

volunteer networks in the United States, with close to 8,000,000 people of the United States belonging to nearly 25,000 local chapters across the country;

Whereas research has shown that the value of the work of fraternal benefit societies to society is more than \$3,800,000,000 per year, accounting for charitable giving, educational programs, and volunteer activities, as well as important social capital that strengthens the fabric, safety, and quality of life in thousands of local communities in the United States;

Whereas, in 1909, Congress recognized the value of fraternal benefit societies and exempted those organizations from taxation, as later codified in section 501(c)(8) of the Internal Revenue Code of 1986;

Whereas fraternal benefit societies have adapted since 1909 to better serve the evolving needs of their members and the public;

Whereas the efforts of fraternal benefit societies to help people of the United States save money and be financially secure relieves pressure on government safety net programs; and

Whereas Congress recognizes that fraternal benefit societies have served their original purpose for over a century, helping countless individuals, families, and communities through their fraternal member activities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the fraternal benefit society model is a successful private sector economic and social support system that helps meet needs that would otherwise go unmet;

(2) the provision of payment for life, health, accident, or other benefits to the members of fraternal benefit societies in accordance with section 501(c)(8) of the Internal Revenue Code of 1986 is necessary to support the charitable and fraternal activities of the volunteer chapters within the communities of fraternal benefit societies;

(3) fraternal benefit societies have adapted since 1909 to better serve their members and the public; and

(4) the exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of fraternal benefit societies continues to generate significant returns to the United States, and the work of fraternal benefit societies should continue to be promoted.

SENATE CONCURRENT RESOLUTION 8—CLARIFYING ANY POTENTIAL MISUNDERSTANDING AS TO WHETHER ACTIONS TAKEN BY PRESIDENT DONALD J. TRUMP CONSTITUTE A VIOLATION OF THE EMOLUMENTS CLAUSE, AND CALLING ON PRESIDENT TRUMP TO DIVEST HIS INTEREST IN, AND SEVER HIS RELATIONSHIP TO, THE TRUMP ORGANIZATION

Mr. CARDIN (for himself, Mr. LEAHY, Mrs. MCCASKILL, Ms. WARREN, Mr. CARPER, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Mr. MERKLEY, Mr. BENNETT, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, Ms. HARRIS, Ms. CORTEZ MASTO, and Ms. DUCKWORTH) submitted the following concurrent resolution;

which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 8

Whereas article I, section 9, clause 8 of the United States Constitution (commonly known as the “Emoluments Clause”) declares, “No title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”;

Whereas, according to the remarks of Governor Edmund Randolph at the 1787 Constitutional Convention, the Emoluments Clause “was thought proper, in order to exclude corruption and foreign influence, to prohibit any one in office from receiving or holding any emoluments from foreign states”;

Whereas the issue of foreign corruption greatly concerned the Founding Fathers of the United States, such that Alexander Hamilton in *Federalist No. 22* wrote, “In republics, persons elevated from the mass of the community, by the suffrages of their fellow-citizens, to stations of great pre-eminence and power, may find compensations for betraying their trust, which, to any but minds animated and guided by superior virtue, may appear to exceed the proportion of interest they have in the common stock, and to overbalance the obligations of duty. Hence it is that history furnishes us with so many mortifying examples of the prevalence of foreign corruption in republican governments.”;

Whereas the President of the United States is the head of the executive branch of the Federal Government and is expected to have undivided loyalty to the United States, and clearly occupies an “office of profit or trust” within the meaning of article I, section 9, clause 8 of the Constitution, according to the Office of Legal Counsel of the Department of Justice;

Whereas the Office of Legal Counsel of the Department of Justice opined in 2009 that corporations owned or controlled by a foreign government are presumptively foreign states under the Emoluments Clause;

Whereas President Donald J. Trump has a business network, the Trump Organization, that has financial interests around the world and negotiates and concludes transactions with foreign states and entities that are extensions of foreign states;

Whereas the very nature of a “blind trust,” as defined by former White House Ethics Counsels Richard Painter and Norm Eisen in an opinion piece in the *Washington Post* entitled, “Trump’s ‘blind trust’ is neither blind nor trustworthy”, dated November 15, 2016, and the Congressional Research Service report “The Use of Blind Trusts By Federal Officials”, is such that the official will have no control over, will receive no communications about, and will have no knowledge of the identity of the specific assets held in the trust, and that the manager of the trust is independent of the owner;

Whereas on January 11, 2017, President-elect Donald J. Trump and his lawyers held a press conference to announce that he would be placing his assets in a trust and turning over management of the Trump Organization to his two adult sons, Donald Trump Jr. and Eric Trump, and executive Allen Weisselberg; that there will be no communication with President Trump and no new overseas business deals; that an ethics advisor will be appointed to the management team to fully vet any new proposed domestic deals; and that the Trump Organization will donate any profits from any foreign governments that use Trump hotels to the Department of the Treasury;

Whereas this arrangement is not sufficient because of its utter lack of independent accountability and transparency, such that the director of the Office of Government Ethics has stated that “[t]he plan the [President] has announced doesn’t meet the standards that the best of his nominees are meeting and that every president in the last four decades have met”;

Whereas the director of the Office of Government Ethics has characterized the promise to limit President Trump’s direct communication about the Trump Organization as “wholly inadequate” because President Trump would still be well-aware of the specific assets held and could receive communications about and take actions to affect the value of those assets, especially when those running the business are his own children, whom Trump will see often;

Whereas the promise that no new overseas business deals will be agreed to by the Trump Organization fails to explain what constitutes a deal, and whether expansions to existing properties, licensing or permitting fee agreements, or loans from foreign banks like Deutsche Bank AG would qualify as “deals”;

