

Subcommittee on Seapower and Projection Forces, so this is driving a lot of decisions about building submarines and surface ships and stronger munitions because of what is happening in the South China Sea.

It is also going to be driving the outcomes of what is happening with resurgent Russia. Putin is not kidding around in terms of what he is doing in the Arctic Circle or in the North Atlantic. General Breedlove made that very clear. We are playing, right now, zone defense in terms of what is happening in that region of the world.

It is time for the Congress to listen, if nothing else, to our military leadership and recognize the international Law of the Sea Treaty, which 166 nations in the world have ratified. It is time for the U.S. to get in the game, get off the bleachers, and be able to set those rules because it is going to determine, for decades to come, decisions that this body is going to be stuck with if we are not part of that process.

Again, our military leadership, the Chairman of the Joint Chiefs of Staff, our CNO of the Navy, the head of the Coast Guard, they have all been very clear and public about the fact that it is time for this Nation to get into the game and endorse the international Law of the Sea Treaty.

I am very pleased that Congressman YOUNG is joining me in this effort. I urge all Members to support this resolution which will be filed this morning.

RESTORING AMERICA'S GIANTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, today I rise to talk about a blight that nearly rendered the American chestnut extinct and recognize a teacher in Alexander County, North Carolina, who is helping to lead in the rebirth of these great trees.

The American chestnut was once the dominant hardwood species in the Eastern United States. Prior to the European colonization of North America, American chestnut trees were found in vast stands from Maine to Florida, with the largest trees occurring in the southern Appalachians.

When early European settlers arrived, the species was used in many different ways, including providing timber and tools. The edible nut was also a significant contributor to the rural economy. Families would collect the nuts to sell and eat, and they were also used as feed for livestock. Domesticated hogs and cattle were often fattened for market by allowing the animals to gorge themselves on these highly nutritious nuts.

Chestnut ripening coincided with the Thanksgiving and Christmas holidays, and turn-of-the-century newspaper clippings show traincars rolling into major cities that were overflowing with chestnuts to be sold fresh or

roasted. The American chestnut was truly a heritage tree.

However, the booming trade industry introduced fungal diseases that would change the species composition of eastern North American forests. A root rot disease, thought to have caused mortality of chestnuts in low, moist areas infested southern populations of the American chestnut and constricted its natural range. This fungal disease was followed by the more commonly known chestnut blight, which spread throughout eastern hardwood forests at a rate of up to 50 miles per year.

By the 1950s, virtually all mature American chestnut trees had succumbed to the disease, and this catastrophe became known as one of the worst ecological disasters in the United States. The American chestnut has been relegated to a minor understory component, existing as sprouts from old stumps and root systems.

Today modern techniques are being used to bring the species back from near extinction, but the success of these efforts will be the result of decades of genetic hybridization. The American Chestnut Foundation has embarked on an elaborate and time-consuming breeding program to develop a tree that can withstand blight and exhibit virtually every characteristic of the American chestnut of the past. By backcrossing the American chestnut with the blight-resistant Chinese chestnut, the foundation has produced the Restoration chestnut.

Last December The American Chestnut Foundation planted four Restoration chestnuts on the campus of Alexander Central High School in Taylorsville. Becky Dupuis, a biotech and biology teacher with Alexander County Schools, has partnered with the foundation to gather information about the health, diversity, and blight resistance of these trees. Her students will actively participate in collecting data, documenting growth rates, and transplanting American chestnut sprouts in Alexander County.

Ms. Dupuis should be commended for raising awareness about the American chestnut and for her work to reintroduce these giants to their rightful place in Alexander County and America's ecosystem.

SUPREME COURT VACANCIES IN ELECTION YEARS

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

Mr. HIMES. Mr. Speaker, as you know, it has been the custom of the last couple of Congresses to open the Congress with a reading of the entire United States Constitution. I have generally not participated in that because I am not all that comfortable with public displays of piety, and I am a big believer in the notion that what really matters is what you do, not what you say.

Never has the spread between what we say and what we do been quite as

wide as it is when we consider the approach that my friends on the Republican side have taken with respect to the absolutely essential constitutional duty of appointing a Supreme Court Justice.

So I am going to break with my past pattern and read briefly from the Constitution, Article II, section 2, which reads:

“He shall have power”—that is referring to the President—“by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint Ambassadors, other public ministers and consuls, Judges of the Supreme Court.”

And there it ends. He shall appoint Justices of the Supreme Court. There it ends.

There is nothing there about he won't do that in an election year. There is nothing there saying that if there is not enough time, he won't exercise his constitutional authority. There is nothing there that, maybe because then-Senator BIDEN said something 25 years ago, he won't appoint a Supreme Court Justice.

And yet my colleagues on the other side of the Capitol have said they won't even offer the President's nomination the courtesy of a meeting. And let's be very clear. That is a profound abrogation of the constitutional duty that is set out in black and white in the Constitution of the United States.

So let's just spend a minute on the three objections that we are hearing from the Republicans on why the President shouldn't appoint and why they shouldn't even extend the courtesy of a meeting to the President's proposed appointment to the Supreme Court.

First and foremost, they say that it is an election year. The precedent would dictate that the President not nominate in an election year. Well, that is exactly wrong, and you can look it up. These are historical facts. I will just read quickly from SCOTUSblog, which a lot of people look at, in which Amy Howe, the editor, says: “The historical record does not reveal any instances since at least 1900 of the President failing to nominate and/or the Senate failing to confirm a nominee in a Presidential election year because of the impending election.”

The historical record does not reveal any instances. And then it goes on to list those that have occurred:

President William Taft nominated Mahlon Pitney. Woodrow Wilson made two nominations in 1916—Louis Brandeis and John Clarke. President Herbert Hoover nominated Benjamin Cardozo. President Franklin Roosevelt nominated Frank Murphy. President Ronald Reagan, patron saint of my friends on the other side of the aisle, nominated Justice Anthony Kennedy.

So the idea that there is no precedent is exactly wrong.

This brings us to the other argument, the second argument, which is that there is not time. I brought this graphic here to show that, for the last several Presidents, the average approval time was something like 2 months. The current President has some 300 days left in his term.

Take a look at this one: approval time for Justices Alito, Roberts, Breyer, Ginsburg, and Thomas. If you add all of those individual periods of time together, you still don't get the amount of time that the current President has left in his term.

This, of course, brings us to the arguably most laughable argument that we hear lately, which is that some 20-plus years ago, then-Senate Committee on the Judiciary Chairman JOE BIDEN said something along the lines of perhaps then the President shouldn't make an appointment because it was an election year.

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I don't need to point out that, as much as I like and respect the Vice President, his words of 25 years ago do not carry constitutional force or the force of law. We shouldn't spend a lot of time on that argument.

So what is really going on here? If those are the best arguments against even extending the courtesy of a senatorial meeting to the President's nominee, an unprecedented action, what is really going on?

Here is what is really going on. It is a government shutdown. We have seen this before. When the rules we read at the opening of every Congress result in an outcome my friends on the other side of the aisle don't like, they simply shut it down. They did that in October 2013.

Between the days of October 1 and October 16, they shut down the Federal Government, an action that Standard & Poor's estimated cost the U.S. economy \$24 billion, or fully 0.6 percent of our economic growth is gone because the Republicans wouldn't accept the Affordable Care Act.

Look, I get that. They don't like it. But it has been passed in due course in this House, shown to be constitutional by the Supreme Court, and the answer was: No. We don't like it. We are shutting down the government.

Let's not shut down the government over the Supreme Court.

COLOMBIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to bring to the attention of this body the current negotiations taking place in Cuba between the Colombian Government and the FARC, which is a U.S.-designated terrorist organization. That deal is dangerous for Colombia and for our U.S. national security.

Let me explain. As a friend of the Colombian people, I have been a pro-

ponent of widening and strengthening our bilateral ties with Colombia by supporting the United States-Colombia Trade Promotion Agreement. This agreement has helped many companies in my congressional district of south Florida strengthen their trade capabilities with Colombia.

I have also supported Plan Colombia, a collaborative effort alongside the Colombian Armed Forces and security forces aimed at improving the security environment. Plan Colombia enjoys wide bipartisan support, resulting in a significant reduction in the cultivation of coca in years past, record dismantling of labs, and drastically reducing kidnappings, which are an important source of revenue for the FARC.

Despite great advances in the conflict during the Uribe administration prior to President Santos, I have expressed serious misgivings about the negotiation initiated by the Colombian Government with the murderous Castro regime as a supposedly impartial mediator.

Mr. Speaker, the Castro brothers run an impressive communist state, with complete disregard for human rights, due process, and a notorious history of supporting nefarious actors throughout the region.

Using Cuba as a mediator in the negotiation is misguided, at best. It is widely known that the Castro brothers have been great supporters of the terrorist group FARC, have allowed the FARC to use Cuba as a safe haven, and have even trained some FARC terrorists in guerilla warfare tactics.

Yet, despite knowing that the Castro regime has internationally voiced strong support for the FARC, even lending materiel and monetary aid to the rebels, we expect the Castros now to be acting as impartial mediators? Absolutely not, Mr. Speaker.

With the Colombian Government negotiating with the FARC and with Cuba as a mediator that is supposedly impartial, the pending agreement includes no jail time for any of the FARC criminals. These criminals have kidnapped and tortured scores of Colombian citizens and have even held American citizens hostage. No jail time.

According to the agreement, if the FARC members admit to their crimes, they would be put in what is the equivalent of house arrest from 2 to 8 years—8 years is the maximum—and they would not serve any jail time and they will not be extradited to the United States to face any charges they have pending here.

You heard that right, Mr. Speaker. This agreement could include a request to drop any arrest warrant and drop any extradition process from the United States that we have filed to prosecute members of the FARC. This is completely unacceptable, Mr. Speaker.

I am also concerned about provisions in the agreement that would allow members of the FARC to run for political office, as they would likely use the

massive funds that they have from their illegal narcotics trade to finance their campaigns and further undermine what the Colombian people are trying to achieve by having a safe, secure Colombia again.

Evidence has shown that, since the negotiations began with the FARC in Havana, coca cultivation numbers in Colombia have increased. From 2014 and 2015, we have seen an increase of drugs flowing from Colombia. Who do we think is responsible for that? The FARC. Who is making more money from narco-trafficking? The FARC.

What I find most disturbing, Mr. Speaker, was the call by the Colombian Government to remove the FARC, an organization with American blood on its hands, from the U.S. State Department's Foreign Terrorist Organizations List.

Lastly, there are several unanswered questions about the implementation of this misguided deal. How will the FARC disarm? How will they surrender their weapons? What role will the United Nations play as it oversees the implementation of the process? Will the Obama administration continue its pattern of granting concessions and end up releasing FARC leader Simon Trinidad, who is serving time in our prison?

Mr. Speaker, the United States must reexamine this agreement and urge the Colombian Government to address some of these grave concerns. We have a responsibility to our taxpayers to be good stewards of their funds as well as a moral imperative to support and seek justice for the victims of the FARC, not their perpetrators.

AIRCRAFT NOISE

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

Mr. GALLEGRO. Mr. Speaker, on behalf of the people of Phoenix, I rise to demand an end to business as usual at the Federal Aviation Administration.

In 2014, the FAA decided, without any input from civic leaders or members of our community, to implement new flight paths for aircraft from Sky Harbor International Airport. The impact of this decision on local residents was swift and severe. Without warning, our communities were suddenly exposed to constant, deafening aircraft noise.

As they run businesses, raise families, and struggle to sleep at night, Phoenix residents must now contend with the incessant roar of planes passing overhead. Simply put, the new flight paths have deprived the Arizonans I represent of the peace and quiet they enjoyed before the FAA intervened.

Unfortunately, the agency has only exacerbated this difficult situation by overlooking the objections of local residents and ignoring clear direction from Congress to reconsider these routes.