to be able to pay tribute to Alter Wiener today and to honor his work.

There is a concept in Judaism called *tikkun olam*, which means to repair the world. Truly, I can think of no bigger way to describe Alter Wiener's work than repairing the world. Every time he shares his story, more people understand the horrors of Nazi persecution and the inhumanity of the Holocaust. People also understand the importance of tolerance, pluralism, and inclusion, and they see the power of the human spirit to endure.

Today I offer my deepest affection and a heartfelt thank you to Alter Wiener for using your voice to teach generations to come to never, ever forget.●

#### MESSAGE FROM THE HOUSE

At 10:55 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 bill, in which it requests the concurrence of the Senate:

H.R. 1695. An act to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and for other purposes.

The message further announced that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114-255), the Minority Leader appoints the following individual on the part of the



House of Representatives to the Health Information Technology Advisory Committee: Dr. Steven Lane of Palo Alto, California.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1695. An act to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and for other purposes; to the Committee on Rules and Administration.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*Scott Gottlieb, of Connecticut, to be Commissioner of Food and Drugs, Department of Health and Human Services.

\*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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Ms. DUCKWORTH, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 954. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Ms. WARREN, Ms. BALDWIN, Mr. BOOKER, Mr. LEAHY, Mr. REED, Mr. MERKLEY, Mr. MARKEY, Mr. FRANKEN, Mrs. SHAHEEN, Ms. HASSAN, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. DURBIN, Ms. DUCKWORTH, and Mrs. FEINSTEIN):

S. 955. A bill to ensure high-income earners pay a fair share of Federal taxes; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. KENNEDY):

S. 956. A bill to amend the Outer Continental Shelf Lands Act to limit the authority of the President to withdraw areas from oil and gas leasing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY,

Mr. MURPHY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Ms. STABENOW, Mr. TESTER, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. KAINE, and Mr. PETERS):

S. 957. A bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Ms. HIRONO (for herself, Mr. WYDEN, Mr. MARKEY, Mr. MERKLEY, and Mr. CARPER):

S. 958. A bill to authorize Federal agencies to establish prize competitions for innovation or adaptation management development relating to coral reef ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. BROWN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. SANDERS, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, Mr. SCHATZ, Mr. LEAHY, and Mr. NELSON):

S. 959. A bill to restore protections for Social Security, Railroad retirement, and Black Lung benefits from administrative offset; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. GARDNER):

S. 960. A bill to amend title 44, United States Code, to protect open, machine-readable databases; to the Committee on Homeland Security and Governmental Affairs.

By Mr. YOUNG:

S. 961. A bill to develop a database of projects that are proven or promising in terms of moving welfare recipients into work; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. DAINES):

S. 962. A bill to establish a grant program to support landscape-scale restoration and management, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. YOUNG (for himself, Mr. BENNET, Ms. COLLINS, and Mr. BOOKER):

S. 963. A bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. UDALL):

S. 964. A bill to protect broadband users from unfair or deceptive practices relating to privacy or data security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 965. A bill to improve passenger vessel security and safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 966. A bill to establish a program to accurately document vehicles that were significant in the history of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. ROBERTS, Mr. LEAHY, Ms. COLLINS, and Mr. SCHUMER):

S. 967. A bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 968. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Ms. COLLINS, Mr. KAINE, Mr. MARKEY, Mr. VAN HOLLEN, and Ms. WARREN):

S. 969. A bill to amend the Elementary and Secondary Education Act of 1965 to expand the military student identifier program to cover students with a parent who serves in the reserve component of the Armed Forces; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. TILLIS):

S. 970. A bill to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children; to the Committee on Veterans' Affairs.

By Mr. THUNE:

S. 971. A bill to require the Administrator of the Environmental Protection Agency to include in each regulatory impact analysis for a proposed or final rule an analysis that does not include any other proposed or unimplemented rule; to the Committee on Environment and Public Works.

By Mr. CRUZ (for himself, Mr. RUBIO, and Mr. PERDUE):

S. 972. A bill to promote democracy and the rule of law on Nicaragua, and for other purposes; to the Committee on Foreign Relations.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 973. A bill to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEE, Mrs. FEINSTEIN, Mrs. MCCASKILL, Ms. COLLINS, Mr. MCCAIN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. COTTON, and Mr. DURBIN):

S. 974. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products; to the Committee on the Judiciary.

By Mr. DAINES (for himself, Ms. HEITKAMP, Mr. BARRASSO, and Mr. TESTER):

S. 975. A bill to amend the Internal Revenue Code of 1986 to permanently extend the Indian coal production tax credit; to the Committee on Finance.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Ms. HEITKAMP, Ms. WARREN, Mr. REED, Mr. WHITEHOUSE, Mr. WARNER, Mr. CARDIN, Mr. KAINE, Mr. MARKEY, Mr. BLUNT, Mr. ROUNDS, Ms. DUCKWORTH, and Ms. COLLINS):

S. 976. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. HELLER):

S. 977. A bill to permit occupational therapists to conduct the initial assessment visit and complete the comprehensive assessment under a Medicare home health plan of care for certain rehabilitation cases; to the Committee on Finance.

By Mrs. MURRAY:

S. 978. A bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 979. A bill for the relief of Arturo Hernandez-García; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Mrs. SHAHEEN, Mr. FRANKEN, and Mrs. GILLIBRAND):

S. 980. A bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 981. A bill to require the Secretary of Energy to establish an energy efficiency materials pilot program; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 982. A bill to amend the Child Abuse Prevention and Treatment Act to require mandatory reporting of incidents of child abuse or neglect, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 983. A bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit for certain youth employees, and to extend empowerment zones; to the Committee on Finance.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 984. A bill to amend the Workforce Innovation and Opportunity Act to provide funding, on a competitive basis, for summer and year-round employment opportunities for youth ages 14 through 24; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. SANDERS, Ms. HASSAN, Mrs. MURRAY, Mr. FRANKEN, Mrs. SHAHEEN, Ms. WARREN, Mr. CARDIN, Mrs. GILLIBRAND, Mr. NELSON, Mr. WYDEN, Mr. REED, Mr. MERKLEY, Mr. VAN HOLLEN, Ms. HARRIS, and Mr. LEAHY):

S. 985. A bill to prohibit the Secretary of the Interior from revising the approved oil and gas leasing program for fiscal years 2017 through 2022; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. BOOKER, Mr. CARPER, and Mr. COONS):

S. 986. A bill to amend title XVIII of the Social Security Act to permit hospitals in all-urban States to be considered Medicare dependent hospitals, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. SANDERS, Mr. MARKEY, and Mr. BOOKER):

S. 987. A bill to transition away from fossil fuel sources of energy to 100 percent clean and renewable energy by 2050, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. ROBERTS):

S. 988. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property and qualified manure resource recovery property eligible for the energy credit and to permit new clean renewable energy bonds to finance qualified biogas property, and for other purposes; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TILLIS:

S. Res. 144. A resolution designating May 1, 2017, as "National Purebred Dog Day"; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. DONNELLY, Mr. SCOTT, Mr. CARPER, Mr. WICKER, Mr. WHITEHOUSE, Mr. COONS, Mrs. MURRAY, Mr. SCHATZ, Mr. YOUNG, Mr. ROUNDS, Mr. TILLIS, Mr. MANCHIN, Mr. KENNEDY, Mr. PETERS, Mr. CARDIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. DURBIN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. BOOKER):

S. Res. 145. A resolution designating April 2017 as "Financial Literacy Month"; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. FLAKE, Ms. CORTEZ MASTO, Mr. CRAPO, Ms. DUCKWORTH, Mr. HEINRICH, Mr. MCCAIN, Mrs. MURRAY, Mr. REED, and Mr. BOOKER):

S. Res. 146. A resolution designating April 30, 2017, as El Dia de Los Ninos-Celebrating Young Americans; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. Res. 147. A resolution commemorating the 25th anniversary of the 1992 Los Angeles civil unrest; to the Committee on the Judiciary.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. Con. Res. 14. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 104

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 104, a bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking.

S. 109

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 203

At the request of Mr. BURR, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 223

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mr. COTTON), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Mis-

issippi (Mr. COCHRAN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. ISAKSON) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 251

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 251, a bill to repeal the Independent Payment Advisory Board in order to ensure that it cannot be used to undermine the Medicare entitlement for beneficiaries.

S. 260

At the request of Mr. CORNYN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 319

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 319, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

S. 322

At the request of Mr. PETERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 339

At the request of Mr. NELSON, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) 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. 379

At the request of Mr. COTTON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 384

At the request of Mr. BLUNT, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 393

At the request of Mr. SCOTT, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 404

At the request of Mr. ISAKSON, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 404, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the process for inspections of device establishments for granting export certifications.

At the request of Mr. BENNET, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 404, supra.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. PORTMAN) 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. 486

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 486, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 538

At the request of Ms. STABENOW, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 623

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 652

At the request of Mr. KAINE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 652, supra.

S. 708

At the request of Mr. MARKEY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors 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. 736

At the request of Mr. ENZI, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 736, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 750

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 750, a bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes.

S. 751

At the request of Mr. WARNER, the names of the Senator from West Vir-

ginia (Mr. MANCHIN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor 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. 829

At the request of Mr. MCCAIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 849

At the request of Mr. KING, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 849, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 856

At the request of Mrs. MCCASKILL, the names of the Senator from Michigan (Mr. PETERS), the Senator from Michigan (Ms. STABENOW) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 856, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

S. 858

At the request of Mrs. SHAHEEN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. MURPHY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 858, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 900

At the request of Ms. HIRONO, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 900, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 914

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 914, a bill to improve and coordinate interagency Federal actions

and provide assistance to States for responding to public health challenges posed by emerging contaminants, and for other purposes.

S. 916

At the request of Mr. CASSIDY, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 916, a bill to amend the Controlled Substances Act with regard to the provision of emergency medical services.

S. 918

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 918, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S.J. RES. 16

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S.J. Res. 16, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the names of the Senator from Michigan (Mr. PETERS), the Senator from Michigan (Ms. STABENOW) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

S. RES. 60

At the request of Mr. DAINES, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Res. 60, a resolution designating May 5, 2017, as the "National Day of Awareness for Missing and Murdered Native Women and Girls".

S. RES. 106

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 106, a resolution expressing the sense of the Senate to support the territorial integrity of Georgia.

S. RES. 108

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 108, a resolution reaffirming the commitment of the United States to the United States-Egypt partnership.

S. RES. 136

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Colorado (Mr. GARDNER), the Senator from Oregon

(Mr. WYDEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 136, a resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. BROWN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. SANDERS, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, Mr. SCHATZ, Mr. LEAHY, and Mr. NELSON):

S. 959. A bill to restore protections for Social Security, Railroad retirement, and Black Lung benefits from administrative offset; to the Committee on Finance.

Mr. WYDEN. Mr. President. Every day, Social Security provides vital benefits to millions of Americans who worked and paid into the system. To ensure workers would receive full access to these fundamental lifeline benefits, for many years, the law protected these earned benefits from attempts to recover debts. However, 20 years ago, Congress suddenly reversed course, and made a change to the law that allowed the government to cut Social Security and other hard-earned benefit payments in order to collect student loan and other federal debts, like home loans owed to the Veterans Administration, and food stamp overpayments. Now, more and more seniors are finding themselves subject to government garnishment of their already modest Social Security benefits in order to recoup student loan debts. In fact, the New York Times published an editorial recently titled, "Haunted by Student Debt Past Age 50" that highlighted the worsening struggle that seniors face with student debt.

Student loan debt is becoming an increasingly serious problem in Oregon and across the Nation, with students and their families burdened by crushing student loan debt. Even in the best circumstances, many families will struggle to pay off crippling loans for years to come. However, for people who rely on benefits like Social Security after retirement, disability, or the death of a family member, making payments on student loans or other Federal debts can become an insurmountable hardship.

Because of the lifeline nature of these earned benefits, for more than 40 years the law prevented all creditors from collecting hard-earned Social Security, railroad retirement, and black lung benefits to recoup debts. The only exceptions included unpaid Federal taxes, child support or alimony payments, and court-ordered victim restitution. These protections helped ensure that our social safety net programs were functioning as intended—something I think we can all agree is essential to preserving Social Security and other earned benefits.

Astonishingly, when the law changed as part of a 1996 omnibus budget bill, these changes were never fully debated in Congress. This means Members of Congress never had the chance to really explore how this policy would affect beneficiaries. The legislation ultimately included some protections for the most vulnerable, but even those protections have not been updated in 20 years.

We now realize what a profound effect the loss of these protections has had on retirees and individuals with disabilities, who often live on fixed incomes. More and more seniors and people with disabilities are having their Social Security and other lifeline benefits taken away to pay federal debts. For example, according to a GAO report, in 2004, about 8,000 seniors were living in poverty after having their benefits garnished to recover a student debt. In 2015, over 67,000 seniors were subject to garnishment for a student debt and living in poverty. Congress should restore sanity to the system, and reestablish the protections that these beneficiaries deserve.

That is why I, along with Senators BROWN, MERKLEY, FEINSTEIN, HIRONO, SCHATZ, LEAHY, NELSON, WHITEHOUSE, GILLIBRAND, SANDERS, and WARREN are reintroducing the Protection of Social Security Benefits Restoration Act. The bill would restore the strong protections in the law that prevented the government from taking away earned benefits to pay federal debts, and guarantee beneficiaries will be able to maintain a basic standard of living by receiving the benefits they have earned. The bill is supported by Social Security Works, the Arc of the United States, Latinos for a Secure Retirement, Puget Sound Advocates for Retirement Action, PSARA, AFL-CIO, the Economic Opportunity Institute, the National Organization for Women, Justice in Aging, Gray Panthers NYC, Alliance for Retired Americans, the National Committee to Preserve Social Security and Medicare, Global Policy Solutions, AARP, the American Federation of Government Employees, and the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, UAW.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 959

*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 "Protection of Social Security Benefits Restoration Act".

#### SEC. 2. PROTECTING SOCIAL SECURITY, RAILROAD RETIREMENT, AND BLACK LUNG BENEFITS FROM ADMINISTRATIVE OFFSET.

(a) PROHIBITION ON ADMINISTRATIVE OFFSET AUTHORITY.—

(1) ASSIGNMENT UNDER SOCIAL SECURITY ACT.—Section 207 of the Social Security Act

(42 U.S.C. 407) is amended by adding at the end the following new subsection:

“(d) Subparagraphs (A), (C), and (D) of section 3716(c)(3) of title 31, United States Code, as such subparagraphs were in effect on the date before the date of enactment of the Protection of Social Security Benefits Restoration Act, shall be null and void and of no effect.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 14(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(a)) is amended by adding at the end the following: “. The provisions of section 207(d) of the Social Security Act shall apply with respect to this title to the same extent as they apply in the case of title II of such Act.”.

(B) Section 2(e) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(e)) is amended by adding at the end the following: “. The provisions of section 207(d) of the Social Security Act shall apply with respect to this title to the same extent as they apply in the case of title II of such Act.”.

(b) REPEAL OF ADMINISTRATIVE OFFSET AUTHORITY.—

(1) IN GENERAL.—Paragraph (3) of section 3716(c) of title 31, United States Code, is amended—

(A) by striking “(3)(A)(i) Notwithstanding” and all that follows through “any overpayment under such program.”;

(B) by striking subparagraphs (C) and (D); and

(C) by redesignating subparagraph (B) as paragraph (3).

(2) CONFORMING AMENDMENT.—Paragraph (5) of such section is amended by striking “the Commissioner of Social Security and”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any collection by administrative offset occurring on or after the date of enactment of this Act of a claim arising before, on, or after the date of enactment of this Act.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEE, Mrs. FEINSTEIN, Mrs. MCCASKILL, Ms. COLLINS, Mr. MCCAIN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. COTTON, and Mr. DURBIN):

S. 974. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, over the past few years, the national headlines have been dominated by stories about the high cost of pharmaceuticals. We have seen jaw-dropping examples, such as the unconscionable price increase overnight by Turing Pharmaceuticals of their drug for patients with HIV, from \$13.50 to \$750 per pill.

Pharmaceutical companies should be compensated for their important work developing lifesaving treatments. But when companies engage in predatory practices at the expense of consumers, we must act. That is why today I am reintroducing the Creating and Restoring Equal Access to Equivalent Samples, or CREATES, Act, bipartisan legislation that are used by some brand-name drug manufacturers to block competition from more affordable generic drugs. I am glad to be joined by Sen-

ators GRASSLEY, KLOBUCHAR, LEE, and FEINSTEIN, and several other Senators of both parties in introducing this bill today.

The first delay tactic addressed by the CREATES Act involves the withholding of drug samples that generic manufacturers need to gain regulatory approval. Federal law requires generic competitors to prove that their low-cost alternative is as equally safe and effective as the brand-name drug with which they wish to compete. Unfortunately, some brand-name companies are preventing generic manufacturers from obtaining the samples they need to make the necessary comparison. This simple delay tactic uses regulatory safeguards as a weapon to block competition. The FDA has reported receiving more than 100 inquiries from generic product developers who were unable to access samples of a brand-name drug to compare their generic product.

The second delay tactic addressed by the CREATES Act involves the development of shared safety protocols. For some high-risk drugs, Federal law requires a generic drug manufacturer to join the brand-name drug manufacturer in a single, shared safety protocol for distribution of the drug. Despite this requirement, some brand-name companies are refusing to negotiate shared safety protocols with potential generic competitors, again undermining those competitors' ability to gain FDA approval for their generic versions of such drugs.

The revised version of the CREATES Act also allows the FDA more discretion to approve alternative safety protocols, rather than require parties to develop shared safety protocols. Any safety protocol approved by the FDA must meet the rigorous statutory standards already in place.

These exclusionary practices thwart competition and deny consumers the benefit of lower drug prices. I share the concerns of Vermonters and Americans across the country that many prescription drugs are simply too expensive. When brand companies can artificially raise the price of drugs by using predatory practices, patients suffer. Illnesses get worse. Families, government programs, and other payers in the healthcare system ultimately bear those added, unnecessary costs.

This legislation is not a silver bullet to address all of the complex problems driving the high costs of medications. In addition to the delayed entry of generic drugs, I am troubled by the rising cost of treatments for opioid overdoses, which remain expensive for local law enforcement agencies, even though there are generic competitors. In Vermont, many patients are grappling with the extremely high cost of a new drug for hepatitis C that will likely have years of market exclusivity before generic alternatives can be made. Last year we learned the price of EpiPen had increased by almost 500 percent since 2009, now costing roughly

\$600 for a two-pack. The sharp increase in price combined with the relatively short shelf life of the product—1 year to 18 months—has put this lifesaving drug out of reach for many.

Think for a moment about the impact of price hikes on the family of a patient facing a life-threatening illness. Across the country, hardworking Americans feel like the system is rigged against them by corporations that are looking to make a profit at any price. With examples like Turing and Mylan, it is no wonder they feel that way.

The CREATES Act is one piece of the puzzle, addressing anticompetitive behavior that delays the creation of affordable generic drugs. Drug affordability is a bipartisan issue that affects each and every American. These reforms will make a difference. I hope other Senators will join us in supporting these bipartisan reforms.

By Mr. DAINES (for himself, Ms. HEITKAMP, Mr. BARRASSO, and Mr. TESTER):

S. 975. A bill to amend the Internal Revenue Code of 1986 to permanently extend the Indian coal production tax credit; to the Committee on Finance.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the legislation to amend the Internal Revenue Code of 1986 to permanently extend the Indian coal production tax credit be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 975

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

**SECTION 1. PERMANENT EXTENSION OF INDIAN COAL PRODUCTION TAX CREDIT.**

(a) IN GENERAL.—Section 45(e)(10)(A) of the Internal Revenue Code of 1986 is amended by striking “per ton of Indian coal—” and all that follows and inserting the following: “per ton of Indian coal—

“(i) produced by the taxpayer at an Indian coal production facility, and

“(ii) sold (either directly by the taxpayer or after sale or transfer to one or more related persons) to an unrelated person.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced and sold after January 1, 2017.

By Mr. CARDIN (for himself and Mr. HELLER):

S. 977. A bill to permit occupational therapists to conduct the initial assessment visit and complete the comprehensive assessment under a Medicare home health plan of care for certain rehabilitation cases; to the Committee on Finance.

Mr. CARDIN. Mr. President, I wish to introduce the Medicare Home Health Flexibility Act of 2017. I am pleased that my colleague, the senior Senator from Nevada, Mr. HELLER, has agreed to cosponsor this bipartisan, no-cost legislation that would allow occupational therapists to perform the initial home health assessment visit and comprehensive assessments in cases in

which occupational therapy is ordered by the physician, along with speech language pathology and/or physical therapy services, and skilled nursing care is not required. Our bill will help ensure that Medicare beneficiaries receive timely access to essential home health therapy care.

Occupational therapists have long been recognized as a valuable component of our Nation's healthcare workforce and a critical aspect of home healthcare because of their focus on patients' functional capabilities and their expertise in home safety. Physicians frequently order occupational therapy as part of an initial plan of care for patients requiring home health care, alongside the qualifying services of physical therapy, speech-language pathology, and skilled nursing. Under certain circumstances, an occupational therapist is allowed to perform the comprehensive assessment to determine a Medicare beneficiary's continuing need for home healthcare. However, under current Medicare law, occupational therapists are not permitted to conduct the initial assessment for home health cases, even when occupational therapy is included in the physician's order and when the case is exclusively related to rehabilitation therapy. Additionally, occupational therapists are not allowed to complete the comprehensive assessment unless occupational therapy is the qualifying service.

By permitting occupational therapists to perform initial home health assessment visits and comprehensive assessments in limited circumstances, the Medicare Home Health Flexibility Act can help prevent delays in the time it takes for Medicare beneficiaries to receive essential home healthcare, especially in underserved areas where access to physical therapists and speech language pathologists may be limited. On January 13, 2017, the Centers for Medicare & Medicaid Services, or CMS, released the final conditions of participation, or COPs, for home health agencies participating in Medicare and Medicaid. These new COPs expand the content of the home health comprehensive assessment to include the patient's functional, psychosocial, and cognitive status, all of which are areas of expertise for occupational therapists. The new COPs also require the creation of a patient-centered plan of care that is informed by the comprehensive assessment. As a result of their comprehensive education and unique training, occupational therapists are qualified to perform the necessary assessments to adhere to these new CMS home health guidelines.

It is important to note that the Medicare Home Health Flexibility Act would apply only to rehabilitation therapy cases in which skilled nursing care is not required. Nurses would still be required to conduct the initial assessment for all home health cases in which skilled nursing care is ordered by the physician. Also, although the

legislation would allow occupational therapists to conduct the initial home health assessment visit and comprehensive assessments, it would not alter the existing criteria for establishing eligibility for the Medicare home health benefit.

I urge my colleagues to join me and Senator HELLER and to support the Medicare Home Health Flexibility Act to correct the discrepancy in Medicare regulations between therapy providers and to help ensure timely access to essential, high-quality home health therapy care for Medicare beneficiaries.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 977

*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 "Medicare Home Health Flexibility Act of 2017".

**SEC. 2. PERMITTING OCCUPATIONAL THERAPISTS TO CONDUCT THE INITIAL ASSESSMENT VISIT AND COMPLETE THE COMPREHENSIVE ASSESSMENT UNDER A MEDICARE HOME HEALTH PLAN OF CARE FOR CERTAIN REHABILITATION CASES.**

(a) IN GENERAL.—Notwithstanding section 484.55(a)(2) or 484.55(b)(3) of title 42, Code of Federal Regulations, or any other provision of law, an occupational therapist may be designated to conduct the initial assessment visit and to complete the comprehensive assessment for an individual who is eligible for home health services under title XVIII of the Social Security Act if the referral order by the physician—

- (1) does not include skilled nursing care;
- (2) includes occupation therapy; and
- (3) includes physical therapy or speech language pathology.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to provide for initial eligibility for coverage of home health services under title XVIII of the Social Security Act solely on the basis of a need for occupational therapy.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 983. A bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit for certain youth employees, and to extend empowerment zones; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 983

*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 "Helping to Encourage Real Opportunities (HERO) for At-Risk Youth Act".

**SEC. 2. MODIFICATION AND EXTENSION OF WORK OPPORTUNITY CREDIT FOR CERTAIN YOUTH EMPLOYEES.**

(a) EXPANSION OF CREDIT FOR SUMMER YOUTH.—

(1) CREDIT ALLOWED FOR YEAR-ROUND EMPLOYMENT.—Section 51(d)(7)(A) of the Internal Revenue Code of 1986 is amended—

(A) by striking clauses (i) and (iii) and redesignating clauses (ii) and (iv) as clauses (i) and (ii), respectively,

(B) in clause (i) (as so redesignated), by striking "(or if later, on May 1 of the calendar year involved)," and inserting ", and", and

(C) by adding at the end the following new clause:

"(iii) who will be employed for not more than 20 hours per week during any period between September 16 and April 30 in which such individual is regularly attending any secondary school."

(2) INCREASE IN CREDIT AMOUNT.—Section 51(d)(7) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(3) CONFORMING AMENDMENTS.—

(A) Subparagraph (F) of section 51(d)(1) of the Internal Revenue Code of 1986 is amended by striking "summer".

(B) Paragraph (7) of section 51(d) of such Code is amended—

(i) by striking "summer" each place it appears in subparagraphs (A),

(ii) in subparagraph (B), as redesignated by paragraph (2), by striking "subparagraph (A)(iv)" and inserting "subparagraph (A)(ii)", and

(iii) by striking "SUMMER" in the heading thereof.

(b) CREDIT FOR AT-RISK YOUTH.—

(1) IN GENERAL.—Paragraph (1) of section 51(d) of the Internal Revenue Code of 1986 is amended by striking "or" at the end of subparagraph (I), by striking the period at the end of subparagraph (J) and inserting ", or", and by adding at the end the following new subparagraph:

"(K) an at-risk youth."

(2) AT-RISK YOUTH.—Paragraph (14) of section 51(d) of such Code is amended to read as follows:

"(14) AT-RISK YOUTH.—The term 'at-risk youth' means any individual who is certified by the designated local agency—

"(A) as—

"(i) having attained age 16 but not age 25 on the hiring date,

"(ii) as not regularly attending any secondary, technical, or post-secondary school during the 6-month period preceding the hiring date,

"(iii) as not regularly employed during such 6-month period, and

"(iv) as not readily employable by reason of lacking a sufficient number of basic skills, or

"(B) as—

"(i) having attained age 16 but not age 21 on the hiring date, and

"(ii) an eligible foster child (as defined in section 152(f)(1)(C)) who was in foster care during the 12-month period ending on the hiring date."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

**SEC. 3. EXTENSION OF EMPOWERMENT ZONES.**

(a) IN GENERAL.—Section 1391(d)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2016" and inserting "December 31, 2019".

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the



enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 984. A bill to amend the Workforce Innovation and Opportunity Act to provide funding, on a competitive basis, for summer and year-round employment opportunities for youth ages 14 through 24; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 984

*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 "Creating Pathways for Youth Employment Act".

**SEC. 2. YOUTH EMPLOYMENT OPPORTUNITIES.**

Title I of the Workforce Innovation and Opportunity Act is amended—

(1) by redesignating subtitle E as subtitle F; and

(2) by inserting after subtitle D the following:

**"Subtitle E—Youth Employment Opportunities**

**"SEC. 176. DEFINITIONS.**

"In this subtitle:

"(1) **ELIGIBLE YOUTH.**—The term 'eligible youth' means an individual who—

"(A) is not younger than age 14 or older than age 24; and

"(B) is—

"(i) an in-school youth;

"(ii) an out-of-school youth; or

"(iii) an unemployed individual.

"(2) **HARDEST-TO-EMPLOY, MOST-AT-RISK.**—The term 'hardest-to-employ, most-at-risk', used with respect to an individual, includes individuals who are homeless, in foster care, involved in the juvenile or criminal justice system, or are not enrolled in or at risk of dropping out of an educational institution and who live in an underserved community that has faced trauma through acute or long-term exposure to substantial discrimination, historical or cultural oppression, intergenerational poverty, civil unrest, a high rate of violence, or a high rate of drug overdose mortality.

"(3) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms 'Indian tribe' and 'tribal organization' have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(4) **IN-SCHOOL YOUTH; OUT-OF-SCHOOL YOUTH.**—The terms 'in-school youth' and 'out-of-school youth' have the meanings given the terms in section 129(a)(1).

"(5) **INSTITUTION OF HIGHER EDUCATION.**—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

"(6) **SUBSIDIZED EMPLOYMENT.**—The term 'subsidized employment' means employment for which the employer receives a total or

partial subsidy to offset costs of employing an eligible youth under this subtitle.

"(7) **TRIBAL AREA.**—The term 'tribal area' means—

"(A) an area on or adjacent to an Indian reservation;

"(B) land held in trust by the United States for Indians;

"(C) a public domain Indian allotment;

"(D) a former Indian reservation in Oklahoma; and

"(E) land held by an incorporated Native group, Regional Corporation, or Village Corporation under the provisions of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

"(8) **TRIBAL COLLEGE OR UNIVERSITY.**—The term 'tribal college or university' has the meaning given the term 'Tribal College or University' in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

"(9) **TRIBALLY DESIGNATED HOUSING ENTITY.**—The term 'tribally designated housing entity', used with respect to an Indian tribe (as defined in this section), has the meaning given in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

**"SEC. 176A. ALLOCATION OF FUNDS.**

"(a) **ALLOCATION.**—Of the funds appropriated under section 176E that remain available after any reservation under subsection (b), the Secretary may make available—

"(1) not more than \$1,500,000,000 in accordance with section 176B to provide eligible youth with subsidized summer employment opportunities; and

"(2) not more than \$2,000,000,000 in accordance with section 176C to provide eligible youth with subsidized year-round employment opportunities.

"(b) **RESERVATION.**—The Secretary may reserve not more than 10 percent of the funds appropriated under section 176E to provide technical assistance and oversight, in order to assist eligible entities in applying for and administering grants awarded under this subtitle.

**"SEC. 176B. SUMMER EMPLOYMENT COMPETITIVE GRANT PROGRAM.**

"(a) **IN GENERAL.**—

"(1) **GRANTS.**—Using the amounts made available under 176A(a)(1), the Secretary shall award, on a competitive basis, planning and implementation grants.

"(2) **GENERAL USE OF FUNDS.**—The Secretary shall award the grants to assist eligible entities by paying for the program share of the cost of—

"(A) in the case of a planning grant, planning a summer youth employment program to provide subsidized summer employment opportunities; and

"(B) in the case of an implementation grant, implementation of such a program, to provide such opportunities.

"(b) **PERIODS AND AMOUNTS OF GRANTS.**—

"(1) **PLANNING GRANTS.**—The Secretary may award a planning grant under this section for a 1-year period, in an amount of not more than \$200,000.

"(2) **IMPLEMENTATION GRANTS.**—The Secretary may award an implementation grant under this section for a 3-year period, in an amount of not more than \$5,000,000.

"(c) **ELIGIBLE ENTITIES.**—

"(1) **IN GENERAL.**—To be eligible to receive a planning or implementation grant under this section, an entity shall—

"(A) be a—

"(i) State, local government, or Indian tribe or tribal organization, that meets the requirements of paragraph (2); or

"(ii) community-based organization that meets the requirements of paragraph (3); and

"(B) meet the requirements for a planning or implementation grant, respectively, specified in paragraph (4).

"(2) **GOVERNMENT PARTNERSHIPS.**—An entity that is a State, local government, or Indian tribe or tribal organization referred to in paragraph (1) shall demonstrate that the entity has entered into a partnership with State, local, or tribal entities—

"(A) that shall include—

"(i) a local educational agency or tribal educational agency (as defined in section 6132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7452));

"(ii) a local board or tribal workforce development agency;

"(iii) a State, local, or tribal agency serving youth under the jurisdiction of the juvenile justice system or criminal justice system;

"(iv) a State, local, or tribal child welfare agency;

"(v) a State, local, or tribal agency or community-based organization, with—

"(I) expertise in providing counseling services, and trauma-informed and gender-responsive trauma prevention, identification, referral, and support (including treatment) services; and

"(II) a proven track record of serving low-income vulnerable youth and out-of-school youth; and

"(vi) if the State, local government, or Indian tribe or tribal organization is seeking an implementation grant, and has not established a summer youth employment program, an entity that is carrying out a State, local, or tribal summer youth employment program; and

"(vii) an employer or employer association; and

"(B) that may include—

"(i) an institution of higher education or tribal college or university;

"(ii) a representative of a labor or labor-management organization;

"(iii) an entity that carries out a program that receives funding under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) or section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532);

"(iv) a collaborative applicant as defined in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360) or a private nonprofit organization that serves homeless individuals and households (including such an applicant or organization that serves individuals or households that are at risk of homelessness in tribal areas) or serves foster youth;

"(v) an entity that carries out a program funded under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), including Native American programs funded under section 116 of that Act (20 U.S.C. 2326) and tribally controlled post-secondary career and technical institution programs funded under section 117 of that Act (20 U.S.C. 2327);

"(vi) a local or tribal youth committee;

"(vii) a State or local public housing agency or a tribally designated housing entity; and

"(viii) another appropriate State, local, or tribal agency.

"(3) **COMMUNITY-BASED ORGANIZATION PARTNERSHIPS.**—A community-based organization referred to in paragraph (1) shall demonstrate that the organization has entered into a partnership with State, local, or tribal entities—

"(A) that shall include—

"(i) a unit of general local government or tribal government;

"(ii) an agency described in paragraph (2)(A)(i);

"(iii) a local board or tribal workforce development agency;

“(iv) a State, local, or tribal agency serving youth under the jurisdiction of the juvenile justice system or criminal justice system;

“(v) a State, local, or tribal child welfare agency;

“(vi) if the organization is seeking an implementation grant, and has not established a summer youth employment program, an entity that is carrying out a State, local, or tribal summer youth employment program; and

“(vii) an employer or employer association; and

“(B) that may include 1 or more entities described in paragraph (2)(B).

“(4) ENTITIES ELIGIBLE FOR PARTICULAR GRANTS.—

“(A) ENTITIES ELIGIBLE FOR PLANNING GRANTS.—The Secretary may award a planning grant under this section to an eligible entity that—

“(i) is preparing to establish or expand a summer youth employment program that meets the minimum requirements specified in subsection (d); and

“(ii) has not received a grant under this section.

“(B) ENTITIES ELIGIBLE FOR IMPLEMENTATION GRANTS.—

“(i) IN GENERAL.—The Secretary may award an implementation grant under this section to an eligible entity that—

“(I) has received a planning grant under this section; or

“(II) has established a summer youth employment program and demonstrates a minimum level of capacity to enhance or expand the summer youth employment program described in the application submitted under subsection (d).

“(ii) CAPACITY.—In determining whether an entity has the level of capacity referred to in clause (i)(II), the Secretary may include as capacity—

“(I) the entity’s staff capacity and staff training to deliver youth employment services; and

“(II) the entity’s existing youth employment services (as of the date of submission of the application submitted under subsection (d)) that are consistent with the application.

“(d) APPLICATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity desiring to receive a grant under this section for a summer youth employment program shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum, each of the following:

“(A) With respect to an application for a planning or implementation grant—

“(i) a description of the eligible youth for whom summer employment services will be provided;

“(ii) a description of the eligible entity, and a description of the expected participation and responsibilities of each of the partners in the partnership described in subsection (c);

“(iii) information demonstrating sufficient need for the grant in the State, local, or tribal population, which may include information showing—

“(I) a high level of unemployment among youth (including young adults) ages 14 through 24;

“(II) a high rate of out-of-school youth;

“(III) a high rate of homelessness;

“(IV) a high rate of poverty;

“(V) a high rate of adult unemployment;

“(VI) a high rate of community or neighborhood crime;

“(VII) a high rate of violence; or

“(VIII) a high level or rate on another indicator of need;

“(iv) a description of the strategic objectives the eligible entity seeks to achieve through the program to provide eligible youth with core work readiness skills, which may include—

“(I) financial literacy skills, including providing the support described in section 129(b)(2)(D);

“(II) sector-based technical skills aligned with employer needs;

“(III) skills that—

“(aa) are soft employment skills, early work skills, or work readiness skills; and

“(bb) include social skills, communications skills, higher-order thinking skills, self-control, and positive self-concept; and

“(IV) (for the hardest-to-employ, most-at-risk eligible youth) basic skills like communication, math, and problem solving in the context of training for advancement to better jobs and postsecondary training; and

“(v) information demonstrating that the eligible entity has obtained commitments to provide the non-program share described in paragraph (2) of subsection (h).

“(B) With respect to an application for a planning grant—

“(i) a description of the intermediate and long-term goals for planning activities for the duration of the planning grant;

“(ii) a description of how grant funds will be used to develop a plan to provide summer employment services for eligible youth;

“(iii) a description of how the eligible entity will carry out an analysis of best practices for identifying, recruiting, and engaging program participants, in particular the hardest-to-employ, most-at-risk eligible youth;

“(iv) a description of how the eligible entity will carry out an analysis of best practices for placing youth participants—

“(I) in opportunities that—

“(aa) are appropriate subsidized employment opportunities with employers based on factors including age, skill, experience, career aspirations, work-based readiness, and barriers to employment; and

“(bb) may include additional services for participants, including core work readiness skill development and mentorship services;

“(II) in summer employment that—

“(aa) is not less than 6 weeks;

“(bb) follows a schedule of not more than 20 hours per week; and

“(cc) pays not less than the applicable Federal, State, or local minimum wage; and

“(v) a description of how the eligible entity plans to develop a mentorship program or connect youth with positive, supportive mentorships, consistent with paragraph (3).

“(C) With respect to an application for an implementation grant—

“(i) a description of how the eligible entity plans to identify, recruit, and engage program participants, in particular the hardest-to-employ, most-at-risk eligible youth;

“(ii) a description of the manner in which the eligible entity plans to place eligible youth participants in subsidized employment opportunities, and in summer employment, described in subparagraph (B)(iv);

“(iii) (for a program serving the hardest-to-employ, most-at-risk eligible youth), a description of workplaces for the subsidized employment involved, which may include workplaces in the public, private, and non-profit sectors;

“(iv) a description of how the eligible entity plans to provide or connect eligible youth participants with positive, supportive mentorships, consistent with paragraph (3);

“(v) a description of services that will be available to employers participating in the youth employment program, to provide supervisors involved in the program with coaching and mentoring on—

“(I) how to support youth development;

“(II) how to structure learning and reflection; and

“(III) how to deal with youth challenges in the workplace;

“(vi) a description of how the eligible entity plans to offer structured pathways back into employment and a youth employment program under this section for eligible youth who have been terminated from employment or removed from the program;

“(vii) a description of how the eligible entity plans to engage eligible youth beyond the duration of the summer employment opportunity, which may include—

“(I) developing or partnering with a year-round youth employment program;

“(II) referring eligible youth to other year-round programs, which may include—

“(aa) programs funded under section 176C or the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

“(bb) after school programs;

“(cc) secondary or postsecondary education programs;

“(dd) training programs;

“(ee) cognitive behavior therapy programs;

“(ff) apprenticeship programs; and

“(gg) national service programs;

“(III) employing a full-time, permanent staff person who is responsible for youth outreach, followup, and recruitment; or

“(IV) connecting eligible youth with job development services, including career counseling, resume and job application assistance, interview preparation, and connections to job leads;

“(viii) evidence of the eligible entity’s capacity to provide the services described in this subsection; and

“(ix) a description of the quality of the summer youth employment program, including a program that leads to a recognized postsecondary credential.

“(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—An eligible entity that is an Indian tribe or tribal organization and desires to receive a grant under this section for a summer youth employment program may, in lieu of submitting the application described in paragraph (1), submit an application to the Secretary that meets such requirements as the Secretary develops after consultation with the tribe or organization.

“(3) MENTOR.—For purposes of subparagraphs (B)(iv), (B)(v), and (C)(iv) of paragraph (1), a mentor—

“(A) shall be an individual who has been matched with an eligible youth based on the youth’s needs;

“(B) shall make contact with the eligible youth at least once each week;

“(C) shall be a trusted member of the local community; and

“(D) may include—

“(i) a mentor trained in trauma-informed care (including provision of trauma-informed trauma prevention, identification, referral, or support services to youth that have experienced or are at risk of experiencing trauma), conflict resolution, and positive youth development;

“(ii) a job coach trained to provide youth with guidance on how to navigate the workplace and troubleshoot problems;

“(iii) a supervisor trained to provide at least two performance assessments and serve as a reference; or

“(iv) a peer mentor who is a former or current participant in the youth employment program involved.

“(e) AWARDS FOR POPULATIONS AND AREAS.—

“(1) POPULATIONS.—The Secretary shall reserve, from the amounts made available under section 176A(a)(1)—

“(A) 50 percent to award grants under this section for planning or provision of subsidized summer employment opportunities for in-school youth; and

“(B) 50 percent to award such grants to plan for planning or provision of such opportunities for out-of-school youth.

“(2) AREAS.—

“(A) IN GENERAL.—In awarding the grants, the Secretary shall consider the regional diversity of the areas to be served, to ensure that urban, suburban, rural, and tribal areas are receiving grant funds.

“(B) RURAL AND TRIBAL AREA INCLUSION.—

“(i) RURAL AREAS.—Not less than 20 percent of the amounts made available under section 176A(a)(1) for each fiscal year shall be made available for activities to be carried out in rural areas.

“(ii) TRIBAL AREAS.—Not less than 5 percent of the amounts made available under section 176A(a)(1) for each fiscal year shall be made available for activities to be carried out in tribal areas.

“(f) PROGRAM PRIORITIES.—In allocating funds under this section, the Secretary shall give priority to eligible entities—

“(1) who propose to coordinate their activities—

“(A) with local or tribal employers; and

“(B) with agencies described in subsection (c)(2)(A)(i) to ensure the summer youth employment programs provide clear linkages to remedial, academic, and occupational programs carried out by the agencies;

“(2) who propose a plan to increase private sector engagement in, and job placement through, summer youth employment; and

“(3) who have, in their counties, States, or tribal areas (as compared to other counties in their State, other States, or other tribal areas, respectively), a high level or rate described in subsection (d)(1)(A)(iii).

“(g) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity that receives a grant under this section may use the grant funds for services described in subsection (d).

“(2) DISCRETIONARY USES.—The eligible entity may also use the funds—

“(A) to provide wages to eligible youth in subsidized summer employment programs;

“(B) to provide eligible youth with support services, including case management, child care assistance, child support services, and transportation assistance; and

“(C) to develop data management systems to assist with programming, evaluation, and records management.

“(3) ADMINISTRATION.—An eligible entity may reserve not more than 10 percent of the grant funds for the administration of activities under this section.

“(4) CARRY-OVER AUTHORITY.—Any amounts provided to an eligible entity under this section for a fiscal year may, at the discretion of the Secretary, remain available to that entity for expenditure during the succeeding fiscal year to carry out programs under this section.

“(h) PROGRAM SHARE.—

“(1) PLANNING GRANTS.—The program share for a planning grant awarded under this section shall be 100 percent of the cost described in subsection (a)(2)(A).

“(2) IMPLEMENTATION GRANTS.—

“(A) IN GENERAL.—The program share for an implementation grant awarded under this section shall be 50 percent of the cost described in subsection (a)(2)(B).

“(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary—

“(i) may increase the program share for an eligible entity; and

“(ii) shall increase the program share for an Indian tribe or tribal organization to not less than 95 percent of the cost described in subsection (a)(2)(B).

“(C) NON-PROGRAM SHARE.—The eligible entity may provide the non-program share of the cost—

“(i) in cash or in kind, fairly evaluated, including plant, equipment, or services; and

“(ii) from State, local, tribal or private (including philanthropic) sources and, in the case of an Indian tribe or tribal organization, from Federal sources.

**“SEC. 176C. YEAR-ROUND EMPLOYMENT COMPETITIVE GRANT PROGRAM.**

“(a) IN GENERAL.—

“(1) GRANTS.—Using the amounts made available under 176A(a)(2), the Secretary shall award, on a competitive basis, planning and implementation grants.

“(2) GENERAL USE OF FUNDS.—The Secretary shall award the grants to assist eligible entities by paying for the program share of the cost of—

“(A) in the case of a planning grant, planning a year-round youth employment program to provide subsidized year-round employment opportunities; and

“(B) in the case of an implementation grant, implementation of such a program to provide such opportunities.

“(b) PERIODS AND AMOUNTS OF GRANTS.—The planning grants shall have the periods and amounts described in section 176B(b)(1). The implementation grants shall have the periods and grants described in section 176B(b)(2).

“(c) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive a planning or implementation grant under this section, an entity shall, except as provided in paragraph (2)—

“(A) be a—

“(i) State, local government, or Indian tribe or tribal organization, that meets the requirements of section 176B(c)(2); or

“(ii) community-based organization that meets the requirements of section 176B(c)(3); and

“(B) meet the requirements for a planning or implementation grant, respectively, specified in section 176B(c)(4).

“(2) YEAR-ROUND YOUTH EMPLOYMENT PROGRAMS.—For purposes of paragraph (1), any reference in section 176B(c)—

“(A) to a summer youth employment program shall be considered to refer to a year-round youth employment program; and

“(B) to a provision of section 176B shall be considered to refer to the corresponding provision of this section.

“(d) APPLICATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity desiring to receive a grant under this section for a year-round youth employment program shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum, each of the following:

“(A) With respect to an application for a planning or implementation grant, the information and descriptions specified in section 176B(d)(1)(A).

“(B) With respect to an application for a planning grant, the descriptions specified in section 176B(d)(1)(B), except that the description of an analysis for placing youth in employment described in clause (iv)(II)(bb) of that section shall cover employment that follows a schedule—

“(i) that consists of—

“(I) not more than 15 hours per week for in-school youth; and

“(II) not less than 20 and not more than 40 hours per week for out-of-school youth; and

“(ii) that depends on the needs and work-readiness level of the population being served.

“(C) With respect to an application for an implementation grant, the descriptions and evidence specified in section 176B(d)(1)(C)—

“(i) except that the reference in section 176B(d)(1)(C)(ii) to employment described in section 176B(d)(1)(B) shall cover employment that follows the schedule described in subparagraph (B); and

“(ii) except that the reference to programs in clause (vii)(II)(aa) of that section shall be considered to refer only to programs funded under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(2) INDIAN TRIBE; TRIBAL ORGANIZATIONS.—An eligible entity that is an Indian tribe or tribal organization and desires to receive a grant under this section for a year-round youth employment program may, in lieu of submitting the application described in paragraph (1), submit an application to the Secretary that meets such requirements as the Secretary develops after consultation with the tribe or organization.

“(3) MENTOR.—For purposes of paragraph (1), any reference in subparagraphs (B)(iv), (B)(v), and (C)(iv) of section 176B(d)(1) to a mentor shall be considered to refer to a mentor who—

“(A) shall be an individual described in subparagraphs (A) and (C) of section 176B(d)(3);

“(B) shall make contact with the eligible youth at least twice each week; and

“(C) may be an individual described in section 176B(d)(3)(D).

“(4) YEAR-ROUND EMPLOYMENT.—For purposes of this subsection, any reference in section 176B(d)—

“(A) to summer employment shall be considered to refer to year-round employment; and

“(B) to a provision of section 176B shall be considered to refer to the corresponding provision of this section.

“(e) AWARDS FOR POPULATIONS AND AREAS; PRIORITIES.—

“(1) POPULATIONS.—The Secretary shall reserve, from the amounts made available under section 176A(a)(2)—

“(A) 50 percent to award grants under this section for planning or provision of subsidized year-round employment opportunities for in-school youth; and

“(B) 50 percent to award such grants to plan for planning or provision of such opportunities for out-of-school youth.

“(2) AREAS; PRIORITIES.—In awarding the grants, the Secretary shall—

“(A) carry out section 176B(e)(2); and

“(B) give priority to eligible entities—

“(i) who—

“(I) propose the coordination and plan described paragraphs (1) and (2) of section 176B(f), with respect to year-round youth employment; and

“(II) meet the requirements of section 176B(f)(3); or

“(ii) who—

“(I) propose a plan to coordinate activities with entities carrying out State, local, or tribal summer youth employment programs, to provide pathways to year-round employment for eligible youth who are ending summer employment; and

“(II) meet the requirements of section 176B(f)(3).

“(f) USE OF FUNDS.—An eligible entity that receives a grant under this section may use the grant funds—

“(1) for services described in subsection (d);

“(2) as described in section 176B(g)(2), with respect to year-round employment programs;

“(3) as described in section 176B(g)(3), with respect to activities under this section; and

“(4) at the discretion of the Secretary, as described in section 176B(g)(4), with respect to activities under this section.

“(g) PROGRAM SHARE.—

“(1) PLANNING GRANTS.—The provisions of section 176B(h)(1) shall apply to planning grants awarded under this section, with respect to the cost described in subsection (a)(2)(A).

“(2) IMPLEMENTATION GRANTS.—The provisions of section 176B(h)(2) shall apply to implementation grants awarded under this section, with respect to the cost described in subsection (a)(2)(B).

**“SEC. 176D. EVALUATION AND ADMINISTRATION.**

“(a) PERFORMANCE MEASURES.—

“(1) ESTABLISHMENT.—The Secretary shall establish performance measures for purposes of annual reviews under subsection (b).

“(2) COMPONENTS.—The performance measures for the eligible entities shall consist of—

“(A) the indicators of performance described in paragraph (3); and

“(B) an adjusted level of performance for each indicator described in subparagraph (A).

“(3) INDICATORS OF PERFORMANCE.—

“(A) IN GENERAL.—The indicators of performance shall consist of—

“(i) the percentage of youth employment program participants who are in education or training activities, or in employment, during the second quarter after exit from the program;

“(ii) the percentage of youth employment program participants who are in education or training activities, or in employment, during the fourth quarter after exit from the program;

“(iii) the percentage of youth employment program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to subparagraph (B)), during participation in or within 1 year after exit from the program; and

“(iv) the percentage of youth employment program participants who, during a program year, are in a youth employment program that includes an education or training program that leads to an outcome specified by the Secretary, which may include—

“(I) obtaining a recognized postsecondary credential or employment; or

“(II) achieving measurable skill gains toward such a credential or employment.

“(B) INDICATOR RELATING TO CREDENTIAL.—For purposes of subparagraph (A)(iii), youth employment program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such subparagraph only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in a youth employment program that includes an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

“(4) LEVELS OF PERFORMANCE.—

“(A) IN GENERAL.—For each eligible entity, there shall be established, in accordance with this paragraph, levels of performance for each of the corresponding indicators of performance described in paragraph (3).

“(B) IDENTIFICATION IN APPLICATION.—Each eligible entity shall identify, in the application submitted under subsection (d) of section 176B or 176C, expected levels of performance for each of those indicators of performance for each program year covered by the application.

“(C) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The eligible entity shall reach agreement with the Secretary on levels of performance for each of those indicators of performance for each such program year. The levels agreed to shall be considered to be the adjusted levels of performance for

the eligible entity for such program years and shall be incorporated into the application prior to the approval of such application.

“(b) ANNUAL REVIEW.—The Secretary shall carry out an annual review of each eligible entity receiving a grant under this subtitle. In conducting the review, the Secretary shall review the performance of the entity on the performance measures under this section and determine if the entity has used any practices that shall be considered best practices for purposes of this subtitle.

“(c) REPORT TO CONGRESS.—

“(1) PREPARATION.—The Secretary shall prepare a report on the grant programs established by this subtitle, which report shall include a description of—

“(A) the eligible entities receiving funding under this subtitle;

“(B) the activities carried out by the eligible entities;

“(C) how the eligible entities were selected to receive funding under this subtitle; and

“(D) an assessment of the results achieved by the grant programs including findings from the annual reviews conducted under subsection (b).

“(2) SUBMISSION.—Not later than 3 years after the date of enactment of the Creating Pathways for Youth Employment Act, and annually thereafter, the Secretary shall submit a report described in paragraph (1) to the appropriate committees of Congress.

“(d) APPLICATION TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary may issue regulations that clarify the application of all the provisions of this subtitle to Indian tribes and tribal organizations.

**“SEC. 176E. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated—

“(1) to carry out section 176B, \$300,000,000 for each of fiscal years 2018 through 2022; and

“(2) to carry out section 176C, \$400,000,000 for each of fiscal years 2018 through 2022.”.

**SEC. 3. CONFORMING AMENDMENTS.**

(a) REFERENCES.—

(1) Section 121(b)(1)(C)(ii)(II) of the Workforce Investment and Opportunity Act (29 U.S.C. 3152(b)(1)(C)(ii)(II)) is amended by striking “subtitles C through E” and inserting “subtitles C through F”.

(2) Section 503(b) of such Act (29 U.S.C. 3343(b)) is amended by inserting before the period the following: “(as such subtitles were in effect on the day before the date of enactment of this Act)”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of such Act is amended by striking the item relating to the subtitle heading for subtitle E of title I and inserting the following:

“Subtitle E—Youth Employment Opportunities

“Sec. 176. Definitions.

“Sec. 176A. Allocation of funds.

“Sec. 176B. Summer employment competitive grant program.

“Sec. 176C. Year-round employment competitive grant program.

“Sec. 176D. Evaluation and administration.

“Sec. 176E. Authorization of appropriations.”.

By Mr. MERKLEY (for himself,  
Mr. SANDERS, Mr. MARKEY, and  
Mr. BOOKER):

S. 987. A bill to transition away from fossil fuel sources of energy to 100 percent clean and renewable energy by 2050, and for other purposes; to the Committee on Finance.

Mr. MERKLEY. Mr. President, today I rise to address the important urgency of addressing climate change. Across

the country, we are seeing the impacts of the warmer climate, and it is having devastating consequences on our forests, on our farming, on our fishing, and on our urban populations.

Years ago, people talked about what we might see if we continued to burn fossil fuels and continued to put carbon dioxide into the air, but no longer do we have to talk about what we might see, because it is here. The facts are on the ground right now.

We can look at my home State of Oregon. In Oregon, we have the challenge of forest fire seasons that are longer by several months than they were just decades ago. We have the challenge of warmer winters, resulting in pine beetles doing more damage to our trees. The fact that we have lower snowpacks in the Cascade Mountains means warmer trout streams and less water for irrigation. We have had the worst-ever droughts in the Klamath Basin in the past 15 years. Over on the coast, we have a big impact on oysters. Because we have burned so much in fossil fuels to create so much carbon dioxide that has been absorbed by the oceans and turned into carbonic acid, the oceans have acidified. They are 30 percent more acidic than they were 150 years ago, meaning our oysters are having trouble reaching out and pulling the molecules out of the water to form a shell. In fact, it takes so much energy to do so that they are dying.

That is what is happening. That is just in Oregon. We can look across the United States and see impact after impact.

If we were in Minnesota, we could talk about the tick populations that are killing the moose because it is not cold enough in the winter to kill the ticks. If we are in Maine, we can talk about the fact that the lobsters are migrating to Canada because that is where the colder waters can be found. If we are in Florida, we can talk about sunny day floods, because the ocean levels have risen and the ocean water—the saltwater—is contaminating the freshwater that cities depend on. If we are up the Atlantic coast, we can talk about Hurricane Sandy and how its devastating power was enhanced by an ocean that is much warmer than it was decades ago. If we are in Texas, we can talk about the spread of mosquitoes that carry the Zika virus affecting folks. So the list goes on and on. But it is not just in the United States of America. It is on the entire planet.

As we are talking about oysters on the west coast of the United States, across the globe folks are talking about coral reefs. The Great Barrier Reef has virtually died over the last few years. Scientists say 80 percent of the Great Barrier Reef off Australia has died in the last 3 years. If we are looking at the mountainous regions of the world, you can trace the flow of glaciers and find that across the globe glaciers have diminished by an enormous amount. Some say that if you

want to see a glacier in Glacier National Park, you better get there soon. That is just in the United States.

If we turn north to the upper reaches of Canada and the permafrost, you can visit what are called the drunken forests, because the permafrost is melting and the trees are starting to lean in every which direction. If you turn to Alaska, you are finding that Native populations are having to relocate because of changing circumstances of a warmer Alaska.

Go to the Arctic Ocean and what you see is a massive amount of missing ice, and, because that ice is missing, the ocean is absorbing more energy from the sun, and it is creating a feedback loop that is having further devastating consequences. And so the list goes on and on.

It is not just time to address climate change boldly. It is time to address it aggressively. It is time for 100 by 50. What that means is 100 percent clean and renewable energy to power the economy by the year 2050 and the steps to get there in between and to have 50 percent of our energy clean and renewable by the year 2030. That is not far away. That is just 13 years away, and for 2050, add another 20 years.

We have to act quickly because right now human civilization is failing the test. Our responsibility is to stop burning fossil fuels and to stop putting carbon dioxide into the atmosphere. That is why we have to rapidly transition from an energy economy based on fossil fuels to one based on clean and renewable energy.

Why do I say we are failing the test at the moment? We are failing the test because if you look at the flow of carbon dioxide into the atmosphere from human civilization, the rate of carbon dioxide pollution has not leveled out. In fact, the speed of pollution and the amount of pollution per year is increasing. So we have a tremendous challenge ahead of us. We have to take and not only reduce the amount but reduce it enormously in a short period of time.

Now some say this vision is too bold. Some say this vision is too difficult, that it is too hard. It makes me think of President Kennedy's call. He said decades ago:

We choose to go to the moon in this decade and do other things, not because they are easy, but because they are hard. Because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win.

I tell you today that we must, as a Nation, be willing to accept the challenge of transforming our energy economy. We must be unwilling to postpone tackling this challenge of transforming our energy economy, and this challenge is one where we must be committed to winning. It is not just time. It is way past time.

I came to the Senate floor last September to lay out the concept of 100 by 50—100 percent clean, renewable energy by 2050. I come today to the Senate

floor to say that today a group of Senators are introducing a bill to lay out a roadmap to get there.

Just as President Kennedy laid out the vision of putting an American on the moon, NASA went to work and laid out a plan on how we would get there. They didn't know at first how it would be done. They hadn't proceeded to invent the staged rocket that would enable someone to escape the gravity of Earth in a fashion to get us to the moon. They didn't know how to create a lunar landing operation to put people safely on the planet surface. They weren't even sure of the composition of the surface of the moon, but they figured it out. They put forward a draft. They reworked that draft.

Today we are putting forth a roadmap. I thank my colleagues who are standing with me today to be the original cosponsors: Senator BERNIE SANDERS of Vermont, Senator ED MARKEY of Massachusetts, and Senator CORY BOOKER of New Jersey. I know other colleagues will join us as time progresses, but it is important not to wait until we have, if you will, a large population to begin the conversation—a large set of sponsors to begin the conversation of laying out a roadmap. It is important to lay it out now. It is important to lay it out now because it is a statement of values. It is important to lay it out now so that there is a vision that can be discussed—a detailed vision of how to take on different sectors of the energy economy that can be discussed and debated.

So we are focused not on whether to get to 100 by 50, but on how we are going to get to 100 by 50. I invite and encourage that debate because each of us can envision a roadmap that is slightly different. So let's have that conversation, but let's not forget the importance of getting to this destination—100 percent clean, renewable energy—and getting thereby the year 2050.

Yes, it is audacious when you think about how we use energy today, to think about how we can transform it in just a few decades, but we have many of the tools we need right now. With focused research and development, we can add the other tools that we need.

Let us not fail to accept this challenge, because our planet is crying out in anguish. In addition to the facts on the ground that I have been mentioning, we can simply take the temperature of the planet. Month after month after month, year after year, in the past 2 years we have been setting new records for having the hottest month—not the hottest month in Washington, DC, not the hottest month in the United States of America but the hottest March in the history of the planet, the hottest April since we have been measuring the temperature of the planet—May, June, and so on and so forth.

So the time for conversing about whether we have a problem is over. Now is the time to say how we will achieve this vision.

One important element of achieving this vision is greening the grid. That means that we need to phase out electricity that is generated by fossil fuels. We need to invest in clean and renewable energy that puts green electrons in the grid instead, and we need to advance and develop the deployment of technologies that contribute to this, including high-voltage transmission lines that will move energy between different parts of the United States. We certainly need to develop the ability to store electricity and to use automated demand management and automated supply management so we can match the supply of green energy to the demand at different times of the day or just the demand of different times of the day to make renewable energy fit to the operation of the economy.

Now, we have some specific powerful gifts in this effort. One is that we have a dramatically declining cost of solar energy. A second is that we have a dramatically declining cost in wind energy. A third is that we have a dramatically declining cost of battery storage. This isn't an accident. This has happened because of the innovation economy where these ideas were developed and promoted and researched and advanced right here in the United States of America. But it really helps change the conversation. There have been many who are deeply invested in the fossil fuel world who would like to say that advancing to a clean and renewable energy economy will hurt the economy. But now we are coming to the point that it is less expensive to generate renewable energy than to generate fossil fuel energy. The fact is that we can create a tremendous number of jobs as we rebuild this energy economy.

If we turn specifically to the issue of a Federal emissions vehicle standard—because that is one of the pieces of this puzzle—it means that we have to make national investments in electrical recharging stations along our roads and highways to support these vehicles. There are already half a million plug-in electric vehicles on our roads today, and these vehicles—these cars—are becoming cheaper as the numbers continue to grow.

One of the factors that is enabling the car to become cheaper is the dropping cost of lithium in the batteries that power them. They are getting smaller, lighter, and cheaper. So in the same space you can put more energy with less weight to drive cars further. Since 2008, the cost of these batteries per kilowatt hour has fallen fourfold. They will continuously grow. Having more of these cars on our roads and our highways as the costs keep falling, it is vital that we have an infrastructure in place to support them.

We need to ensure that everyone is part of this clean and renewable energy resolution, including low-income and disadvantaged communities. We addressed that in the 100 by 50 legislation. To do this, we established grants

to bring affordable clean energy and energy efficiency to individuals' homes and communities. We invest in zero emission public transportation that is affordable and accessible. We also want to ensure that no workers are left behind in this transformation, especially the workers in the fossil fuel industry. That is why we need to provide a just transition for those workers and job training programs. We need to have a strategy to ensure that there are opportunities to move from jobs in the fossil fuel world to positions in the clean and renewable energy industry. Those industries are, in fact, booming, with jobs in solar and wind growing 12 times faster than the rest of the U.S. economy. Already, the number of clean and renewable industry jobs has surpassed those in the fossil fuel industry by a margin of 5 to 1.

We want to enable everyone to have the skills they need to succeed in these emerging industries, but to move to this future, we must come to a point at which we stop investing in new fossil fuel infrastructure. We cannot proceed to make this pivot quickly to a cleaner, brighter, renewable future if we continue to tie ourselves and our government to a fossil fuel-powered past. To achieve this clean break, the 100 by 50 Act ends future fossil fuel investments at the Federal level. That would affect projects similar to the Keystone XL Pipeline and the Dakota Access Pipeline, and we would end the tax subsidies for the fossil fuel industry.

This burning of fossil fuels is destroying our planet. We must stop subsidizing the destruction of our planet. This burning of fossil fuels is destroying our forests, which our rural communities depend on. We must stop subsidizing the destruction of our forests. The burning of these fossil fuels is driving droughts, reducing irrigation water, and hurting our farmers. We must quit subsidizing the destruction of agriculture in America. The burning of fossil fuels is also impacting our fishing—from warmer, smaller trout streams to a fishing industry that depends on the critical ecosystem in the ocean. We must stop subsidizing the destruction of our fishing industry.

It is also important to make sure that America remains a leader in the energy economy and leads in the effort to make sure that we do not have a disadvantage with regard to manufacturing in other countries. What that means is that, with regard to countries that are not pursuing this on the same aggressive level, we need to have an effort to drive this transaction. We need to make sure that if there are additional costs, those are offset with a border tax so that we do not encourage the movement of production out of our economy here at home. We have done so with trade policy—in a massively destructive way—to the middle class of America. If we do not make things in America, we will not have a middle class in America, and we need to make sure that we do not do that in the transition of our energy economy.

To fund this plan, we propose a new source of revenue. When I say a “new source of revenue,” that is a little misleading because we are taking a cue from history, specifically World War II, and modeling bonds—climate bonds—on the war bonds that helped fund our fight against totalitarianism—to fund our fight against Germany and the Soviet Union. Auctioning off climate bonds is a way to raise the funds to drive the grants to power this transformation—to accelerate this transformation—and make sure that we do not leave out disadvantaged communities but, rather, bring them fully into this transition. The 100 by 50 Act is ambitious, but the circumstances require no less.

Furthermore, we cannot, simply, propose a Federal Government strategy because we live in the United States of America, where important things are done at many different levels. Here in this Chamber—right now in the U.S. Senate—we do not have a committee chair who is going to say that we need to have committee hearings in order to take on this issue. We do not have a committee chair on the House side who is going to drive this conversation. We do not have a President who understands the damage that is being done to our forests and our fishing and our farming and to our planet and who is going to lead the battle.

We have to turn to the wisdom of the American people. We have to turn to the wisdom of the States and the wisdom of the counties and the wisdom of the cities and the wisdom of individuals across America who are willing to go to the leadership of their mosques or the leadership of their temples or the leadership of their churches, who are willing to go to the leadership of nonprofits that they are a part of, who are willing to go to their city councils or their county commissions, who are willing to go to their State legislators.

They are going to say that we need to have a 100 by 50 resolution for our nonprofits, for our religious organizations, for our cities, for our counties, for our States because we need to own this issue. We Americans at every level need to own this issue. This is an issue that depends upon citizens across the globe taking hold of this in a powerful way that cannot be blocked by the dark money of the fossil fuel industry.

In so doing, by passing that 100 by 50 resolution for the city or the nonprofit or the church or the mosque or the synagogue or the temple, we will also adopt an action plan that involves the specific steps that local organizations are going to take over the next 2 to 3 years. This year, maybe they are going to convert their hot water heaters to electrons rather than burning natural gas. Maybe they are going to sign up for green electrons from their local utilities, which is an option that is offered in many places across America. The following year, maybe they are going to invest in energy-saving retrofits of their buildings. The year after

that, maybe they are going to say that we have to revamp our fleet of vehicles and start using rechargeable vehicles, like the Volt or the Bolt or the LEAF or a whole set of cars that has been appearing in the economy over the last few years. One can charge them up and, thereby, run them off green electrons rather than off fossil fuels.

These are things that can be owned and done. In fact, it is already happening. It is happening with local organizations across this country that are committing themselves to 100 percent clean and renewable energy. More than 25 cities across the country have already adopted this vision—from Madison, WI, to Abita Springs, LA; from San Diego, CA, to Salt Lake City, UT; from Georgetown, TX, to Greensburg, KS—cities that are working toward a 100 percent clean and renewable future. There are 88 major businesses that are getting in on the action as well—Walmart, Johnson & Johnson, Procter & Gamble, Nike, Coca-Cola, General Motors, and Apple. These are only a few of the major companies that have committed to powering themselves with 100 percent clean and renewable energy.

What is driving this move toward clean and renewable energy? It is that Americans everywhere are seeing the effects on the ground. They are calling for action, and community leaders and business leaders are responding. We need to respond here in the U.S. Senate. We should be holding hearings on how to put this plan into action. We should be taking the best ideas from the city actions and the business actions and the nonprofit actions from across the country and from the ideas generated on the right side of the aisle and the left side of the aisle because the destruction we face—the threat we face—is not a blue issue or a red issue; it is a human civilization issue.

America has been a driver of the technology that can transform our economy and also the technology that we can sell to the world. In adopting this vision and in fighting for this vision, America can be a leader with other nations around the world. It has been beyond strange to have other countries lecture us over the last few months to maintain our commitment as a Federal Government to this vision. Other countries are saying: America, you have to be part of the solution. You have benefited enormously from the burning of fossil fuels, perhaps more than any other economy in the world. You have one of the highest per capita footprints for carbon. You must be part of this effort because every country in the world is affected.

More than 40 countries have now adopted the vision of clean and renewable energy, so there is no time for America to step out and not be part of the solution, not be part of the leadership, not be part of the driving force, not benefit from being on the cutting edge of this transformation of the energy economy.



Just as President Kennedy laid out the vision for going to the Moon, Americans from every walk are coming together to lay out the vision for a 100 percent clean and renewable energy economy. They are adopting a framework—a time, a goal—as to where we are going and when we are getting there; 100 by 50 sums it up.

After President Kennedy laid out the vision, America went to work to make it happen, and we landed American citizens on the Moon. Now it is time for all of America to get to work and implement this vision and ensure that we succeed in transforming our energy economy within the next few decades by taking important steps every single year—driving ourselves forward, understanding the urgency, applying the technology, accelerating the implementation—to achieve 100 percent clean and renewable energy by 2050.

If there were an asteroid coming toward the Earth, we would not be talking politics or political advantage. We would all be working together to take it on—destroy it before it destroyed us. We have the equivalent of an asteroid that is coming at the Earth in global warming. The time to play politics has passed. The time to play partisanship has passed. It is time for every citizen and every organization at every level—every chair representing every Senator from every State in the Union—to come together to take on this challenge together.

I call upon my fellow Senators to be part of, perhaps, the most important effort we have to solve the biggest challenge to the health of America and the health of the planet—global warming. Step forward and be part of the effort.

Thank you, Mr. President.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 144—DESIGNATING MAY 1, 2017, AS “NATIONAL PUREBRED DOG DAY”

Mr. TILLIS submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 144

Whereas the human-canine bond predates history and individuals have enjoyed the companionship and assistance of dogs since the dawn of civilization;

Whereas dog ownership has existed in all cultures, races, climates, and economic situations;

Whereas more than 350 dog breeds exist worldwide, and more than 180 breeds are recognized by the American Kennel Club;

Whereas purebred dogs and breeders of purebred dogs have played a crucial role in United States history, dating to colonial times, during which George Washington had a foxhound breeding program, which established the American Foxhound breed;

Whereas responsible breeders of purebred dogs dedicate their lives to improving the health and well-being of dogs and preserving unique breeds of dogs;

Whereas purebred dogs were created to work alongside humans, and provide inestimable service as—

- (1) search and rescue dogs;
- (2) service dogs;
- (3) disease detection dogs;
- (4) police dogs;
- (5) conservation dogs;
- (6) livestock guardians;
- (7) therapy dogs; and
- (8) companions and guardians of families, homes, and property;

Whereas purebred dogs provide unparalleled service to the disabled as guide and service dogs, and are the choice of leading service dog breeding programs because of the heritable intelligence, and desirable and predictable qualities, of purebred dogs;

Whereas purebred military working dogs serve alongside the men and women of the United States Armed Forces in combat and in peacetime;

Whereas breed instinct enables purebred dogs to readily serve as—

- (1) avalanche dogs;
- (2) trackers and trailers;
- (3) herders;
- (4) controllers of vermin;
- (5) water rescuers;
- (6) carting and sled dogs;
- (7) retrievers;
- (8) protectors;
- (9) hunters; and
- (10) bird dogs;

Whereas the first “National Purebred Dog Day” was established on May 1, 2015;

Whereas millions of individuals, through social media and other avenues, recognize May 1 each year as “National Purebred Dog Day” and desire, on May 1, to expressly recognize the contributions of the purebred dog; and

Whereas individuals value all dogs, regardless of the ancestry of the dogs, and especially cherish a purpose-bred dog and the predictability of each respective breed of purpose-bred dog; Now, therefore, be it

*Resolved*, That the Senate—

(1) designates May 1, 2017, as “National Purebred Dog Day” in celebration of purebred dogs and the many service and companion benefits purebred dogs have and continue to provide to the United States; and

(2) honors the dedicated and responsible breeders who work to preserve and advance their breeds and responsible dog ownership throughout the United States.

SENATE RESOLUTION 145—DESIGNATING APRIL 2017 AS “FINANCIAL LITERACY MONTH”

Mr. REED (for himself, Mr. DONNELLY, Mr. SCOTT, Mr. CARPER, Mr. WICKER, Mr. WHITEHOUSE, Mr. COONS, Mrs. MURRAY, Mr. SCHATZ, Mr. YOUNG, Mr. ROUNDS, Mr. TILLIS, Mr. MANCHIN, Mr. KENNEDY, Mr. PETERS, Mr. CARDIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. DURBIN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 145

Whereas, according to the Federal Deposit Insurance Corporation (referred to in this preamble as the “FDIC”), at least 26.9 percent of households in the United States, or nearly 33,500,000 households with approximately 66,700,000 adults, are unbanked or underbanked and therefore have not had an opportunity to access savings, lending, and other basic financial services;

Whereas, according to the FDIC, approximately 30 percent of banks reported in 2011 that consumers lacked an understanding of the financial products and services banks offered;

Whereas, according to the 2016 Consumer Financial Literacy Survey final report of the National Foundation for Credit Counseling—

(1) approximately 44 percent of adults in the United States gave themselves a grade of “C”, “D”, or “F” on their knowledge of personal finance;

(2) 75 percent of adults in the United States acknowledged that they could benefit from additional advice and answers to everyday financial questions from a professional;

(3) 22 percent of adults in the United States, or approximately 51,600,000 individuals, admitted to not paying bills on time;

(4) 1 in 3 households reported carrying credit card debt from month to month;

(5) only 40 percent of adults in the United States reported keeping close track of their spending, a percentage that held steady since 2007; and

(6) 14 percent of adults in the United States identified not having enough “rainy day” savings for an emergency, and 15 percent of adults in the United States identified not having enough money set aside for retirement, as the most worrisome area of personal finance;

Whereas the 2016 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that 19 percent of workers were “not at all confident” that they had enough money to retire;

Whereas, according to the statistical release of the Board of Governors of the Federal Reserve System for the fourth quarter of 2016 entitled “Financial Accounts of the United States: Flow of Funds, Balance Sheets, and Integrated Macroeconomic Accounts”, outstanding household debt in the United States was \$14,800,000,000 at the end of the fourth quarter of 2016;

Whereas, according to the 2016 Survey of the States: Economic and Personal Finance Education in Our Nation’s Schools, a biennial report by the Council for Economic Education—

(1) only 20 States require students to take an economics course as a high school graduation requirement; and

(2) only 17 States require students to take a personal finance course as a high school graduation requirement, either independently or as part of an economics course;

Whereas, according to the Gallup-HOPE Index, only 52 percent of students in the United States have money in a bank or credit union account;

Whereas expanding access to the safe, mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared—

(1) to manage money, credit, and debt; and

(2) to become responsible workers, heads of household, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth; and

Whereas, in 2003, Congress—

(1) determined that coordinating Federal financial literacy efforts and formulating a national strategy is important; and

(2) in light of that determination, passed the Financial Literacy and Education Improvement Act (20 U.S.C. 9701 et seq.), establishing the Financial Literacy and Education Commission: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2017 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe Financial Literacy Month with appropriate programs and activities.

**SENATE RESOLUTION 146—DESIGNATING APRIL 30, 2017, AS EL DÍA DE LOS NIÑOS—CELEBRATING YOUNG AMERICANS**

Mr. MENENDEZ (for himself, Mr. FLAKE, Ms. CORTEZ MASTO, Mr. CRAPO, Ms. DUCKWORTH, Mr. HEINRICH, Mr. MCCAIN, Mrs. MURRAY, Mr. REED, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 146

Whereas, each year in the United States, El Día de Los Niños—Celebrating Young Americans is recognized on April 30 as a day to affirm and recognize the importance of young children in the United States;

Whereas children represent the hopes and dreams of the people of the United States, and the well-being of children and adolescents is emphasized as a top priority in the United States;

Whereas children and adolescents should be nurtured and invested in to preserve and enhance economic prosperity, democracy, and the spirit of the United States through the free and open exchange of ideas;

Whereas, according to data of the Bureau of the Census, Hispanics are the youngest major racial or ethnic group in the United States, as nearly  $\frac{1}{3}$ , or 17,900,000, of the Hispanic population of the United States is younger than 18 years old, and approximately  $\frac{1}{4}$ , or 14,600,000, of the Hispanic population of the United States are millennials (18 to 33 years old in 2014);

Whereas the United States Hispanic population continues to grow, representing the youngest and largest ethnic minority group in the United States, and is a significant part of the workforce of the United States, comprising future consumers, taxpayers, and voters;

Whereas, as the United States becomes more culturally and ethnically diverse, the people of the United States must strive to bring about cultural understanding and celebrate a tradition that honors all children on April 30, 2017, El Día de Los Niños—Celebrating Young Americans, a day that acknowledges and shares traditions and customs with all people in the United States;

Whereas parents represent the center of teaching family values, morality, life preparation, health, survival, and culture;

Whereas the designation of a day to honor the children and adolescents in the United States will help affirm the significance of family, education, health, and community among the people of the United States;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity to reflect on their futures, to articulate their aspirations, to find comfort and security in the support of their family members, communities, and schools, and to grow to contribute to the United States;

Whereas the National Latino Children’s Institute, which serves as an advocate and a

voice for children, will celebrate its 20th anniversary in 2017, and has partnered with States and cities throughout the United States for the last 19 years, will declare April 30, 2017, as El Día de Los Niños—Celebrating Young Americans, a day to bring communities and Latinos together across the United States to celebrate and uplift children; and

Whereas the people of the United States should be encouraged to celebrate the gifts of children and to help children take their rightful place in the future of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 30, 2017, as El Día de Los Niños—Celebrating Young Americans; and

(2) calls on the people of the United States to join with children, families, communities, churches, cities, and States across the United States to observe the day with appropriate ceremonies, including activities that—

(A) center on children and are free or minimal in cost so as to facilitate full participation of all people;

(B) uplift and help children positively envision a path to their futures by voicing their hopes and dreams;

(C) offer opportunities for children of diverse backgrounds to learn about the cultures of one another and to share ideas;

(D) include family members, especially extended and elderly family members, so as to promote understanding and communication between generations within families and to enable young people to respect and benefit from the experiences of, and learn from, their family elders;

(E) enable diverse communities to build relationships; and

(F) provide children with the long-term support the children need to learn, develop, and become confident young adults who are ready and eager to contribute to the United States, a country the children believe in.

**SENATE RESOLUTION 147—COMMEMORATING THE 25TH ANNIVERSARY OF THE 1992 LOS ANGELES CIVIL UNREST**

Mrs. FEINSTEIN (for herself and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 147

Whereas Saturday, April 29, 2017, marks the 25th anniversary of the 1992 Los Angeles civil unrest;

Whereas the 1992 Los Angeles civil unrest is also referred to as the 1992 Los Angeles riots, the South Central riots, the Rodney King riots, the Los Angeles uprising, the 1992 Los Angeles civil disturbance, and “Sa-I-Gu”, which means April 29 in Korean;

Whereas the 1992 Los Angeles civil unrest began in South Central Los Angeles, California, following the acquittal of 4 Los Angeles Police Department officers who were charged with using excessive force against an African-American taxi driver named Rodney King;

Whereas the acquittal immediately resulted in the formation of large crowds and a public outcry over concerns of racial injustice and police brutality, which soon led to civil unrest at the intersection of Florence Avenue and Normandie Avenue in Los Angeles and continued throughout Los Angeles;

Whereas, during the 1992 Los Angeles civil unrest, more than 60 individuals lost their lives amid the looting and fires, more than 2,000 individuals suffered injuries, and more than 11,000 individuals were arrested;

Whereas more than \$1,000,000,000 of property damage was incurred during the 1992 Los Angeles civil unrest, with approximately 3,600 fires set and destruction to over 1,100 buildings throughout Los Angeles;

Whereas the 1992 Los Angeles civil unrest continued for a total of 6 days, during which the unrest spread through multiple neighborhoods, including Koreatown, Inglewood, Hawthorne, Lynwood, Compton, and Long Beach;

Whereas the 1992 Los Angeles civil unrest ended following the deployment of thousands of United States Armed Forces personnel;

Whereas, on May 2, 1992, an estimated 30,000 individuals gathered in a peace march in Koreatown during the 1992 Los Angeles civil unrest, calling for healing and supporting merchants in Koreatown whose businesses were decimated; and

Whereas, on April 29, 2017, local leaders, business owners, and individuals in the African-American, Latino, and Korean-American communities will join together to remember the lives lost during the 1992 Los Angeles civil unrest and to discuss continued work to promote unity in Los Angeles: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and offers condolences to all who lost their lives, suffered injuries, and suffered losses to their businesses and property during the 1992 Los Angeles civil unrest;

(2) recognizes and commends the communities throughout Los Angeles for the work done to bring different constituencies together to recover and rebuild Los Angeles, improve police oversight, and continue the momentum for change gained in the ensuing months and years following the 1992 Los Angeles civil unrest; and

(3) expresses hope that the memory of the 1992 Los Angeles civil unrest will promote greater dialogue, civility, and unity among all of the communities throughout Los Angeles.

Mrs. FEINSTEIN. Mr. President, I wish to introduce a Senate resolution to commemorate the 25th Anniversary of the 1992 Los Angeles civil unrest.

On March 3, 1991, an African American named Rodney King was driving on a Los Angeles interstate when officers attempted to pull him over for allegedly speeding. By the time he pulled over and exited his car following a high-speed chase spanning 8 miles, there were multiple LA police department units on the scene.

King was tasered two times, and camcorder video footage recorded by a civilian witness—George Holliday—from his nearby apartment balcony depicted the brutal beating of King by four officers who surrounded him. The officers struck King repeatedly until he was bloodied and disfigured with a fractured cheekbone, 11 broken bones at the base of the skull, and a broken ankle. The video footage shows King being struck by batons over 50 times,

Holliday’s video was sent to news outlets and aired around the world. It shook the Nation and raised outcries about excessive force by police officers. But even before the videotape had become public, community leaders in Los Angeles had highlighted on numerous occasions the use of excessive force by LAPD officers.

In fact, in the immediate aftermath of the Rodney King beating, then-Los Angeles Mayor Tom Bradley formed

the Christopher Commission to thoroughly examine thousands of excessive force complaints made against LAPD officers in the late 1980s. So when—a year later on April 29, 1992—the four LAPD officers caught on tape were acquitted after standing trial for using excessive force against Rodney King, the entire Nation was in shock. The verdict appeared completely incompatible with the brutal videotape footage that flooded our TV screens at the time.

When the verdict became public, hundreds gathered at the Los Angeles County Courthouse to protest, and a national debate immediately began over racial injustice and excessive use of force by police against racial minorities. Shortly thereafter, at the intersection of Florence and Normandie in South Central Los Angeles, the public's frustration boiled over and violence erupted, setting off a flash point that the police simply could not quell. Looting, vandalism, and physical attacks became rampant, and I will never forget the image of Reginald Denny being dragged out of his semi-trailer truck to be severely beaten in the middle of the street.

From then on, the unrest overtook the city, including neighborhoods like Koreatown, Hawthorne, Compton and Long Beach. The city, quite literally, was on fire. For 6 days, the city was in a state of emergency.

All told, there were more than 60 individuals who lost their lives amid the looting and fires, and thousands of individuals were injured or arrested, while countless more lost their businesses and places of employment. Over 3,600 fires were set and over 1,100 buildings in Los Angeles were damaged or destroyed.

Images of the smoke clouds over the city evoked the devastation felt by so many Angelenos. The 1992 Los Angeles civil unrest was felt so deeply and so personally by so many communities throughout the city.

The African American community decried not only the verdict returned against Rodney King but also mourned the death of high-schooler Latasha Harlins and so many other victims of violence and excessive use of force. The civil unrest was symptomatic of the deep frustrations felt by the African-American community against a criminal justice system that continually failed to protect them.

Similarly, the 1992 Los Angeles civil unrest was sharply felt by the Latino community in Los Angeles.

According to one report following the unrest, one-third of those killed and half of those arrested were Latino, and countless Latino businesses were looted or destroyed.

The Korean-American community in Los Angeles was also deeply impacted, referring to the unrest as “Sa-I-Gu,” to commemorate the date “April 29” in Korean to mark it as a significant date in Korean history. Amidst the torched and decimated businesses, 35 to 40 per-

cent of the property damage was suffered by those businesses owned by Korean-Americans—with estimates of up to 1,600 Korean-American-owned stores completely destroyed.

There is no question that those fateful 6 days have impacted generations of Angelenos. We must resolve to never forget the 1992 Los Angeles civil unrest and what emerged from those fires.

We must offer our condolences for the families who lost their loved ones or who bear the scars, both mental and physical, from that time and commend those who have worked so hard to come together to heal community rifts, rebuild a stronger Los Angeles, and continue to promote ongoing dialogue, civility, and unity among all communities.

That is the purpose of this resolution we are introducing today.

I want to thank Senator HARRIS for working with me on the resolution to commemorate the 25th Anniversary of this historic event in California.

I yield the Floor.

**SENATE CONCURRENT RESOLUTION 14—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA I**

Ms. HIRONO (for herself and Mr. SCHATZ) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 14

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA I**

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on June 11, 2017 for an event to celebrate the birthday of King Kamehameha I.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. BLUNT. Mr. President, I have 7 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 Thursday, April 27, 2017, at 9:30 a.m.

**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 Thursday, April 27, 2017, at 10 a.m. to conduct a hearing entitled “Countering Russia: Further Assessing Options for Sanctions.”

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Thursday, April 27, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Thursday, April 27, 2017, at 10 a.m. in SD-419.

**COMMITTEE ON AGING**

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, April 27, 2017, in room 430 of the Dirksen Senate Office Building beginning at 9:45 a.m.

**COMMITTEE ON INTELLIGENCE**

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, April 27, 2017 from 2 p.m., in room SH-219 of the Senate Hart Office Building.

**SUBCOMMITTEE ON CYBERSECURITY**

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, April 27, 2017, at 2:30 p.m.

**ORDERS FOR FRIDAY, APRIL 28, 2017**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Friday, April 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

**ORDER FOR ADJOURNMENT**

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator SULLIVAN.

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

The Senator from Alaska.

**TRIBUTE TO MADISON ENGLUND AND JENNIFER TROUTMAN**

Mr. SULLIVAN. Mr. President, every week I have been coming down to the

floor for months now to recognize someone in my State who has made a difference, someone who has devoted time and energy to making Alaska a better place to live for the community and for others. We call these individuals our Alaskan of the week. It covers Alaskans from all over the State.

As I have said repeatedly in every one of my "Alaskan of the Week" speeches, I believe Alaska is the most beautiful State in the country—I would argue, in the world. I urge everybody in the room—the pages, the Presiding Officer, and the folks watching on TV—to come see for yourself. It will be a trip of a lifetime, I guarantee it. But it is the people who truly make Alaska unique, people who are helping each other, people who face tough odds and conquer them, strong-willed, warm-hearted, tenacious people who have carved generous lives and sometimes in very extreme conditions.

Today, our Alaskan of the week is going to be a twofer. We are going to do two today. So I would like to recognize two Alaskans, Madison Englund of Fairbanks and Jennifer Troutman of Anchorage, as our Alaskans of the week. These are two special athletes who have made all of us in Alaska very proud.

Last month, Madison and Jennifer returned to Alaska with a slew of medals from the 2017 Special Olympics World Winter Games in Austria. First, these young women did everything in their power, including training their hearts out, to qualify for these world Olympic games, and when they got there, they excelled. Madison won a Gold Medal in the advanced super-G snowboard race and added a Silver Medal in the advanced giant slalom. Jennifer claimed a Silver Medal in Monday's advanced super-G ski race, as well.

Jennifer has been an athlete with Special Olympics for 11 years. During her freshman year of high school, she participated in bowling, track and field, and floor hockey through the Partners Club. During her junior year, she found a passion for skiing and has been excelling on the slopes ever since, as you can see from these incredible medals from the Special Olympics. She also works at Petco during her free time.

Madison has been part of Special Olympics for 7 years. Aside from sports, she enjoys other hobbies, to include playing the cello, camping, fishing, and caring for animals. She is proud of her dogs, and she has three of them. She also loves to make jewelry. She said it is her favorite hobby. In addition to all this, she has also won the Good Citizens Award from the Daughters of the American Revolution.

Since its founding nearly 50 years ago and subsequent growth to all corners of the globe, the Special Olympics has brought hope and joy and self-esteem to countless children and adults with intellectual disabilities and, of course, to their families and friends

and their supporters like me. Special Olympics has shown what can happen when a group of people get together and sweat it out and work hard in the name of fair competition, camaraderie, and perseverance. These Special Olympians—all Special Olympians, really—make us in Alaska proud.

I want to thank Jim Balamaci, who has been the Special Olympics Alaska head for many years, and his whole team for giving so many Alaskans the opportunity to get out to the field or the slopes and experience the fulfillment of sports for all.

In Alaska, we love our Special Olympics athletes. They are an inspiration to all of us, whether it is when they are competing or even participating in the Polar Plunge in the icy waters of Alaska every winter to raise money for Special Olympics.

Congratulations again to Jennifer and Madison on your hard work and incredible achievements and representing Alaska so well. Congratulations. You have earned it, being our Alaskans of the week.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

#### AUTHORIZING USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 14, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 14) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to 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 concurrent resolution (S. Con. Res. 14) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

#### AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 35, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 35) authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to 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 concurrent resolution (H. Con. Res. 35) was agreed to.

#### AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 36, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 36) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to 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 concurrent resolution (H. Con. Res. 36) was agreed to.

#### SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 127.

The PRESIDING OFFICER. Without objection it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 127) supporting the goals and ideals of Take Our Daughters And Sons To Work Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 127) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 7, 2017, under "Submitted Resolutions.")

**CONGRATULATING THE ASHLAND UNIVERSITY WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP**

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 132.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 132) congratulating the Ashland University women's basketball team for winning the 2017 National Collegiate Athletic Association division II championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 132) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 7, 2017, under "Submitted Resolutions.")

**FINANCIAL LITERACY MONTH**

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 145, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 145) designating April 2017 as "Financial Literacy Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 145) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**EL DÍA DE LOS NIÑOS—  
CELEBRATING YOUNG AMERICANS**

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 146, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 146) designating April 30, 2017, as El Día de Los Niños—Celebrating Young Americans.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 146) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: the Honorable CORY GARDNER of Colorado.

**ADJOURNMENT UNTIL 11 A.M.  
TOMORROW**

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Friday, April 28, 2017, at 11 a.m.

**CONFIRMATION**

Executive nomination confirmed by the Senate April 27, 2017:

DEPARTMENT OF LABOR

R. ALEXANDER ACOSTA, OF FLORIDA, TO BE SECRETARY OF LABOR.