Whereas the promise that the Trump Organization will donate profits from any foreign governments that use Trump hotels does not include Trump golf courses and other properties; does not explain whether the promise covers foreign government officials who register under their own names or third-party vendors hired by foreign governments to do business with the Trump Organization; does not explain whether foreign organizations signing tenant agreements with domestic Trump businesses, such as the Industrial and Commercial Bank of China, which is Trump Tower’s biggest tenant, qualifies; does not define what constitutes “profits”; does not address the fact that revenue received by a failing business still provides value to that business even if there is no net profit; and has no mechanism for the public to verify that the promise is being fulfilled;

Whereas President Trump’s lawyer claimed that “it would be impossible to find an institutional trustee that would be competent to run the Trump Organization” when there are dozens if not hundreds of highly qualified trustees who handle complicated business situations like the disposition of the Trump Organization;

Whereas, at the January 11, 2017, press conference, President-elect Trump’s lawyer implied that the only reason people have raised the Emoluments Clause is over “routine business transactions like paying for hotel rooms” and claimed that “[p]aying for a hotel room is not a gift or a present, and it has nothing to do with an office. It’s not an emolument.”;

Whereas a comprehensive study of the Emoluments Clause written by Richard Painter, Norman Eisen, and Lawrence Tribe, two of whom are former ethics counsels to past Presidents, has concluded that “since emoluments are properly defined as including ‘profit’ from any employment, as well as ‘salary,’ it is clear that even remuneration fairly earned in commerce can qualify”;

Whereas numerous legal and constitutional experts, including several former White House ethics counsels, have also made clear that the arrangement announced on January 11, 2017, in which the President fails to exit the ownership of his businesses through use of a blind trust or equivalent, will leave the President with a personal financial interest in businesses that collect foreign government payments and benefits, which raises both constitutional and public interest concerns;

Whereas Presidents Ronald Reagan, George H. W. Bush, William J. Clinton, and George

W. Bush have set the precedent of using true blind trusts, in which their holdings were liquidated and placed in new investments unknown to them by an independent trustee who managed them free of familial bias;

Whereas the continued intermingling of the business of the Trump Organization and the work of government has the potential to constitute the foreign corruption so feared by the Founding Fathers and to betray the trust of America's citizens;

Whereas, on January 20, 2017, President Trump swore an oath to preserve, protect, and defend the Constitution of the United States, the rights, privileges and limitations of which are defined and guarded by the Federal judiciary of the United States; and

Whereas Congress has an institutional, constitutional obligation to ensure that the President of the United States does not violate the Emoluments Clause of the Constitution, Federal law, or fundamental principles of ethics, and is discharging the obligations of office based on the national interest, not based on personal interest: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) finds the promised actions outlined by President Donald J. Trump at his January 11, 2017, press conference wholly inadequate and insufficient to ensure compliance with the Emoluments Clause of the United States Constitution;

(2) calls upon President Trump to follow the precedent established by prior Presidents and convert his assets to simple, conflict-free holdings, adopt blind trusts managed by an independent trustee with no relationship to Donald J. Trump or his businesses, or take other equivalent measures;

(3) calls upon President Trump not to use the powers or opportunities of his position as President of the United States for any purpose related to the Trump Organization; and

(4) regards, in the absence of express affirmative authorization by Congress, dealings that Donald J. Trump, as President of the United States, may have through his companies with foreign governments or entities owned or controlled by foreign governments as potential violations of the Emoluments Clause.

AUTHORITY FOR COMMITTEES TO MEET

Mr. RUBIO. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate Thursday, March 2, 2017, at 9:30 a.m.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 2, 2017, during the first scheduled vote on the Senate floor, tentatively scheduled for 10 a.m., in S-216, the President's Room of the United States Capitol.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the ses-

sion of the Senate on Thursday, March 2, 2017 at 10:30 a.m., to hold a hearing entitled "Venezuela: Options for U.S. Policy."

SELECT 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, March 2, 2017 at 2 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, INNOVATION AND THE INTERNET

The Committee on Commerce, Science, and Transportation's Communications, Technology, Innovation and the Internet Subcommittee is authorized to hold a meeting during the session of the Senate on Thursday, March 2, 2017, at 9:30 a.m., in room G50 of the Dirksen Senate Office Building, to hold a hearing titled "Exploring the Value of Spectrum to the U.S. Economy."

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 115th Congress: JAMES RISCH of Idaho (Republican Administrative Co-Chairman), THAD COCHRAN of Mississippi (Republican Co-Chairman), LINDSEY GRAHAM of South Carolina (Republican Co-Chairman), MARCO RUBIO of Florida (Republican Co-Chairman), BOB CORKER of Tennessee, JOHN MCCAIN of Arizona, ROY BLUNT of Missouri, JAMES INHOFE of Oklahoma, and BEN SASSE of Nebraska.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, appoints the following Senator as chairman of the Senate Delegation to the British-American Interparliamentary Group Conference during the 115th Congress: the Honorable THAD COCHRAN of Mississippi.

The Chair, on behalf of the Democratic leader, pursuant to the provisions of Public Law 99-93, as amended by Public Law 99-151, appoints the following Senators as members of the United States Senate Caucus on International Narcotics Control: the Honorable DIANNE FEINSTEIN of California, the Honorable SHELDON WHITEHOUSE of Rhode Island, and the Honorable HEIDI HEITKAMP of North Dakota.

READ ACROSS AMERICA DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 79, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 79) designating March 2, 2017, as "Read Across America Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. 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. 79) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

WORLD WILDLIFE DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 80, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 80) designating March 3, 2017, as "World Wildlife Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. 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. 80) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MARCH 6, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, March 6; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.J. Res. 37; further, that the time until 6 p.m. be equally divided in the usual form; finally, that all debate time on H.J. Res. 37 expire at 6 p.m. Monday.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous