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Senate

The Senate met at 10:01 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal and Invisible God, You continue to be our shelter in the time of storms. Thank You for being our Nation's protection.

Give our Senators the wisdom to place their confidence in You, instead of in national power and prestige. Lord, inspire our lawmakers with Your presence. Dispel all fear. May they remember that in the most turbulent and unpredictable of times, You are still in charge of our Nation and world.

Give each of our citizens the ability to know and do Your will. Lord, be in our midst so that we will experience peace even in the midst of a storm.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 27, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1519, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 165, S. 1519, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 3354

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

TAX REFORM

Mr. McCONNELL. Mr. President, later today, I look forward to joining members of the Senate Finance Committee, the House Ways and Means Committee, and other congressional leaders in unveiling a unified framework for fixing our Nation's broken Tax Code. It is an idea that can bring much needed relief to middle-class families and small businesses and help keep more jobs right here in America. It is the result of a lot of hard work and input from Members, committees, staffs, and the administration, to name a few, and I want to thank them again for their continued diligence on behalf of our country.

This framework is focused on supporting American jobs, while making taxes fairer, and on growing families' paychecks. It is a refreshing change from our current outdated Tax Code, which for too long hasn't worked for many Americans.

The current code forces individuals, families, and small businesses to navigate a web of schedules, deductions, and penalties. Rates are too high. Incentives often make little to no sense. Some actually encourage companies to ship American jobs overseas. Moreover, for 8 years under the Obama administration, our economy grew at a sluggish rate—never living up to its real potential. Too many Americans struggled to get ahead, many living paycheck to paycheck. It is time for a significant change in favor of families and jobs.

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



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This is our once-in-a-generation opportunity to fundamentally rethink our Tax Code. We can unleash the economy—promoting growth, attracting jobs, and improving American competitiveness in the global market. Instead of sending jobs overseas, we can modernize our Tax Code to help bring strong investment and good-paying jobs home and keep them here. Through this framework, we can lower taxes for individuals and families, so hard-working Americans are able to keep more of their hard-earned money.

Later this afternoon, President Trump will bring our shared vision of tax reform to the people of Indiana and to Americans more broadly. He will explain his support for putting Americans across the country on a more level playing field, because when they are, they can win.

I thank the President and his team for their efforts to develop the framework. Together, we can continue that work to bring relief and growth to the people of our States, such as the workers, small businesses, and families of Kentucky, and promote economic growth in America.

Using the framework we will release today as a roadmap, the Senate Finance Committee, under Chairman HATCH's leadership, will continue to hold a series of hearings to discuss how to make taxes lower, simpler, and fairer for middle-class families and for small businesses. Like its counterpart in the House, the Ways and Means Committee, the Senate Finance Committee will continue working to provide much needed relief to encourage jobs and investments to come back to the United States. The work of these committees will help build a stronger country.

Many of our Democratic colleagues have voiced support for overhauling our Tax Code. Throughout this process, I hope they will choose to work with us in a serious way.

A fundamental overhaul of our Tax Code is a daunting task. We have a lot of work ahead, but America deserves it—like the hard-working men and women of the middle class saving for retirement and the small businesses trying to expand and grow and the families hoping to send their kids to a good college. These Americans deserve real tax reform. I urge all of my colleagues to join me in working from this framework to deliver for them.

Here is the point: It is time to take more money out of Washington's pockets and put more of it in the pockets of Americans.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TAX REFORM

Mr. SCHUMER. Good morning, Mr. President. First, I would like to talk about taxes.

Today, President Trump and Republican leaders will announce several proposals as part of their tax plan. According to recent reports, that plan will include proposals to repeal the estate tax, lower the rate on passthrough entities, lower the top rate, and actually raise the bottom tax rate. Each of these proposals would result in a massive windfall for the wealthiest Americans and provide almost no relief to middle-class taxpayers who need it most.

It seems that President Trump and Republicans have designed their plan to be cheered in the country clubs and the corporate boardrooms. How does repealing the estate tax help middle-class people?

Only 5,200 of the wealthiest families in America, couples whose estates are worth \$11 million, pay the estate tax. Are there any middle-class families worth \$11 million? Is that the President's definition of the middle class?

The estate tax is skewed to the very wealthiest among us, and they are going to repeal it. This is not going to fly with the American people, let me tell you.

Our Republican colleagues tried to do something the public disliked on healthcare—taking away benefits, reducing healthcare. Now they are trying to do the same thing on taxes, helping the very wealthiest. They are going to be in for a rude awakening because the American people are going to rise up against this. Over 70 percent of Americans are against tax breaks for wealthy Americans and wealthy corporations.

Lowering the rate on passthrough entities would create a huge loophole, allowing very wealthy Americans, such as hedge fund managers, to funnel their income through a business entity in order to avoid the top bracket and pay a much lower rate. So the upper middle-class family making \$100,000 or \$200,000 or \$300,000 can pay 39 percent, but these wealthy hedge fund managers, lawyers, and whoever, through a passthrough, can pay no corporate tax and then a 25-percent rate on the rest of their taxes. Does that help middle-class Americans? Absolutely not. Does it help the wealthiest who have the lawyers to set up these passthrough entities? Absolutely.

By lowering the individual top rate, the top 1 percent, who make above \$490,000 a year, would get a tax break because their rate would be lowered. God bless them. They make a lot of money. Do they need a tax break? I don't think so.

President Trump clearly believes, despite his rhetoric, that the wealthy in this country deserve another tax cut while middle-class families at best get

crumbs. Amazingly, the Trump tax plan will even include a proposal to increase the bottom tax rate—a punch to the gut of working Americans.

The American people should be able to see the principle behind President Trump's tax plan in this one fact. He proposes to cut taxes on the highest income brackets and raise them on the lowest. He raises the bottom rate and cuts the top rate. This is "wealthfare"—"wealthfare"—helping those of great wealth with more tax breaks.

The American people should be able to see the principle behind President Trump's tax plan with little more than an across-the-board tax cut for America's millionaires and billionaires. God bless them. I am glad we have a lot of rich people in America. I don't begrudge them. Many of them have worked very hard to get their money. Some of them get it through an estate; so be it. But the wealthiest among us don't need a tax break. They are doing great.

All of the statistics show that those at the highest end are making more money than ever before and the middle class is flat or sinking. Who needs the break? The Washington Post-ABC poll showed yesterday that more than 70 percent of Americans say our tax system already tends to favor wealth more than the middle class. This bill makes it much worse.

One more thing to watch today is whether the President and his Republicans provide any details about how they intend to pay for these massive cuts. Without these details, I suspect Republicans will turn the age-old trick of promising that economic growth will make up for the entire difference. Some of them call it dynamic scoring, but that name obscures what dynamic scoring really is.

President Trump calls the media outlets fake news. Dynamic scoring is fake math. It is just made-up, fake math to hide another deficit-busting tax cut to benefit the wealthiest Americans.

No less of an authority than James Baker, a conservative Republican and former Republican Treasury Secretary who led the last successful tax reform effort under President Reagan, said:

We must not let tax revenues decline and worsen the deficit. In other words, tax reform must be revenue neutral and should be judged on its own merits.

Let's call it the Baker rule—the Jim Baker rule: Tax reform must be revenue neutral, judged on its own merits, with no dynamic scoring and no fake math.

I am amazed that President Trump, whenever he talks, says he wants to help the middle class, and his plan at best throws crumbs at some middle-class people. Some will get a tax increase, especially those in high-tax States like New York, but his plan benefits the wealthy.

Has the President read this plan? Has he been involved in creating this plan or is it the people around him—many

of them from Wall Street—who came up with this plan, and the President doesn't even know what it does?

I will tell you, if he goes to Indiana today and says that his plan helps the middle class rather than the wealthy, he has it backward. It helps the wealthy far more than it helps the middle class.

HEALTHCARE

Mr. President, yesterday the majority announced it would not be holding a vote this week on the latest healthcare bill, Graham-Cassidy. Every American should breathe a deep sigh of relief.

The majority has vowed to revisit ACA repeal, maybe even with this legislation. But President Trump and our Republican colleagues should have learned from these failures that the American people do not want to cut healthcare. If they try to do it a third time, they will fail again for the simplest reason in politics: The public is against what they want to do.

This administration, which campaigned it is for the people and populist, on healthcare is doing what people don't want and on taxes is doing what people don't want. What is going on?

I remind my Republican colleagues that continuing to threaten repeal is like hanging a giant sword of Damocles above our Nation's healthcare system. It causes great uncertainty in the healthcare market, and it leads insurers to raise premiums on average Americans.

Now, I understand that for political purposes Republicans don't want to ever admit that ACA repeal is off the table. They promised it to the American people for 7 years but deluded them on what it really meant. The average American thought that, if you took ACA off the table, premiums would go down and coverage would go up. The bills the Republicans have proposed do just the opposite, but I understand why they do it. They promised it so often. But those promises have a real human consequence in the form of higher costs for everybody. The responsibility and the blame for the rate hikes, should they occur—and they probably will—will fall squarely on the Republican shoulders. President Trump and the Republicans are in charge. Saying, gee, something in the past caused it, when they failed to correct it, is not going to work.

My Republican friends, you are no longer in the minority. You are running the show. It is your responsibility to help bring premiums down. We want to do that and, in fact, there are good bipartisan sprouts. Senators ALEXANDER and MURRAY are very close to a bipartisan agreement. Now, we hope out of pique or anger that our Republican colleagues will not reject a good bipartisan compromise that helps the American people, put together by the chair of the HELP Committee and the ranking member.

I hope and expect the negotiations to pick up right where they left off be-

cause we Democrats want to work with our Republican colleagues to stabilize the markets and lower premiums for millions of Americans. We hope our Republican colleagues will not just sit back, repeatedly threaten repeal, and watch as millions of Americans pay higher healthcare costs. That will be wrong substantively, and, politically, it will fall right on their shoulders.

So I hope we can have the negotiations pick up between Senators MURRAY and ALEXANDER right where they left off. Each of them said they were close to an agreement before Chairman ALEXANDER was pulled away by Republican leadership.

Insurers are about to set their rates for the next year, and whether we can come together or not could be the difference between a stable market and premiums that are hundreds of dollars more expensive. So for the sake of the American people, for the sake of turning over a new leaf on healthcare, let's work together in a bipartisan way to shore up and improve our Nation's healthcare.

PUERTO RICO AND U.S. VIRGIN ISLANDS RECOVERY EFFORT

Finally, Mr. President, on the crisis in Puerto Rico and the U.S. Virgin Islands, Hurricanes Irma and Maria have left the islands—home to well over 3 million American citizens—hanging on for dear life. You have seen the pictures, and they are devastating. Water, food, diesel, power, cell service, medicine, shelter, security, the basic needs of human survival are limited and running out in Puerto Rico and the Virgin Islands. Diabetic patients who require insulin shots are unable to keep their lifesaving medicine refrigerated. Hospitals still lack power and running water. This was a catastrophe on an epic scale. It may have been one of the worst humanitarian crises within our borders.

Now, the President has a bully pulpit. More importantly, he is in direct control of the vast resources of our Federal Government—the military, the Department of Energy, FEMA, USDA, and much more. He can direct the attention of all Americans to important issues. Previous Presidents have used this platform to focus our attention on disasters that strike our country. Barack Obama did it, George Bush did it, Bill Clinton did it, George H.W. Bush did it, and Ronald Reagan did it. The President can direct resources—boots on the ground and a structure to coordinate it all. But a President needs to act aggressively, comprehensively, and urgently, and some of that has been lacking with this President unfortunately.

A cursory scroll of President Trump's Twitter feed and public comments from the past few weeks does not show him using the power of his office to focus our attention on the crisis in Puerto Rico and the U.S. Virgin Islands. It has been a week since the storm hit and, as I said, his Twitter feed and public comments don't show him using the power

of the office. When he mentions Puerto Rico, President Trump promotes his own administration's efforts and implies that Puerto Rico was partially at fault for the devastation they have been suffering. The response from the administration needs to get a whole lot better fast.

I spoke to the Governor of Puerto Rico yesterday, and he gave me specific items that would provide immediate help. I spoke about them yesterday, and I hope the administration acts on them quickly. But most importantly, we need the administration to send us an emergency and interim aid package to pass, just as we did in the wake of Hurricane Harvey. Puerto Rico and the U.S. Virgin Islands shouldn't have to wait a second longer for aid than any other American State or Territory. We should take up and pass this package here in the Senate before the week is over.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Maine.

Mr. KING. Mr. President, first I want to join the Democratic leader in his comments about the devastation of these hurricanes. This has been truly a malign visitation on our country over the last several weeks. Florida, Texas, the Virgin Islands, and Puerto Rico have really suffered and are suffering. I know that the administration is working hard on this, and I commend them for the efforts that they have made.

I think that now much of our attention is turning to Puerto Rico and the Virgin Islands in order to mitigate what is really a humanitarian disaster. One difference between those islands and Florida and Texas is the fact that they are islands. It is harder to get there. It is harder to get aid there. I understand that just this morning the San Juan airport was open for the first time, and it has opened in a limited way.

So this is clearly a responsibility that we have as Senators, as Members of Congress, and as Americans to reach out to our neighbors in a situation such as this. When a crisis hits, it often calls forth the best of America, and I believe that is happening right now.

OPIOID EPIDEMIC

Mr. President, I want to talk about a different kind of hurricane, a slow-motion hurricane. It is a slow-motion hurricane that is sweeping our entire country, not just the Southeast. It is sweeping through our small towns, our cities, our families, and our schools. It is taking lives on a scale that is unprecedented and almost unthinkable.

I am talking about the hurricane epidemic of opioid abuse and overdose deaths. Many of us this week are watching with rapt attention Ken Burns' magnificent study of the Vietnam war. We are losing more people per year to overdose deaths than were lost in the entire Vietnam war. That is one way to think about the magnitude of this catastrophe that is striking our country. The problem is that it strikes

here and there. It strikes a family here and a family there, a community here and a community there, but it doesn't strike all in one place. So it is not so apparent.

If we were losing a small city in America of 63,000 people once a year, we would be turning ourselves inside out to solve the problem that was causing those deaths, and 63,000 people were killed last year through overdose deaths. It was almost 400 in my State of Maine. That is more than one a day. All indications are that it is increasing—one a day. Now, 63,000 is about 7 people an hour—24 hours a day, 365 days a year—who are succumbing to this plague. That is the right term for it. It is a medieval plague that is afflicting people all over our country.

Lives are lost, families torn apart, and our communities compromised. It is a huge cost. I hesitate to talk about things like dollars when you are also talking about lives, but it is a cost in both ways. Not only are lives being lost and families being torn apart, but the estimates are that it costs our society something over \$400 billion a year in everything from medical costs and criminal justice costs to lost economic and lost productivity in our society and our economy.

But I am here today because all hope is not lost. Contrary to what some people hear—and you hear sometimes that this is hopeless and that there isn't anything we can do about it—there is ample evidence that treatment can work. This is not a death sentence. Opioid abuse is terrible, and from talking to people who have suffered from it, it literally changes your brain, and it becomes almost impossible to escape. But it can be escaped. The reason we know that is that there is data from across the country, but the reason I know that is because of my friends in Maine—Andrew, Matt, and Chris.

These are people whom I know, with whom I have interacted, and with whom I have sat down. Andrew is a guy who is at the University of Southern Maine. He was trapped in the throes of addiction. He went through treatment, and now he is in recovery. Indeed, there are 25 million people in this country who are in recovery, and they will tell you that they will always be in recovery because they can never shake this disease, whether it is alcohol or the really destructive one that we are focusing on right now, which is opioids.

Andrew has made a new life. He is at school. He is at the University of Southern Maine. He has helped form a student-centered community to help people who are in recovery or who are working on getting there.

Matthew is a young man who, in 2009, again was trapped by this horrible scourge. Now he is hoping to go to medical school.

Chris is a guy who sat in my office. He worked in the White House. He was in it up to his neck and above. He had criminal justice problems. He was in

jail. He was convicted. But now he is a member of the Maine State Bar Association. He got himself through school, and he got himself through law school.

There was an important moment that I think all of us should think about when we think about people who are in this situation. When he went to apply to law school, the people at the law school said: Well, we don't know if we can take you because you have this record.

His question, which was brilliant and indicates to me that he is going to be a pretty good lawyer, was this: What was my sentence when I was convicted? The response was 3 years. He said: You are putting me in for life. If you don't let me move forward with my life, you are making that a life sentence, not a 3-year sentence. He was accepted to law school. He graduated, and this year he passed and was accepted in the Maine State Bar Association. He is making a contribution to his community.

Treatment can work. It doesn't always work the first time. Anybody that has been through this, whether it is alcohol or even quitting smoking or anything else, will tell you that it doesn't work the first time necessarily. Sometimes it does, and sometimes it doesn't. Sometimes it will take multiple trips through the recovery and treatment process, but it can work. We know it can work. I have 25 million reasons to tell you that it can work and 3 that I know.

I am going to be introducing a resolution later today—I hope the Senate can take it up and pass it—designating next month as National Recovery Month, honoring and recognizing the people who are in recovery. So if it works, what is the problem? Why is this hurricane still sweeping our country? Why does 2017 look like it is going to be worse than 2016?

Well, the sad truth is that, out of all of those millions of people who are addicted, who are stuck, who are trapped, only 1 in 10 has access to treatment—only 1 in 10. Now, what do we have to do to deal with this problem? Of course, it is like most other problems. There is no single answer. It involves law enforcement. It involves interdiction, and let me pause for a moment on interdiction. The Presiding Officer and I are both on the Armed Services Committee, and we have heard testimony in our committee that we only have the Coast Guard and Navy resources to interdict one-fourth of the drug shipments that we know of coming up from South and Central America by sea. In other words, we have intelligence where we know of 100 boats, and we can only stop 25. There is no excuse for that. So, yes, law enforcement, at the source or along the way in our States, is an absolutely essential part of this process, but it is not the whole answer. We also have to work on prevention.

Frankly, I have been talking to groups around Maine and around the country on this. We are all still trying

to figure out how to make prevention work. What will work? I haven't yet heard a really strong answer to that question. I guess it varies from person to person, but prevention has to be part of it. Treatment can work, but if only 1 in 10 people have treatment available to them or have access to treatment, that means 9 are sentenced to life and maybe to death.

Last year, a year and a half ago, we passed CARA, the Comprehensive Addiction Recovery Act. It is a great bill, with lots of good things in it, but no money. That is like sending the fire department to the fire and saying: Fight that fire, but we are not going to give you any water. We know this costs money, and it is something we have to commit to. It has to be part of it.

Whatever we do around here about healthcare and about budgets, we have to realize we are losing our people, and these aren't bad people. These aren't people over there. I sat at a roundtable in a small town in South Paris, ME. Next to me was a deputy sheriff. He lost his daughter. These aren't strangers. These are often middle-class people. These are people whose kids or sometimes parents—this is not age specific—are caught up in this scourge.

I guess I want to leave us today with two points. One is, treatment works. The second is, we need more of it. If we know something works, but only 1 in 10 people have access to it, shame on us for not remedying that situation. To me, the most tragic case—and I have talked to people in Maine about this—the saddest moment, the most tragic case is when someone who is in the throes of opioid abuse is ready to ask for help and they have to be put on a waiting list. That is tragic and inexcusable. It is hard to get to that point. It is hard to admit that you are trapped and that you are no longer in control of your life. Once you are willing to do that and say, "I need help," then it is up to us to be sure the help is there. That is what we are talking about today.

So this is a different kind of hurricane, but it is a hurricane, nonetheless, that is destroying our families, destroying our communities, and wrecking the lives of our friends, but it is no act of God. We can't stop the winds of Maria or Irma, but we can mitigate the effects, ameliorate the effects, soften the effects. That is exactly what we need to do for those who are victims of the hurricane of opioids that is sweeping our country.

I hope and believe we will respond to this challenge as we have at other times in our history, and, indeed, as we are this week to the hurricanes of the Caribbean. I want to respond also to the hurricane that is sweeping America that we can, indeed, ameliorate, mitigate, and soften.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

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

The 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.

NOMINATION OF AJIT PAI

Ms. CANTWELL. Mr. President, I rise to strongly oppose the nomination of Ajit Pai to serve a second term as Chairman of the FCC.

Since taking over the FCC leadership in January, Chairman Pai wasted no time moving the agency away from its key mission to promote the use and deployment of communications in the public interest. For example, he has been involved in dismantling the rules that preserve the diversity of content in media ownership, potentially negatively impacting forever the number and variety of voices in the media market.

In addition, his confirmation to this important position will also have a negative impact on one of the most important issues, I believe, of our time; that is, preserving net neutrality. A strong and open internet is key to an economy of the future—to promoting an environment for innovation and facilitating the creative jobs that are going to come along with an open internet architecture.

Chairman Pai is poised to undo the bedrock principles that are already in place to protect an open internet. Even in the face of evidence that these rules are important to an internet economy and millions of jobs, he is determined to try to rewrite them.

On Monday, the Senate will vote on whether to confirm Ajit Pai for another term as Chairman of the FCC. As I have said, I think his leadership has shown that on net neutrality, he believes the rules should be changed. As long as he continues to hold that position, I cannot support his nomination.

As the Chairman of the Federal Communications Commission, he has demonstrated disdain for the important public interest principles he is supposed to be upholding. He shows a disregard for the innovators in America that are striving to build the economy of the future. The public interest mission of the FCC is encoded in the agency's DNA. The law that created the FCC clearly states that the agency's mission includes promoting equal access to communications networks for all people around the United States. This means the FCC has the responsibility to promote the expansion of communications networks and to ensure they have the incentive and ability to compete fairly with one another in providing broadband services. The mission does not include letting a big telecom company or cable company run over small businesses or consumers and saying to them: Unless you pay me more, I am not going to give you essential services. Imagine if that happened to the telephone industry decades ago, if you couldn't get access because

someone had decided, "I'm going to let the highest bidder rule the roost."

The President's nomination of Pai and his desire to have him continue as Chair continues to show a desire to undermine the internet and the internet economy. As soon as he was appointed, Chairman Pai announced his intention, as Chairman, to go against the demands of American consumers and reverse the rules that are already on the books to protect consumers. Chairman Pai wants to make it possible for those big telecom and cable companies to erect toll lanes that would further burden the nature of the internet and innovation that its economy supports. He plans to go against more than 10 million American consumers and innovators who have told him to keep the internet open and free.

Recent studies have shown that the internet economy is now over 7 percent of U.S. GDP, it employs 7 million people and is worth a trillion dollars. Our strong, robust internet rules, without question, have helped keep that economic growth. Our economy is in a massive technological transformation. It is in an information age, and in an information age, making sure you have an open internet is going to be key to continuing to grow business.

Every business plan of every startup relies on the ability of consumers to get equal access to content. Largely, as a result of the innovations, the open internet has created hundreds of thousands of tech jobs in the United States. The internet economy is almost a trillion dollars, and at 7 percent of GDP, it is growing faster and stronger than many other sectors, including construction, mining, utilities, agriculture, education, and entertainment.

It is disturbing to me that Chairman Pai has made it clear he wants to rewrite the rules that protect those businesses and create an artificial fast and slow lane and "if you want out of the slow lane, you better pay me more money." We can't afford to do that for all the internet applications and all the small businesses that are continuing to work on growing our economy. We need to make sure that instead of shedding jobs in the United States, as we did in the last economic downturn, that we are creating jobs and creating power for consumers.

We have seen what has been termed the "app economy," which consists of everybody who makes money has a job thanks to a mobile app that was also powered by the internet. Today, 1.7 million Americans have jobs because of that economy. Nearly 92,000 of them are in the State of Washington. Over the past 5 years, that app economy and those jobs have grown at an annual rate of 30 percent. The average growth rate for all other jobs is 1.6 percent. So, literally, Chairman Pai is trying to clog the arteries of one of the fastest growing economic opportunities in America.

By 2020, the app economy is estimated to grow to over \$100 billion. This

demonstrates that the internet economy is a dynamic, supercharged, job-creating engine, with economic growth that should not be artificially slowed down because some industries believe they have the right to do so.

These facts, and making sure we protect an open internet, are why we should not support Chairman Pai.

The slow lanes and the fast lanes are not like a highway where a consumer or business can take another route or plan another course. Here, you are creating barriers that are wedges between businesses and their consumers, between doctors and their patients, between industry solution providers and the customers they are trying to serve.

The growth of the internet platform for economic activity is something we do not want to see destroyed, and Chairman Pai's dismantling of that robust internet architecture and the support it gives to innovators is extremely troubling to me.

I think about all the internet applications that I have seen in my State, whether it is a business like McKinstry that provides building efficiencies to school districts all over our State and in Puget Sound. Let's pretend now that McKinstry, which is trying to tell North Shore School District that they are using too much power could reduce their costs by just doing three simple things—but now, all of a sudden, because the net neutrality rules go away, McKinstry has to charge that school district more if they want to get that information to them on time. A clogged artery will not get the information to that school district when it is needed in time to make an adjustment.

Let's talk about a doctor in a rural area who receives information about a patient who comes into their emergency room but wants a consult with a doctor in Seattle, and all of a sudden, now their connectivity is slowed down unless they pay more money.

I also think about this issue in the context of just some very everyday ways we experience the impact of an open internet. Like people going to get coffee. In my State, they will now preorder. They go online, and then they show up to get their coffee—all so they can avoid the long lines. But now, all of a sudden, if net neutrality goes away, is that going to mean another charge or, an extra toll, just to get consumers connected to the coffee shop so they can avoid a long line? Are cable companies and internet service providers going to say to the consumer: You have to pay more if you want a fast lane.

What Chairman Pai doesn't realize is that the internet is now a full-blown ecosystem with many attachments; that the internet is like the artery system that connects it all and connects it in so many ways beyond even our imagination. Yet he is proposing to clog those arteries, to hold us ransom if only we will tell a cable company it is OK to charge the American consumer more.

We cannot afford to ruin the internet economy by doing this. We need to have an open internet architecture that allows everybody to access this information at the same time and the same rate so that we can continue to innovate.

There are ways to grow the internet and grow internet investment in the delivery system. In fact, during the time period of the open internet rules, we have seen just that—a continued investment. So we do not now have to rewrite these rules. We do not now have to throw a roadblock, a hurdle, a clogging of the arteries in the small business and internet economy that is growing so rapidly with all its devices.

God forbid that one of our colleagues would be on the other side of town and get a delayed message about when a vote started just because we in the Senate hadn't bought a higher, faster speed lane, and maybe they would miss a vote. It is hard to say what slowing down the internet artificially would do because it is so connected to everything we do today, and that is why we have to stop this from happening.

I would be happy to hear that Chairman Pai has decided to drop his insistence on trying to change the rules of an open internet. If he did that, I might think differently about his nomination. But until then I will continue to fight for my State's economy, which depends so greatly on net neutrality, and continue to fight for the millions of consumers around the United States who are trying to grow what are smarter, more intelligent, more cost-effective businesses.

Even the healthcare debate we just had is instructive on the issues of net neutrality—I believe in home healthcare. I believe we can implement it and drive down costs. But if you are telling a patient that they might not get the information back from their doctor for days because he can't afford a fast internet connection that the cable companies are charging, then I guarantee my colleagues we are not going to reduce our healthcare costs.

So, please, I say to my colleagues, you will not have another chance at this. You will hear from your constituents about this issue, and you will not be able to take back this vote. Please make sure you understand that Chairman Pai is marching ahead on a very different anti-consumer road, and because of that, I am not going to vote for someone who is going to slow down and clog the internet.

I urge my colleagues to vote no on Chairman Pai's nomination.

I thank the Presiding Officer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

TAX REFORM

Mr. CORNYN. Mr. President, today I would like to talk about a topic that most of us don't want to discuss, and that is taxes, except today is different. This time, you don't have to groan over spreadsheets and calculations or

worry about how much of your hard-earned pay you are going to have to send to Uncle Sam. Today, leaders in the House and in the Senate will unveil their core principles for tax reform. The President will travel with our colleague Senator YOUNG to announce his support for these core principles.

Taxes can be confounding and complicated and painful to deliberate, but for folks back home, what I believe describes our tax principles is to say more take-home pay, and that works for everybody. In other words, you actually reduce your living costs because Uncle Sam takes less of your paycheck, meaning you get to keep more of it and take that home and spend it on things that you would prefer to spend it on. So more take-home pay is our bottom line.

I look forward to working with the chairman of the Finance Committee, on which I have the privilege of serving, and Speaker RYAN and Chairman KEVIN BRADY of the House Ways and Means Committee—another good Texan—on their ideas, which I know were born from many long hours and tough conversations.

But this is going to be a national conversation, starting with the President kicking this off this afternoon in Indiana. He is going to invite the American people to express their views on what tax reform should look like.

For me, in addition to more take-home pay, I am looking for a tax code which is shorter, simpler, and which makes us more competitive in the global economy.

It is a great relief, believe me, to have a President who understands how taxes and the uncertainty they place on job creators stifles economic growth. The reason economic growth is so important is that when the economy grows, more jobs are created, and for the jobs that exist, the people who have them will actually earn more money and be able to pursue their dreams.

Just as importantly, though, this President understands that the job creator is not the enemy. A former colleague of ours, Gordon Smith from Oregon, once told me that the problem with some of our Democratic friends is that they claim to love the worker, but they hate the job creator. To me, that sort of summarized it pretty well. I know he didn't mean "hate" in the traditional sense, but he did mean Congress—and particularly our folks on the Democratic side—likes to implement additional burdens, such as higher taxes or more regulation, more obstacles in the way of our job creators, when we should be tearing down those walls, reducing that regulation, and lowering taxes so that they can be successful, and in the process, we can all succeed. Well, this President understands that our economy, too, is crucial but extremely fragile, and he joins all of us in wanting to do everything he can, and everything we can, to ensure that we continue to be the strongest economy in the world.

Here is why tax reform is so important in the first place. In the words of Arthur Brooks of the American Enterprise Institute, the American Founders promised not just happiness but the pursuit of happiness. That is, of course, in the Declaration of Independence. I think Arthur is onto something. I think that is a good way of putting it. It means that all of us, based on our country's original vision, should be free to follow our dreams without government getting in our way or making our burdens heavy. We should be free to pursue happiness.

Average American citizens should not be numbed or stifled by mandatory participation in a system that depletes their energy and discourages them, and that is what our Tax Code does today. It exhausts people when it comes to fully complying with our arcane and convoluted and complex laws because they are so difficult. So many people simply outsource that by hiring some lawyer or some accountant to prepare their taxes because it is so complex. We can do better than that. We can make it simpler and fairer and flatter.

Today, many of the obstacles that exist prevent the average American from pursuing their dreams and reaching their full potential, which ought to be what joins us all together. One of those is an outdated and highly convoluted tax system that actually penalizes hard work, stymies ingenuity, and enriches the lawyers and accountants that people have to hire in order to just comply with all of its convoluted complexity—so-called compliance costs. Call this the terrible tedium of taxes. It zaps our energy rather than unleashing it. It erodes our work ethic, because if you work harder and harder only to see more and more money go to the Federal Government, what does that do to incentivize people to work harder? It erodes our work ethic, as we see less reason to labor for what ultimately gets taken from us.

The mission of the so-called Big 6 committee, which has been asked to put together a blueprint for reform, has been to protect American jobs and make the Tax Code simpler, fairer, and lower for average American families. In a sense, it is all about putting families first. Families build individuals, and families mold character. We have to give every opportunity to families who need to thrive. We have to keep the uninvited guest of government away from the front door, constantly begging for more money, more time, and more attention, and constantly throwing a wrench into their plans.

I also believe we should provide tax relief for small businesses because small businesses are literally the engine of our economy. It is not the Fortune 500 that creates the vast percentage of jobs in this country. It is small businesses, which often face an unyielding regulatory state. We should lower taxes for all American businesses so they can compete with foreign ones.

As the so-called Big 6 committee has said, the goal of any new plan should

be, first and foremost, to reduce tax rates as much as possible. Let's make sure this "first cut is the deepest," as the song goes, but also to place a priority on permanence, to create a system that encourages American companies to bring jobs back from overseas, along with the profits they will not bring back because they will be taxed twice, and to put more money back in the pockets of all Americans.

As Ronald Reagan said, there is one simple fact you have to keep in mind when it comes to taxes: "The problem is not that the people are taxed too little, the problem is that the Government spends too much."

This is not just about sheer wealth we are after but about earned success—the ability of mothers, fathers, and families to work a long day and to keep more of their hard-earned paychecks to use as they please—to save it for their retirement, to spend it on their house, or even to dote on their children. When families get to keep more of the money they earn, they are more inclined to take advantage of or to create their own opportunities, including new businesses. Social mobility increases and so does room for charity.

The United States is the most charitable and generous country in the world. People don't just turn to government for help during times of need. We saw that in Hurricane Harvey and in Hurricane Irma and now in Hurricane Maria. Many, many Americans generously dip into their own resources to help provide for their fellow human beings in need during times of tragedy. It is our prosperity that comes from job creation—getting to keep more of what you earn and pay the government less—that makes that possible.

When Alexis de Tocqueville came to the United States, shortly after our country's founding, in his book "Democracy in America," he pointed out that one of the unique things about America—certainly much different than Europe—was the organizing and voluntary associations. These often are charitable organizations—whether they are churches or synagogues or mosques or just community organizations—that as part of their good work provide charitable benefits for our fellow man and woman. We ought to encourage that.

Of course, none of us is an island. It is not that lower tax rates translate to everyone looking out exclusively for No. 1. Oftentimes, that is the way our friends across the aisle will depict lowering taxes. They say: You are lowering taxes for the rich.

We want to lower taxes for everybody—not because it benefits an individual but because it benefits the country and it benefits all Americans. It makes us more competitive globally. It creates more jobs and opportunities for Americans who are looking for those jobs and opportunities. It creates incentives for investment so that the entrepreneur can start a business, come up with a new idea, change the world,

and create jobs and opportunities for other people at the same time.

We know that social obligations are still important. It is just that there are many ways of meeting them other than just cutting a big paycheck to the Federal Government every April. In fact, the higher taxes we pay, the easier it is for citizens to assume that, well, I have paid the Federal Government; so let the government take care of it.

That is not who we are. That is not who we have been. That is certainly not how we began. We began as a government that believed in the individuality and the importance of all individuals, and we all collectively benefit when each of us is free to pursue their dreams because that increases the prosperity and the opportunities for all.

We will never become, I hope and pray, a country that says: It is the government's job when it comes to taking care of a man or woman or a family in need. Yes, government has a role to play, but I hope we will always be the generous sort of country that we started out to be and that we still are today, with neighbors helping neighbors.

Middle-class Americans have experienced a decade of higher taxes, more regulation, and stagnant economic growth under the last administration. It is time to break out of that cycle, and this is our time to do that.

Every American knows we can do better. If you ask them: Are your taxes hard to prepare, is it complicated, are you confused, or do you feel like the Federal Government is getting a bigger bite out of your paycheck than it should, I think you would get near unanimity that the Tax Code is too complex, the Federal Government is too voracious when it comes to taking a bite out of your paycheck, and people would welcome the ability to keep more of what they earn.

It is time for us to show that we understand the plight of hard-working American families and people of all economic levels, that we are hearing them when they say they want to keep more of the paycheck they earn and they want us to lower their cost of living by lowering the tax bite out of the paycheck they do earn.

Americans are wondering what our tax reform policies will be. For me, here are some nonnegotiable items. The Tax Code must be simplified. Job creators must be incentivized to keep well-paying jobs here at home in the United States. American competitiveness in a global economy must be increased by lowering business tax rates.

The result should be a new, retooled system that will put more money in the pockets of middle-class families and reenergize our economy. It will benefit Americans in every State across the country. It will also make it possible for us to meet our other priorities, as the Federal Treasury also will benefit from more people working, earning better wages, and helping to support their government. It will make

it possible for us to spend more money on our priorities, like national defense, which right now is underfunded, or medical research or other priorities that the American people may have.

By delivering on these principles, we can restore prosperity for this generation and many generations to come, and we can keep the promise of the Declaration of Independence that we are endowed by our Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness.

Ultimately, that is what we are talking about when we talk about tax reform. We shouldn't just be wearing green eyeshades, getting out our spreadsheets, and counting the numbers. This is about keeping the promise of the Declaration of Independence that we are endowed by our Creator with an unalienable right to pursue happiness.

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. 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.

HEALTHCARE

Mr. MERKLEY. Mr. President, our Constitution begins with three simple words: "We the People." The Founders wrote that in supersized font to remind us that this is what our Nation is all about. It is not about power by the privileged. It is not the elite. It is not to make the wealthy wealthier. It is not to add more to the abundance of those who already have much. It is to establish government that reflects the will of the people or, as President Lincoln put it, "of the people, by the people, for the people."

In this age where vast sums are spent on campaigns by a few billionaires to basically substitute government of, by, and for the people with government of, by, and for the powerful, we have an enormous challenge to maintain the integrity of the mission of our Constitution and the responsibility of this Senate.

We probably haven't seen a challenge to "we the people" in years like the equivalent of TrumpCare. Certainly, it is designed to plan for massive tax giveaways to the wealthiest Americans of hundreds of billions of dollars and to rip healthcare away from 20 to 30 million ordinary working families.

What a travesty that is of our responsibility under our Constitution. What amazingly misguided effort to do damage, rather than to assist and provide a foundation for families to thrive.

A few years ago, a woman came up to me at a fundraiser for multiple sclerosis—a walk—and she said: Things are so different this year, Senator, than they were last year.

I asked her: How so?

She said: A year ago, if our loved one was diagnosed with MS and they had

insurance, they were likely to have an annual cap or a lifetime cap and run out of coverage.

That was a terrible situation to be in because MS is a mysterious and expensive disease.

She said: If the individual didn't have insurance, they now had a preexisting condition, and they wouldn't be able to get insurance.

She said: Now, we have the peace of mind that if our loved one gets an MS diagnosis, that individual will be able to get the care they need.

Isn't that the summary of what we should be seeking in our healthcare system—the peace of mind that if our child or our loved one becomes ill, if our child or our loved one becomes injured, he or she will get the care they need? Shouldn't that be what we are fighting for?

Instead, we had the opposite. We had the TrumpCare bill that was designed to rip peace of mind away, destroy peace of mind, trample all over peace of mind so the wealthy could have more giveaways from the Federal Treasury.

We had that House bill, and it was estimated that 23 million people would lose healthcare over 10 years and that our hospitals and our clinics would have a lot less funding to be able to provide care to everyone. Yet it passed the House. Then President Trump got briefed on what was in the bill after he held a champagne party at the White House and celebrated its passage. He said: Oh, wait. This bill is mean and heartless.

Over here in the Senate, the Senate's secret 13 went to work to try to produce a bill without holding any public hearings or having any discussions with stakeholders. They were secreted away in a room, and no one could find out where they were in order to be able to offer any insights. They did not hold any townhalls back home, and they had no meetings here. The public was totally blocked out. The secret 13, amazingly, came up with an almost identical bill to the House bill. Oh, the estimate was instead, maybe, of there being 23 million people who would lose insurance, 22 million people would lose insurance. Fortunately, the secret 13 bill was defeated—but just barely—here in this Chamber.

Then came another version of this called the fake insurance bill. This fake insurance version said: Hey, let's let the insurance companies put out policies that are really, really cheap but that do not actually cover anything. Won't that make us feel good that everyone in America will be able to afford a policy that only costs \$40 or \$50 a month.

Of course, fake insurance is fake; that is, when you go to the emergency room, it does not cover the visit. When you get a blood test, it does not cover the blood test. When you get an x ray or an MRI, it does not pay for it. Oh, don't even begin to think about its covering hospitalization or any other nor-

mal medical service because it is fake insurance. The fake insurance bill failed by a few votes on the Senate floor.

Then we had repeal without replacement, and that failed. Then we had the skinny bill, and that failed by a single vote.

How is it possible that we came that close to passing a bill that is completely the opposite of the vision of our Constitution—to legislate for the foundation, for the American people, not the American privileged and not the American powerful. Yet it came within a vote of passing.

This week, we have the block grant version—the block grant version that proceeds to destroy immediately the exchanges, the healthcare marketplaces. Of course, the great irony is, that was the Republican idea: Let's create a marketplace within which people can compare individual policies, pick the ones best for their families, and get tax credits to be able to buy them. So the Republicans came out against their own plan.

In addition, it wiped out Medicaid expansion. In my home State of Oregon, the exchange is responsible for roughly another 100,000 people getting access to insurance, the marketplace, and 400,000 people gaining access through Medicaid expansion. There are a half a million Americans in just my State, my humble State of Oregon. Yet here was a bill that said: We do not care. We are going to wipe out healthcare for a half a million Oregonians and untold millions across the country—20 to 30 million across the country.

We owe a big thank-you to grassroots America. We owe a big thank-you to ordinary citizens who believe in the vision of this country. They proceeded to connect with Capitol Hill—to fill the streets and to flood the phones and to overflow our inboxes—saying: What are you doing? Please stop. Please stop trying to destroy the peace of mind of Americans. They said: Make healthcare work better, not worse.

Is that really too much for us to ask?

As we ponder how to make healthcare work better, those in grassroots America have expressed a lot of ideas. They have said: We have a really complicated system that creates all kinds of obstacles for ordinary families, for working families.

For example, consider whether you have a job that provides you with insurance and your family with insurance but then the company changes the policy and only covers you. How are you going to get your children covered? Are you going to be able to get them signed up right away in the Children's Health Insurance Program? How do you go about doing that?

Then your employer says: By the way, you now have to start paying us in order for us to provide you with healthcare.

You say: Wow. That is a huge chunk out of my check. Can I possibly afford that and still pay my rent? Am I going

to have to choose between healthcare and homelessness? It is not a choice families should have to make.

Then, perhaps, people are working several part-time jobs, and their employers have no healthcare programs at all, so they sign up for the Oregon Health Plan or the equivalent Medicaid plan across the country. They might like that, but it is complicated to apply, and they have to reapply periodically. What happens if their incomes go up just a little, and now they are over the line for eligibility? As a result of being over the line, they now have to go back into the individual markets. How do you do that in the middle of the year when it is not an open enrollment period?

There is such complexity, such difficulty. That is why it is so appealing to think about the vision of a seamless, simple healthcare program that you have that will provide quality healthcare when you need it—portable healthcare—just by virtue of your being an American. That is a beautiful vision, and it is not out of reach. Every other developed country has found some version of that and made it a reality. We need to ponder as to how to have that seamless, simple system down the road, but right now we have a more immediate task.

That immediate task is to stop the sabotage of the healthcare system we have. President Trump has engaged in many maneuvers to try to force the collapse of the insurance markets. One is to withhold the cost-sharing payments from insurers so they no longer have the funds they were promised. That uncertainty has caused many companies to say: Do not count on us to be in that market in the future if we cannot count on you, the Federal Government, to honor your obligations.

Why isn't the Senate body demanding that the President honor the obligations of those cost-sharing payments?

In addition, we have the President shutting down advertising during the open period so people will not know they can sign up. We have President Trump cutting the enrollment period in half. We have a plan now from the administration to cut the funds for consumer outreach and enrollment assistance, which enables folks who need to get healthcare to find out how they can actually get through the complicated application process.

Most recently, the administration announced it is actually going to shut down the website periodically on weekends during the open enrollment period, which is when people will have the time and effort and ability to apply. They are going to shut down the website so people will not be able to apply during portions of the weekend.

All of us should unite—100 Senators should unite—and tell President Trump: Enough of this sabotage. If you want to drive up insurance policies by 20 percent over any other increase they might otherwise have and if you want

to be responsible for millions of people not gaining access because of your irresponsibility, then we are going to hold you accountable for it. Everybody in grassroots America is going to hold you accountable for it.

Fortunately, we have a bipartisan process that has been underway to remedy these conditions. I, profoundly, thank LAMAR ALEXANDER, chair of the HELP Committee, and PATTY MURRAY, the ranking Democrat on the HELP Committee, for saying: Let's have the normal, rational process that we go through to try to understand how we can improve the healthcare system.

They have held a series of hearings. They have brought in the experts, and they have brought in the stakeholders. They have done it in front of the public so the public can weigh in. They have consulted constituents and encouraged all of us to consult with our constituents and be part of that conversation. Pragmatic, experienced legislators are gaining expertise from those on the frontline so they can make the system work better. Isn't that the way the Senate is supposed to work?

Their work shows a lot of promise. There are some very straightforward things they have heard from those experts.

They have heard we need to lock down the cost-sharing payments. No insurance companies are going to be in the insurance markets if they do not know they are going to get paid what they have been promised or they are going to raise their premiums incredibly high to cover the risk that they will not get paid. Then, of course, people will not be able to afford that insurance.

They have heard from the experts that you have to have reinsurance. If you want to have this private marketplace in which people can compare policies and use tax credits to buy the policies, an insurance company will not enter that market unless it has its own insurance policy against getting the disproportionate share of the really sick people. Of reinsurance, they have heard.

They have also heard we must not suppress outreach to those who need insurance but increase outreach—outreach to younger, healthier people to make sure they are part of the exchange as well as outreach to those who are often working several part-time jobs and have little time to focus on this question unless someone reaches out and says: Here is your opportunity. We are now in the open period. Here is how you sign up, and we can make sure you get that done.

In that set of hearings, they heard other things. They heard we need to do more to take on the challenge of mental illness in America. They heard we need to do more to take on drug addiction, the opioid epidemic in America.

There it is—a list of a modest number of things we could do together to make our healthcare work better. Wouldn't that be a beautiful closing

chapter to the nightmare, the repeated horror stories we have been playing in the Senate that threaten to rip healthcare from millions of people and simply awaken from that war over healthcare and work together to address these fundamental questions.

We actually have had public hearings in the HELP Committee, which we have not done before. We have actually listened to the experts, which we have not done before. We have actually encouraged people to consult with their constituents rather than to hide from their constituents. The result would be a significant strengthening of what we have—lower premiums as a result, more competition in the exchanges, more awareness of how to sign up, more and healthier young people getting involved in the exchanges, which means the premiums will come down.

I think, as we ponder the goal of our healthcare system—the question of peace of mind—that is our best immediate step forward to provide peace of mind, to end the sabotage of the system we have, and address the shortcomings the healthcare experts and the people of America have pointed out.

Let us be that mission statement under this vision of a “we the people” government, in that we pursue healthcare that is designed for the people of America in order to create peace of mind, so when their loved ones become ill or when their loved ones are injured, they will get the care they need, and they will not end up bankrupt. We should be able to make that happen.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

TAX REFORM

Mr. BARRASSO. Madam President, last week the Senate passed the bipartisan Defense Authorization Act. The world is a very dangerous place. This legislation is very important to keeping our country safe.

Another thing we need to do to keep America safe is to get the economy going and growing. We need a strong and healthy economy in this country, and we need it now. A strong economy means a strong country with enough money to pay for the defense needs that we have at this time.

Over the 8 years of the Obama administration, Washington doubled its debt. Why? Because our economy grew so slowly and the administration spent too much money. If this sort of thing continues, it is going to leave America in a much more vulnerable position.

America needs a stronger economy that grows faster. To get the kind of growth we need, we are going to have to provide real tax relief for America,

for hard-working families, and for the economy. That means cutting tax rates, and it means simplifying taxes for everyone. If we get this right, we are going to be able to produce more jobs, Americans will have higher wages, more take-home pay, and we will have a stronger economy.

According to the Internal Revenue Service, Americans spend about 6 billion hours a year on taxes, just trying to prepare their taxes. Between businesses and individual families, we spend an average of 18 hours for every man, woman, and child in America, just trying to comply with Washington's complicated Tax Code. The National Taxpayers Union says that the total cost of all of this is \$263 billion a year. That works out to about \$800 for every person in America. This is not spending that does anything productive. It is just figuring out how much tax to pay, and how to do it in a way to send it back to Washington so that the IRS will not come knocking at your door—how to get your numbers right.

The instructions for last year's standard 1040 tax form were 106 pages long. These are the instructions—15 different worksheets for people to fill out just to try to fill out the forms. The people who can deal with this level of complexity are the ones who basically can afford to hire expensive accountants and lawyers, who then take full advantage of a very complicated tax code. It penalizes hard-working Americans who can't afford the high-priced help that helps them fill out and take full advantage of a complicated tax code.

We hear a lot about people who talk about how millionaires and billionaires are gaming the system so that they can pay less in taxes. If that is their concern, then maybe we should try to make this system simple enough that there is no system to game and everyone can understand it.

Just think about how much we could save this country if we simplify things even a little bit. All the time we could save, all the extra money in the pockets of hard-working American families—that would really help to grow the economy and do it quickly. It would also make life a lot simpler for most Americans.

If we also, at the same time as simplifying the Tax Code, lower the tax rates, that keeps even more money in people's pockets. It gives them more money to decide what to save, what to spend, and what to invest—money they can spend going out to dinner if they choose. They can invest it if they want, and save for the future. If they actually choose to spend the money by going out to dinner, that helps the economy around the community where they live. People at the restaurants have to hire additional servers, and they will then have money to pay their own bills. That is how an economy grows. That is how providing people with more money in their pockets

helps an economy become stronger and healthier.

There is another important part of tax relief we need to remember. We need to be sure we solve a big problem with the taxes that not just individuals pay but that businesses pay. The reason we need to do that is because many people think of businesses as big, faceless companies, but the simple fact is that these businesses actually don't pay the taxes personally. People have to pay the taxes. That is because businesses pay taxes with money they get from their customers.

If the government says it is going to put a big tax on some company, that basically gets passed on to the workers there and also to the people who buy that product. The Congressional Budget Office looked into this. Their office looked into it, and they found that more than 70 percent of the cost of corporate taxes actually comes from the people who work for these businesses. Nearly 3 out of every 4 dollars they spend in taxes would have ended up going back to the workers to have that money—workers who are either buying products or workers working within the company. Maybe it would have been higher wages or better benefits or some other way that people would have gotten a benefit from the money that otherwise just gets collected and sent to the government.

Obviously, a big chunk of the money is from the workers, and another big chunk is from the consumers. If a family buys something, part of the price they are paying is to cover the taxes that business has to pay. The higher taxes mean higher prices for people who go to buy something.

The third way that people pay these business taxes is when they get paid by the people who own a share of the business. If you take a look, there are a lot of people on the other side of the aisle who like to talk about taxing the rich who own stock in companies that are all across our country. The only problem is, most of the people who actually own shares in these companies are far from rich. More than half of Americans actually own stocks in corporations that are paying these high taxes. Maybe they have an IRA, a retirement plan, a 401(k) through their work. Whatever it is, Americans who are investing for their future are also being taxed.

Some of the biggest owners of these corporations are actually the pension funds of public employees. That includes teachers, it includes firefighters, it includes people in every community around America. Taxes take away money that could make these pensions worth more. When the government takes taxes away, there is less money in the pension plans for our teachers, for our firefighters, for our first responders. So it is a real problem that the corporate tax rates are so high because high taxes hold back the entire economy and hold back the entire country.

If you look at the most developed countries around the world, the United States has the highest corporate tax rate of all of them. The average tax rate of all of these major countries around the world—across the globe—is 24 percent. In the United States, it is 39 percent. We are 15 percent higher in tax rates than the average of the major countries around the world. So that is the top Federal rate, and when you include the average for State and local taxes, it gets you to 39 percent—24 percent versus 39 percent. That is how far out of the ordinary American taxes have become.

It is a huge disadvantage for American companies that are trying to compete on the world stage. Frankly, the reason we are at such a disadvantage is that other countries have been cutting their tax rates over the years. There was actually a time when the U.S. tax rates were fairly low, and other countries continued to cut theirs below ours. Now we are at a point that the average for developed countries around the world is at 24 percent, and the United States is at 39 percent. Places like Germany, Japan, and Canada have all cut their rates going back over the last 60, 70 years. We haven't done it here at all. Now it is time to do it.

It is one of the reasons our economy has been stuck with the slow growth rate that we had during the Obama administration. It is what we have seen over the last 8 years—a very sluggish economy with very little growth. If we can cut corporate tax rates, personal rates, that is going to really help stimulate the economy.

People pay taxes. It is the individuals who pay the taxes that in many ways run the government. Many people I talk to in Wyoming feel, rightly so, that the problem isn't that they are taxed too little; it is that the government takes too much.

We need to get the economy going, and we can do that by simplifying and lowering the tax rates. It is true that, with taxes, people actually struggle with trying to figure them out at the kitchen table. I have talked to those folks at home. It is continually a problem—the simplification, as well as how much money the government takes from them. Taxes raise prices. Taxes chip away at retirement savings that people have.

Tax relief and simplifying taxes makes sense for American families. It means more jobs. It means higher wages. It means a safer America and a stronger America. It is good for our economy, and it is good for all hard-working taxpayers and the families those taxpayers support.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

HEALTHCARE

Mr. COONS. Madam President, yesterday we learned that, once again, my Republican colleagues do not have the votes to pass their latest effort to re-

peal the Affordable Care Act, even though the budget reconciliation process we are currently under requires only 50 votes. There are not 50 votes.

Many of my colleagues have spoken on this floor about the challenges, the problems, or the issues with the latest iteration of the Graham-Cassidy bill. We have also heard as a body from many organizations all over the country that represent Americans in healthcare: the American Medical Association, which speaks for America's doctors; the American Hospital Association, which speaks for our hospitals; America's Health Insurance Plans; the American Cancer Society; many other patient advocacy groups; and the AARP, which advocates for seniors. All have weighed in about the challenges with this legislation.

But rather than continuing to bear down on that point, I would like to quote a colleague and hero of mine. Senator JOHN MCCAIN said on this floor:

We should not be content to pass healthcare legislation on a party-line basis. . . . The issue is too important, and too many lives are at risk, for us to leave the American people guessing from one election to the next whether and how they will acquire health insurance. A bill of this impact requires a bipartisan approach.

Senator MCCAIN also said:

I hope that in the months ahead, we can join with colleagues on both sides of the aisle to arrive at a compromise solution that is acceptable to most of us, and serves the interests of Americans as best we can.

Senator MCCAIN is right. Fixing and improving our healthcare system cannot be done on a partisan basis. When it has been attempted to turn big bills into law on a narrow party-line basis, the results are often not sustainable. That is why we have work to do together, because this issue of providing for America's healthcare is too complex, too big, and too important for us to do with only one wing or one party.

I was encouraged, as were many colleagues, Republican and Democratic, when Senators ALEXANDER and MURRAY, the Republican and Democratic leaders of the Senate Health and Education Committee, held bipartisan hearings. They brought in Governors, insurance commissioners, healthcare experts, physicians, and hospital leaders from across the country to talk about what we need to do short term and long term to stabilize healthcare markets and to lay the foundation for improvements to our healthcare system.

So let's listen to Senator MCCAIN. Let's give that bipartisan effort another chance. Let's work together and do this the right way.

I ride the train back and forth almost every day from Wilmington to Washington, and the Delawareans I hear from on that train or at home in the grocery store or around my State are simply tired of Congress fighting endless partisan battles with their healthcare. And it is not just frustrating to hear about on television; we

know for a fact that uncertainty in the healthcare markets is causing premiums to go up for Americans all over the country. The CEO of Highmark, which is the sole provider of individual market health insurance to the ACA market in Delaware now, conveyed to me that half of the rate increase for this coming year was due to uncertainty about whether the Trump administration would continue to enforce the individual mandate, to make the CSR payments, and other things that are part of the ACA.

So today, recognizing that the only way this gets fixed in such a closely divided and partisan Senate is if we work together, I would like to commit again to my constituents and colleagues that I am willing to work to find bipartisan solutions to our healthcare problems.

Let's sit down together, and let's bring in organizations like the AMA, the AARP, the American Cancer Society, the American Hospital Association, and let's listen. Let's listen to them, to healthcare leaders, and to patient advocates, and frankly I think we should listen to thousands of faith leaders from across the country as well. We have received letters—all of us as a body—from leaders of the Christian, Jewish, Muslim, Sikh, and Buddhist communities across our country. They jointly wrote a letter to Congress urging us to reject the Graham-Cassidy bill and to immediately address urgent matters that are right in front of us.

The next one is CHIP reauthorization. CHIP—the Children's Health Insurance Program—serves nearly 9 million American children, 17,000 in Delaware alone, and it is going to expire. There are a lot of Federal health programs that expire at the end of this week: the Children's Health Insurance Program, the Community Health Center Fund, which provides access to cost-effective primary and preventive care for 26 million patients throughout the country; the teaching health centers funding; the special diabetes program. There is a whole list of healthcare-related programs that expire at the end of this week. So I think we need a sense of urgency. We need a sense of urgency to finding ways to work together in the short term to stabilize the market, to extend these programs, such as CHIP, that have long enjoyed bipartisan support and to begin the steps needed to show flexibility and compromise by both parties.

First, as I said, we have to stabilize the individual ACA marketplace. Fortunately, we know how to do that. As I mentioned, there have already been hearings in which testimony was received from Governors, insurance commissioners, healthcare experts, and they said the No. 1 priority was funding the ACA cost-sharing reduction subsidies, or CSR payments. That is something the Trump administration can do today. The administration can simply announce that they will continue to meet the law and make those payments. At least in my State, that will

reduce the rate of increase of individual insurance premiums by a significant percentage.

We can also work together to establish a reinsurance program, to support enrollment outreach activities, and to enforce the individual mandate. All of this would translate to lower premiums. As I said, the President is already authorized under the ACA to take a few of these steps and stabilize the marketplace.

From there, we are going to have to find bipartisan ways that we can make this a more workable system. I have introduced legislation in the past to make the ACA small business tax credits more appropriately sized for the small businesses I have heard from in Delaware, many of which can't afford the increased costs of the Affordable Care Act.

There are ways we can work together to reduce the reporting requirements so they are less burdensome to employers. I introduced a bill on that in the last Congress and would welcome a chance to work with a Republican colleague to introduce and pass that legislation now.

We could also look at ways to make the tax credits—or the way that subsidies are provided through the ACA—both more affordable and more sustainable, so that families who qualify aren't caught in a situation where they qualify for tax credits, but they are nowhere near enough to afford comprehensive health insurance.

We also have to take a hard, bipartisan look at what is driving up healthcare costs across this country. We aren't just challenged with resolving issues around health insurance; we also have to find a bipartisan path toward addressing healthcare costs.

The bottom line to all of this is that we must work together to return to regular order and to give these programs the stability and certainty they need to serve patients across the country and our constituents at home.

In my view, the Affordable Care Act has helped millions of Americans live healthier, safer, more secure lives. Repealing it and replacing it with one of the proposals we have seen in recent months would have been very harmful to millions of Americans. But that doesn't mean the ACA is perfect. There is hard work to do. Compromise is needed on both sides. And I think the call that Senator MCCAIN has issued to this Chamber is one we should hear.

So let's work together. Let's listen to our constituents. Let's listen to faith leaders. Let's listen to doctors and healthcare experts. Let's do the hard work and together improve, not tear down, our healthcare system.

Thank you.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO EMILY ENDERLE

Mr. WHITEHOUSE. Mr. President, may I bid a public farewell to Emily Enderle, who is here with me and who has served as the lead on my very active and busy environment unit for quite some time now. She is going on to another role in Washington and will continue to serve our cause. She has done an amazing job, and I want to be sure to say that on what will be her last appearance on the floor with me for one of our "Time to Wake Up" speeches.

CLIMATE CHANGE

Mr. President, I have spoken before, as you know, about the fossil fuel industry's persistent effort to undermine public understanding of climate change and to confuse people about the actual effects of carbon pollution on our atmosphere and oceans.

I have mentioned Drexel University Professor Robert Brulles' follow-the-money analysis, which reveals the complex network of organizations and funding—what we have called the web of denial—that is designed to obscure the fossil fuel industry's fingerprints and to perpetuate the fossil fuel industry's climate denial.

Dr. Brulle calls this "a deliberate and organized effort to misdirect the public discussion and distort the public's understanding of climate." That is what this industry is up to.

One front group for that industry is called the Heartland Institute. It is a nice name, but they are not very nice people. For decades, the Heartland Institute has played a prominent role disseminating alternative facts and fake science at the behest of its industry funders. They have a long history of doing the bidding of industry funders. In the 1990s, it was teamed up with Philip Morris to challenge the facts about the health risks of tobacco. Using the same tactics—along with funding from the Koch Family Foundations, ExxonMobil, and other fossil fuel interests—it undermines public confidence in the established scientific consensus about climate change. Heartland is quite shameless in its methods, once sponsoring a billboard comparing those who accept the science of global warming to the Unabomber.

For my 180th "Time to Wake Up" speech, I would like to explore the Heartland Institute's latest gambit, which is to airdrop climate denial propaganda directly into children's classrooms.

This spring, Heartland delivered packages to hundreds of thousands of K-12 and college-level science teachers across the country. These materials were designed to have a veneer of credibility. Each one was stamped with the headline "Study: Science Teachers Giving Unbalanced Education on Climate Change." This intriguing story was attributed to something called Environment & Climate News.

Inside the package, the teachers found a report titled “Why Scientists Disagree About Global Warming.” It was issued by something called the Nongovernmental International Panel on Climate Change. As a bonus, each teacher also received a DVD copy of the “History of Climate Change in Greenland,” produced by Idea Channel.

A cover letter from Heartland’s Center for Transforming Education—transforming education into propaganda, I assume—is how that sentence gets finished—asks teachers to “consider the possibility” the science of climate change isn’t settled.

That is the package they got. Let’s look behind that veneer. When you do, the smell gets pretty rotten. It turns out that the Environment & Climate News is not actually news. It is not a news outlet. It is the monthly newsletter of, guess who, the Heartland Institute. They are citing themselves, masquerading their newsletter as a news outlet. The foolishness goes on.

Their featured article, “Study: Science Teachers Giving Unbalanced Education on Climate Change” was written by a person named Bonner Cohen, who is a featured expert—guess where—with the Heartland Institute, who previously held senior positions in—believe it or not—Philip Morris front groups.

Their Nongovernmental International Panel On Climate Change sounds like a well-known actual authority: The Intergovernmental Panel on Climate Change. The actual Intergovernmental Panel on Climate Change is a United Nations-sanctioned, Nobel Prize-winning scientific body that reports the findings of thousands of climate scientists from hundreds of countries. The Heartland group—this so-called Nongovernmental International Panel on Climate Change—is a misleading decoy designed to mimic the real entity.

The three experts who wrote the Nongovernmental International Panel on Climate Change report Heartland pushed out do not have degrees in climate change modeling, do not having degrees in climate science. All are paid by Heartland. All their claims have been repeatedly debunked by real science.

There is one faint hint of accuracy in this propaganda publication Heartland put out. There actually is a PBS series called Idea Channel. However, the Idea Channel DVD in the Heartland packet has nothing to do with that series. It was actually produced by something called the Free To Choose Network, whose funding, like Heartland’s, is linked to the fossil fuel industry. It is another masquerade designed to mislead.

One of the tricks of Heartland’s little scheme was to dupe legitimate scientists into participating. One of the experts interviewed, Rie Oldenberg, the curator at Greenland’s Narsaq Museum, was told she was participating in a video on Norse history for the Dis-

covery Channel. When she found out what she had been duped into, she said: “I am somewhat horrified.”

Other participants are frequent fliers in the climate denial circus, like Willie Soon, who received over a million dollars in funding since 2001 from the Koch brothers, the American Petroleum Institute, ExxonMobil, and other fossil fuel interests. The year the video was released, Willie Soon received nearly \$20,000 from Free To Choose.

The Heartland cover letter asked teachers to “consider the possibility” the science of climate change isn’t settled. Even that is not new. This echoes the infamous Big Tobacco declaration, “Doubt is our product.” The heart of the fossil fuel industry’s scheme is to undermine legitimate science with false doubts. Because of the financial stakes behind industry science denial and because of the communications advantages propaganda has over real science—you don’t need to waste a lot of time in peer review, for instance, you go straight to the networks—this scheme is a real problem for institutions like our schools that cherish and support real science.

All this masquerade and subterfuge by Heartland Institute looked a lot like fraud. Senators SCHATZ, WARREN, MARKEY, and I wrote to Secretary of Education Betsy DeVos to ask whether DeVos and her staff at the Department of Education helped or coordinated with the Heartland Institute on this scheme to pollute our classrooms with phony science.

That simple request drew quite the response from our friends at the Heartland Institute. “Your letter is a monumental misuse of your office and a betrayal of the trust of your constituents,” wrote Heartland CEO Joseph Bast. He called our letter “defamatory” and “despicable.” “Shame, shame, shame,” he proclaimed in bold font—this, unironically, from that same classy group that put up the billboard comparing anyone who accepts climate science to the Unabomber, just to give you an idea of their level of shame.

Even that little outburst is considerably nicer than in 2015 when Bast called some of us “fascists” and “ethically challenged . . . mental midgets.”

Why is the Heartland Institute so very touchy? We obviously hit a nerve. The lesson is, poke an imposter and the imposter gets very agitated. Fortunately, teachers are smart people who follow real science. Imposters like Heartland that pretend their stuff is coming through an Idea Channel that it isn’t, that mimic the name of real organizations to try to fool people, that pretend their newsletter is real news and package the whole thing up as if it is intended to be helpful to teachers face an uphill battle against informed educators.

One example, Nebraska recently approved new State standards requiring climate change to be taught in schools. According to the Omaha World-Herald,

Nebraska’s new standards “challenge kids to think and act like scientists,” which is exactly what our science classrooms ought to do.

One Omaha resident encouraged the school board to “do the ethical thing and tell the next generation what’s going on with climate.” A science professor at the University of Nebraska-Lincoln said the standards represented “good solid science, good solid science education.”

This is what we need in science education—real-life scientists from real institutions of higher learning engaging and helping our children learn. What we don’t need are fossil fuel front groups pumping out more phony science to pollute public education, just like they pollute our oceans and atmosphere.

I have been pretty heartened to hear about this from teachers working in classrooms in my home State of Rhode Island. Holly Emery teaches science to seventh and eighth graders at Exeter West Greenwich Junior High School. Her students focus on solutions to climate change—something we could use a bit more of around here. They examined Germany’s plan to significantly reduce its carbon emissions. Students were so motivated by what they heard, they requested to share their projects with other grades in the school. One of Miss Emery’s students said: “This is important and the other kids need to know.”

Students in Jane Ramos’s eighth grade science class at Gallagher Middle School in Smithfield learn about climates around the world. They read, research, and make slides about the human contributions to climate change, including the carbon cycle, burning fossil fuels and the greenhouse effect, deforestation, livestock practices, and the production of methane. They discuss the effects of warmer oceans, expansion of water, melting ice, and rising seawater levels. These are important issues for Rhode Island, the Ocean State.

Science students from Brenda Dillmann’s class at South Kingstown High School planted grass on the Narrow River salt marsh as part of a major unit on climate. During the lessons, the students learned about the role that salt marshes play as carbon sinks—absorbent carbon from the atmosphere. They went out and got dirty and planted by hand some 35,000 seedlings of 3 different types of salt marsh grasses.

Since 2007, more than 500 students have become climate experts in Kara Ratigan and Renee Hadfield’s fourth grade class at James H. Eldredge Elementary School in East Greenwich. Ratigan and Hadfield have developed a curriculum that integrates climate change across all subject areas. For the kids, the year begins with a visit to a local assisted living facility, where students pair up with a senior buddy. The students interview their senior buddies, asking how the climate has

changed over time and looking for lessons that can be applied today.

In their math class, students learn how to read charts and graphs and how to frame a convincing argument through data. In social studies, the students learn about the regions of the United States, about their differing climates, and about how each is affected by climate change. In science, the students learn about erosion and weather patterns and the effects of human activity on rock, soils, and sediments. Students make observations about climate change all around them and delve into society's responses to the harms of climate change.

This past spring, the Norman Bird Sanctuary, in Middletown, hosted seventh graders for a beach ecology lesson at nearby Third Beach. The director of education, Rachel Holbert, and her staff led a discussion with the students about the greenhouse effect associated with burning fossil fuels. They explained how the excess heat trapped in the atmosphere puts stress on the oceans, undermining the oceans' ability to stabilize the global climate and, of course, leading, as we have seen, to a higher frequency and strength of extreme weather events, such as powerful hurricanes. The kids' lesson ended with a focus on solutions. If the oceans are the heart and lungs of the climate, what can prevent future damage?

Teachers like them play such an important and formative role in helping the next generation understand the world we live in. They teach our children to make observations, collect information, and use evidence to formulate conclusions. They are honest and they are decent.

The fossil fuel industry, on the other hand, is neither honest nor decent. The filthy hand of the fossil fuel industry has, regrettably, a firm grip on this Congress. There is a reason that we never do anything about climate change, and it does not involve the merits of the issue. It involves the politics of the industry. We have, perhaps, not yet plumbed the bottom of how low they are willing to go, but, surely, this is a new low to reach with their game of phony science, masquerade, and subterfuge into our children's classrooms, like Ms. Emery's, Ms. Ramos's, Ms. Dillmann's, Ms. Ratigan's, and Ms. Hadfield's. These honorable, decent teachers help their students gain a fact-based understanding of the changing world around them and the issues facing our society. Unfortunately, these Heartland Institute materials may require those teachers to teach about politics and propaganda as well.

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

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

TAX REFORM

Mr. BLUNT. Mr. President, we are looking at an outline for tax reform that helps working families in ways that those families haven't seen for almost a decade now—a decade of buying power that didn't go up and obligations that did, with more government requirements and less take-home pay. So we are going to be here for the next few weeks talking about what we can do to reverse that situation so that the opportunity for those families is reversed and that eventually we also reverse our competitiveness so that we create better jobs.

There are two ways to get more take-home pay. One is for the government to take less out of it—and I am for that—and the other one is to do things in the Tax Code to make us more competitive so that there are better jobs with better pay to start with. If we combine those two things—better jobs and better pay—with the government taking less out of that higher paycheck, that is really where families would like to be. We are going to be here talking about this in a way that drives toward a result.

The Senator from West Virginia is here, and she is basically going to start that effort today, as we really now have enough specifics on what the Finance Committee is looking at in the Senate and the Ways and Means Committee in the House and what the White House is looking at. We can begin to explain to American working families why this is the right course for them and for our country.

I am pleased to be joined here by Senator CAPITO.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Thank you, Mr. President, and thank you, Senator BLUNT, for your leadership.

I am excited about what we are talking about today. I am excited for my State of West Virginia. The main thing that people in West Virginia want is a good job. A good job, with more take-home pay and a higher wage, is exceedingly important to the families I represent, so tax reform and any other policies Congress could support will enhance growth and create more job opportunities around the country.

Let me focus on my State of West Virginia. According to the Economic Innovation Group, more than 34 percent of West Virginians are living in distressed communities. Unfortunately, that number is the third highest of any State in the country. At the same time, only 3.4 percent of West Virginians are living in prosperous communities.

There are States that are prosperous and have done very well, but the vast majority of our States have really struggled. Only two in five communities have seen any job growth in the past 5 years during our so-called recovery. That is not the definition of a recovery. Since 2010, fully 50 percent of U.S. job growth has occurred in just 2

percent of our country's counties. Think about that. Economic growth has only occurred in 2 percent of the counties across this great country.

The truth is that most of our country has been mired in economic stagnation. We have been standing still. I saw Lou Holtz give a speech one time, and he said: If you are standing still, you are going backward. If you are not moving forward, you are going backward. There has been a slow recovery, but for many West Virginians, there has been no recovery at all.

But it isn't all doom and gloom in our State because we have an opportunity for change—the change we really need that helps our struggling, working-class families, that changes and revitalizes our distressed communities, changes that lead to economic growth and creates opportunity for future generations.

In fact, West Virginia, in the first quarter, grew by 3 percent. We were the second fastest in growth in the entire Nation. To be sure, one quarter of growth is not a trend, but it does demonstrate the potential that we have if we do it right here for our citizens. The potential of capital growth is there, but one of the biggest drags on our economy in recent years has been excessive regulations, which we have addressed quite a bit here in the first 9 months of President Trump's term. We have worked hard to bring reason into the regulatory environment and also our burdensome Tax Code.

What can we do? We can reduce taxes that impede our growth. Let's think about our small businesses. In many States, they are the major economic driver of our economy. In my State of West Virginia, 95.6 percent of the businesses are small businesses. They employ nearly half of the West Virginia private sector workforce, so nearly half of West Virginians are working in what is defined as a small business. Yet they can face a tax rate as high as 39.6 percent. Think about that. If you own a bakery or an accounting firm, in a 5-day workweek, you have to work Monday and Tuesday just to pay the government. It is no wonder that small businesses have found it difficult to open, let alone succeed, in many parts of our country.

The United States has the highest corporate tax rate in the developed world. A lot of people are asking, how does that influence me? It is influencing the working American because the working American is bearing the brunt of that tax. Because of our outdated Tax Code, real wages for most workers have barely increased over the years. West Virginians understand that, as hard as they work, the government is taking more money from them. It costs them more money every time they go to the grocery store, every time they buy clothing for their children, every time they try to buy a new car. It is just more expensive with no growth in their wages to be able to bear that expense. It feels impossible to get ahead.

We see that all around our States and localities. We see people thinking, I can't get ahead, and I haven't been able to over the last 5 to 10 years. I am starting to think it is impossible.

But we can fix this. It is not impossible. We can create an environment in which there is more opportunity available and wages are higher by modifying our Tax Code. We can have a simpler system with lower rates, and families can see relief from the complexity of our Tax Code. I have seen it stacked up before. If you haven't, I am 5 feet 3 inches, and I think it is taller than I am when stacked up page to page.

Along with the complexities, people need to keep more of their hard-earned money. It will help our companies grow. When our companies grow, what happens? We have more jobs, fairer taxes, and best of all, besides more jobs, we have higher paychecks. With more earnings, companies can hire new workers, increase wages, and invest in new developments. These are changes that I think West Virginians are hungry for.

The time is now. The stagnation we have felt over the last decade has worn us down, has made us lose our optimism about being able to have a better life than our parents had or our children thinking they could have a better life than we had. You know, the American dream is sort of fading for a lot of people, so comprehensive tax reform can provide that kind of relief.

I am excited that we can create that environment of optimism, that environment of confidence in not just our companies and our ability to create more jobs and raise our paychecks, but that confidence that we need as a country that, yes, we can live in our communities in rural America, like West Virginia or North Carolina or Missouri, that we can live in those communities, have a great chance to move ahead, have a good retirement when we decide we are at the end of the line in terms of our working career, and also pass on to the next generation a competitive environment that can compete financially anywhere in the world.

We know we can compete anywhere in the world in a lot of different areas. Right now, we are on an uneven playing field. When we change this and when we fix this—because we can fix this—that will change the playing field for every single American who gets up in the morning or goes to work in the evening, to have the confidence that things are going to be better for them.

I thank the Senator from Missouri, and I look forward to talking about this over the next several weeks.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, when the Senator from West Virginia talked about the 40 percent that can come out of your hard work, the 2 days a week of a regular 5-day workweek—and many families are wishing they could get back to a 5-day workweek because they have really been stagnant in terms of

the opportunities for their families for a long time. It is a good way to think about how hard families work just so the government can get more of their money.

This is a discussion about how the government can take less of your money. For everybody listening who wonders, "Well, if the government is going to take less money—I thought the government already had a deficit"—we need to work on that. One way to work on that and the best way to work on that is to have more taxpayers—not higher tax rates but more taxpayers. We are looking at some tax changes here that would allow more taxpayers to share the burden, hopefully paying taxes, as I said earlier this afternoon, on a bigger paycheck to start with. You can take less money out of that paycheck, and the government gets more money because we have more people paying those taxes and more growth.

The 70-year average on growth since World War II is 3.4 percent. Every year, the economy was that much bigger than the year before. That ought to be achievable. For 70 years, we achieved that. We should be able to get back to that again if we do the right things. But for the last 8 to 9 years, that growth has been less than 2 percent.

Our problem is with jobs that aren't growing as they should in terms of what they pay and the government is not having the money it needs to defend the country and do other things. A lot of that could be solved by an economy that is thriving again. There has been 10 years of not seeing that happen.

We combine good tax policy with good regulatory policy, which means the regulatory excesses of the last few years clearly are being brought back under control. The Federal Government is beginning to look at regulation and being sure it is commonsense regulation again. Consumer confidence is growing. Every single month we look at those numbers, and they generally have been better each month than the month before. They certainly have been better the last 7 months than they were in any previous 7-month period of time for some time now. When we have a good tax policy and a good competitive policy, then before you know it, things begin to happen.

On stagnant income, you can see a study here that says, well, maybe the income hasn't gone up, but because things are a little less expensive and inflation has been so low and so many of the things families need are less expensive, they really have more money than they used to have. Try to explain that to mothers and fathers who are trying to buy five pairs of tennis shoes for five kids. You as a parent are trying to do something for your family every week or so that is a little bit extraordinary. If you don't have extra money, you cannot do any of that.

Over 75 percent of full-time workers in America say, when asked, that they

are living paycheck to paycheck. Over 20 percent of Americans say they have zero savings. A much higher number says they have less than \$400 or \$500 in savings. These are people whose parents and grandparents worked hard to save whatever they could and would like to see that ability happen again.

We need lower taxes. We need better jobs. New jobs are impacted in Missouri, where 97 percent of all our businesses are small businesses. Most new job creation is created by small businesses. We ought to be sure that no matter what we do in the Tax Code, we do it in a way that allows small business to compete with big business in an effective way.

As for competitiveness, in the last 15 years, I think we are not as competitive as we used to be. Our corporate taxes used to be right in the middle. With corporations competing around the world, we were right in the middle. The middle in 2003 was 30 percent; our tax rate was 35 percent. The middle in 2015 was 22 percent; our tax rate was 35 percent. If you are going to compete, if you are going to create jobs, you are going to have to be sure you know how to compete.

Mr. President, you and I were able to see—at least I was able to see—for the first time yesterday, not being on the Finance Committee, the page that is generally agreed to as our starting point. There were lower rates for families, in fact, doubling the individual exemption. Today, if you are a couple, you start paying taxes after the first \$12,000 of income. Under this proposal that exemption doubles to \$12,000 each, so you would start paying taxes only after you have made the first \$24,000. It is sort of a new tax bracket here—the zero tax bracket. It is the tax bracket in which you don't pay income taxes on the first \$24,000, and then you start paying in a simpler system after that.

People would like the tax system to be simpler. People would like to have that postcard filing opportunity, where you say: This is how much money I made, here is my W-2 form that proves it, here is my standard exemption, and here is whatever else I am going to be allowed to exempt—my contributions to church, other charities, my mortgage payment. Those appear to be exemptions that will be left in the Code, but everyone would understand those. Suddenly, you have about three lines, and maybe, by the time you get to those three lines, your tax obligation goes away.

The amount of money people pay to get their taxes figured out in America would be the gross national product of lots of countries. We need a system that is simpler than that.

The death tax—you know, if you are a family farm or a small business and someone has stayed on that farm with you from your family or stayed in that business with you from your family, it is very hard to figure out, when the mom or dad dies, who created what wealth as you work side by side to create the wealth. By the way, you don't

have any wealth that you haven't paid taxes on already. You don't have anything you have accumulated that you haven't paid taxes on multiple times. There is an opportunity here to say that we are no longer going to go through that after trying to tax family farms and small businesses. The death tax is exactly that, and it doesn't work.

We are going to work to make America more competitive, American jobs more competitive. Again, one way to create more take-home pay—the best way to create more take-home pay—is better jobs to start with. We can have those better jobs if we work hard to be focused on competition, on regulation that makes sense, on tax policy that not only is simple but that everybody believes is fair. We have the greatest compliance of any country, I believe, in the history of the world, but people are less likely to comply if they don't think that the tax policy is fair and easily understood and means the same to everyone else. You shouldn't have to have the greatest accountants in the world to figure out what your taxes are or, frankly, to figure out what somebody else's taxes likely are. Fairness is important here, simplicity is important here, and competition and better jobs are important here.

(The ACTING PRESIDENT pro tempore assumed the Chair.)

We need better jobs for working families. I think that should be the flag that flies highest as we begin to look at how we reduce the tax burden and increase the opportunity for more people to be paying taxes because we have more people with better jobs.

I know two of the leaders here. That guy who just left the Chair, the Senator from North Carolina, and the Senator from Georgia have been real advocates for what we are trying to do now and also advocates for getting it done. We not only need to have this debate; we need to get this done.

In my view, this needs to be done this year. It needs to be impacting our economy by the first quarter of next year. I would suggest that nobody in this body understands the importance of competition more than the Senator from Georgia, Mr. PERDUE.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. PERDUE. Mr. President, I would like to echo what my esteemed colleague from Missouri has outlined in the last few minutes. His leadership on this issue is pronounced, and his experience on this floor is not to be underestimated. I appreciate his leadership on this, and I appreciate the opportunity to weigh in on this.

Before my remarks today on this historic opportunity before us right now to finally, after 30 years, become competitive again with the rest of the world, I would like to preface my remarks with a personal comment. My mom and dad were schoolteachers. We were middle class. I grew up working

on our family farm. My mom and dad were really the first two in their extended families who had ever been to college. All of my relatives were farmers in the South.

I think the Tax Code that we have had for the last 100 years, since it was instituted in our country, has created an imbalance. We can see right now that we are losing competitiveness with the rest of the world. We have a growing disparity among income levels in this country, borne out somewhat by the derivative results of an archaic, out-of-control, out-of-date, and inappropriate tax policy.

Today, we have two crises in America. I have spoken on this floor a lot about this. We have a global security crisis that cannot be argued against. It is deadly. It is serious. We also have a debt crisis, and they are interwoven because of our inability to discipline ourselves on this floor over the last 30 years, particularly the last 16 years. We now have \$20 trillion of debt, and that is the result of an explosion in the size of our Federal Government.

In 2000, the size of our government—these are constant 2016 dollars. The size of our government in 2000 was \$2.4 trillion. “Trillion” is a big number, and it gets a lot of zeros out there. I have a hard time even digesting what that is. But 2.4—I can relate to the size that it is today, and it was \$4 trillion last year. So our Federal Government has grown over 60 percent in 16 short years. There was one Republican President and one Democratic President. My experience here in the last 2 years has been that there are no innocent parties in terms of this out-of-control spending on the part of the Federal Government.

One of the solutions to this debt crisis is a growing economy. President Trump, from day one, has said that growing the economy is job one, but it was part of a bigger strategy in his first year.

There were four components to the strategy in the first year. One was that we had to get Neil Gorsuch confirmed to the Supreme Court, and that was done. Second, we had to roll back on some of the more onerous regulations that were stifling the very life out of the free enterprise system. To date, over 800 regulations have been removed from our government. Third was healthcare. We are still trying to fix a collapsing ObamaCare system that is hurting people back home. Lastly, we had to reform our tax package so that we could become competitive with the rest of the world and get our economy going again.

Job one this year was to get the economy going again. To some degree, it is beginning to move. Consumer confidence is at a 16-year high. CEO confidence is at a 20-year high. Why? Because they finally see rhetoric in Washington talking about the things they have been asking for for over 10 years, and that is relief from some of the pressure the Federal Government has put on the free enterprise system that

keeps us from being competitive with the rest of the world.

I have lived around the world, and I have run businesses. I started my career working for an hourly wage in construction. I understand that America—and I can say this with some authority—has some of the best workers anywhere in the world and in the history of the world. On the back of that, we have innovation, capital formation, and the rule of law. That is what has created this economic miracle over the last 7 years, but we have taken it for granted. What we have done is allow other countries because of our immigration policy, because of our tax policy, and because of our regulatory policy, particularly of late—we have lost our competitive edge.

We believe that to get this economy going, President Trump is right. I am absolutely committed to the strategy President Trump has laid out. It really is only three things, and we have already started on two with his leadership.

No. 1 is regulatory reform, which I talked about.

No. 2 is that we have to get this energy policy going. What the President has already done with the Keystone Pipeline and the Clean Power Plan has set the stage to allow us to become the energy czar, if you will, of the next century right here in North America.

Lastly—and maybe most importantly—is to get this Tax Code so we can be competitive with the rest of the world. Let's talk about what competitive means. In 1986, the last time we actually made any real, substantive change to the Tax Code, the United States, after those changes, had the third lowest corporate tax rate in the world. What that did is allow us to compete with the rest of the world and set the stage for the next 10 to 15 years of economic boom that is now part of history.

What has happened now, though, is that the rest of the world has caught up. They have lowered their corporate tax rates. They have simplified their regulatory environment and taken the burden off some of their people. Today we have absolutely the highest corporate tax rate in the world, and we are the last country of the major OECD countries—the 39 countries—to actually still have a repatriation tax. This is unbelievable. We have been so arrogant as a country that we have let the rest of the world outrun us to the next stop, and they are now outcompeting us.

How does this affect the average man and woman on the street? Well, this I believe—the repatriation tax and indeed the lack of competitiveness in our Tax Code—is an absolute tax on American workers. Why? Because right now, twice as many companies in the United States are being purchased by companies outside our country, as compared to companies that our U.S. companies are buying outside the United States. That is nothing but a reflection on the

imbalance of our high tax environment here at home, and the people who suffer from that are the people who buy products in the United States and the people who work for companies that sell products in the United States. By companies, I am talking about friends of mine who have small businesses in South Georgia and have four employees. I am also talking about friends who run large corporations, multinational corporations. All of the above contribute to our economy.

We have unwanted acquisitions. Just look at recent history. Burger King was bought by a Canadian firm, Timmy's. Look at the beer industry in St. Louis. Today, most of those companies are owned by Brazilians and Belgians. These are not mean CEOs who decided to move their corporate headquarters, no. This is a reflection of a competitive disadvantage in which someone outside the country has used our Tax Code and our tax dollars to actually buy U.S. companies to the detriment of U.S. workers. How can anyone be against lowering our corporate tax rate and doing away with this repatriation tax?

The Business Roundtable in 2004 documents—and this is interesting—that if our corporate rate today were just 20 percent, over 4,700 companies that have been purchased over the last couple of years would still be in the United States. I think that is tantamount to a marching order for us here in the Senate to make this change.

The way forward is very simple. This is what is talked about in this tax package that we are beginning to talk about publicly, and this is only after 9 months of regular order in committee with multiple hearings. We heard in the healthcare debate: Oh, this is not regular order. We didn't have the chance to talk about it and put amendments in and all this.

Well, this time, in tax, it will be by regular order. There will be amendments. There will be debates. There have already been multiple hearings. We are looking for input from all corners.

This strategy has three parts: One, we have to lower this tax on our American workers—lower the corporate tax rate to be competitive with the rest of the world. Two, eliminate this repatriation tax as every other country in the world has done. And, last, we have to simplify our individual Tax Code.

My mom and dad were schoolteachers. They were proud of their ability to pay their taxes, but they were burdened by that. Right now, we don't need to do that. We have to find a way to make this Tax Code more equitable for everyone.

Nearly 90 percent of Americans want the code changed. Over two-thirds think taxes are too high. Almost two-thirds say that lowering the corporate tax rate—again, they get the fact that this tax rate is lower in the rest of the world and that it is a penalty on the workers here in the United States.

Nearly every CEO surveyed by the BRT, Business Roundtable, said that delays on tax would damage our economy. Here is why. We just heard the Senator from Missouri talk about timing. We have to have a sense of urgency on this for one reason; that is, if you want to affect the economy next year, you have to get this done this year. Budgets are being finalized for next year right now. Capital investments have already been made in terms of determining how much and where and how soon they will be making it. More importantly, during the back half of next year, we will have the holiday season, which offers up a significant portion of our retail sales for the year, and those decisions are being made right now—before the purchases that are made next spring.

We have major CEOs weighing in on this. Randall Stephenson, CEO at AT&T, said that if we get the corporate tax rate lowered, "We will step it up"—meaning their capital investments. "Every additional billion dollars . . . is 7,000 hard-hat jobs putting fiber in the ground, cell sites up, and antennas on cell sites."

David Abney, CEO of UPS, said: "We'd like to bring some of those foreign earnings back, invest them into our network here."

Finally, Mark Weinberger is the CEO of one of the major accounting firms we have here in the United States. They are multinational, so they have experience around the world in this with Ernst & Young. Actually, through these tax changes, they will stand to lose revenue because we are simplifying how people calculate what they owe in taxes. His quote is this: "I think it's truly a bipartisan issue"—I agree—"something everybody can rally around . . . it's urgent for our country."

To get this done, we have to move past partisan politics and Washington games. We saw how we disappointed the American people—both sides. The Democrats in 2009 crammed ObamaCare down the throats of America through a supermajority. We now know it has failed. Republicans were not able to fix it this year, so far. So we all need to look at this tax issue as a bipartisan issue to fix this once and for all for the people back home.

We can't get bogged down in this scoring—this financial modeling that is only done this way in Washington. People back home don't run their small businesses this way. They don't run big businesses this way. They sure don't run their personal finances this way. We can't get bogged down in bad numbers and bad timing coming from the Congressional Budget Office—not this time. It is too important. The only score that matters to me is GDP growth and the jobs that it creates—the change of lives that it can affect for the people back home.

I hear people talking all the time: I work part time; can you help me get more hours? Wages at the low-income

level have not grown at all in the last 30 years. That is terrible in the United States. We can fix that. It is a function of the thing I am talking about right now—American companies that lost their competitiveness because of the rules here in Washington. This is a 1-percent increase in our GDP. Say we grow from 1.9 percent to 2.9 percent. That alone is \$3 trillion of revenue over the next 10 years. That is doable. Everybody in this room knows that.

But we have to change this Tax Code to put people back to work, to get our economy going again, and to become competitive with the rest of the world. The end result will be to address, finally, this debt crisis.

The reason we want this Tax Code changed is to put people back to work and to change lives here in America. But the long-term benefit of this is that it gives us more flexibility and more capital with which to solve this long-term debt crisis. Growing the economy alone will not fix this debt crisis, but we will not fix the debt crisis unless and until we fix this Tax Code.

We need to have a sense of urgency like never before in order to get this done this year. I echo the comments of my colleagues, and I thank you for this opportunity.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I was presiding when the colloquy started with my colleagues here to talk about tax reform. I had not intended to speak today, and I am sure my staffers are scrambling, wondering what the boss will say. I want to weigh in with this discussion mainly because of the personal perspective of a leader who has seen the positive impacts of having the courage, focus, and discipline to deliver on tax reform.

Back in 2011, I was in my third term. Republicans had the majority, and I became speaker of the house. When I came in February of 2011, it was reported to me that we had a \$2.5 billion structural deficit. We had the fourth highest unemployment rate in the Nation and we had 6 months to figure out how to balance the budget. So it was counterintuitive to a lot of people that we would spend time on regulatory reform and tax reform—particularly tax reform—reducing the amount of revenue coming in at the same time we were in a deficit ourselves. But in the first 6 months that we were in the majority, we cut the sales tax. Then we went over a 2-year period, even with that \$2.5 billion structural deficit, to make the changes in the corporate tax and the income tax. It took North Carolina from the 44th most taxed State—in other words, there were only 5 States ahead of us for the highest tax burden in the United States—now down to No. 12. It was one of the worst growing economies, and it now ranks in the top five in the Nation, and it is one of the fastest growing economies in the

Nation. We created over 250,000 jobs and actually put North Carolina on the map by all references—CEO measures and by independent organizations. It is the State where businesses want to set up and do business.

We took the corporate tax from 6.9 down to 2.5. We took personal income tax rates from 7.75 down to 5.49. We got people back to work.

Along the way, we had our challenges. Everybody in Washington is for tax reform. They are for tax relief. They will come into your office and tell you: Let's get her going. Then on the side they will say: except for that one righteous exemption I may need. We have to have Members who have the courage to do tax reform that helps working families, that creates jobs, and that silences the people who want to take this exemption or that exemption away, so we do what is right for the generation that is about to look for jobs and the people who need a job today.

They want their businesses to grow. They want their economies to thrive. They want the United States to be the strong, great economy that it can be. It is going to take courage. It is going to take discipline. It is going to take time—but only so much time.

I believe this Congress, this Senate, over the course of a few months, if we focus on it and with the support of the President and in collaboration with the House, can get this done. We have to get it done. We promised the American people last year that if we had majorities, we would do what we had to do to deliver on this promise. It can be done. A lot of times, people ask me what keeps me up at night. I tell them two things: coffee and the national debt. Coffee is for the obvious reasons, but why the national debt? I will tell you why. Because when I have people on the Joint Chiefs of Staff and the service chiefs come into the Senate Armed Services Committee and say the single greatest threat to our national security is our debt, we should take notice. These are people who are skilled in warfare. They are people who know how to take the fight to the enemy. When they think the greatest threat to this Nation is our national debt, we had better take that seriously.

How do you resolve the national debt? You grow the economy. How do you grow the economy? You create jobs and help businesses throughout. How do you do that? You do that through tax reform. You also take criticism that is going to be waged by some people on the far left when we talk about corporate tax reform. They are going to say: How could you favor the big guy over the little guy? I don't know about you all, but I worked for companies before in my life. When I was 19 and living in a trailer park, I was working for a corporation. I was a little guy working for that corporation. Fortunately, in the 1980s, we had a President who had the wisdom to know that, if you reduced the tax burden on corporations,

more little guys like me—that 19-year-old living in a trailer park—could get a job—a better-paying job—and, ultimately, have enough money to put himself through school.

So when we get into this argument, don't take the bait by some people who will say that because we are focusing on corporate taxes and reducing the tax burden on businesses, that is somehow a guy in a suit trying to help out a business. That is a guy who has worked his way from that trailer park now into the U.S. Senate and benefited when Congress had the courage to reduce taxes and get the economy back on track. That is what we better do. That is what we promised. That is what we are here to do today. The time is now to get it done.

The President has shown wisdom in the blueprint—and our leadership here, in terms of the broad strokes about what tax reform needs to look like. Now it is our job—each and every individual Member of the Senate and the House—to deliver on the promise to produce tax reform to help the little guy and to get this economy going to be the great economy that it has been in the past, and I have every reason to believe that it will be so in the future.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. 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 (Mr. TOOMEY). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Calendar No. 95, the nomination of Heath Tarbert to be Assistant Secretary of the Treasury, and Calendar No. 106, the nomination of Makan Delrahim to be Assistant Attorney General. I further ask that there be 5 hours of debate on the nominations, equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on confirmation of the nominations in the order listed, with no intervening action or debate, and that if confirmed, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

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

Mr. McCONNELL. 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. 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.

PUERTO RICO AND U.S. VIRGIN ISLANDS RECOVERY EFFORT

Mr. BLUMENTHAL. Mr. President, in the last 24 hours since I came to the floor to talk about Puerto Rico and the U.S. Virgin Islands, there has been progress but far less progress than is necessary at this critical time of humanitarian crisis, when the people of those islands literally face a chasm, a deepening canyon of needs and challenges.

Over the next 24 hours, over the next 24 days, over the next 24 months, this crisis must be met with a strategy, an overarching plan, a Marshall Plan for Puerto Rico that commits the resources unequivocally and unambiguously, making sure we match the depth of this crisis with a magnitude of resources and commitment that is needed and deserved. That kind of response, which has been lacking so far, is absolutely necessary for the hope of Puerto Rico because as the threats of disease and contaminated water increase, not to mention the lack of proper medicine, healthcare, roads, transportation and communication, food, water, medicine, basic necessities rise on that island, the people of Puerto Rico will lose trust and confidence in fellow Americans that must do more. We need to give them the hope they deserve, and that hope has to be more than rhetoric and more than patting ourselves on the back as the President has done. It has to be a real commitment.

In fact, there is no reason for back-patting. The response so far has been inadequate, lacking the full attention and commitment that is needed. It has been a story of inattention and inadequate strategy so far to meet this deepening humanitarian crisis.

The people of Texas, Florida, and throughout the gulf coast and the Southeast who have been affected by the storms have received the full commitment of America. It is what we owe our fellow Americans. That same commitment is owed to Puerto Rico and the Virgin Islands. We saw an immediate disaster response there that must also be devoted to Puerto Rico. The emergency aid and full funding made to the victims of those storms in the gulf coast and Florida must be given to Puerto Rico, and I am hopeful that a relief bill will be fashioned this week.

I am also hopeful that the financial control board that has responsibility for Puerto Rico's internal finances can be given the flexibility and that the Government of Puerto Rico will be given the flexibility that is needed to deal with this disaster—nothing less than a full court press, a full plan and strategy, and a plan that directly addresses the needs of Puerto Rico in so many areas.

On transportation, what is the plan to ensure that basic goods can move from one end of the island to another? Right now the roads are unusable. By

all accounts, getting things across the island by road is impossible. Radar and navigation systems at the airports are down. The transportation mechanism of the island is literally ripped apart. So potable water, food, and fuel are impossible to move where they need to go. That state of affairs is inadequate and unacceptable in America in 2017.

Electricity and power are disrupted across the island. What will be done to restore power and electricity throughout the island? What will be done to make sure that diesel is available there and in the Virgin Islands? Many of the machines essential for lifesaving at the hospitals cannot be powered by generators alone. That state of affairs is inadequate and unacceptable in America in 2017.

All five of the hospitals in Arecibo, one of Puerto Rico's largest cities, are without power. Many other hospitals are shuttered as well. Clinics are closed.

Mosquito-borne diseases are a real and present danger. Deadly ailments in contaminated food and water may cause serious and possibly deadly diseases. As these diseases spread, what is the plan to stop this kind of inadequacy? It is unacceptable in America in 2017.

As to communications, or the basic ability to talk to each other, to reassure each other, and to know what is going on with relatives and loved ones and friends—no wonder that angst and alarm are spreading beyond Puerto Rico to Connecticut, where those relatives and friends live now—this kind of lack of communication is unacceptable in America in 2017. What is the plan to correct it?

On public safety, looting and theft are becoming more prevalent. As the days drag on, law and order will deteriorate unless public safety is addressed more effectively.

There is another kind of challenge. A dam that is about to burst and could cause havoc in surrounding areas is a clear and present safety danger that illustrates again the weakness of Puerto Rico's infrastructure.

Towns throughout the island have suffered severe flooding. So housing and basic shelter are inadequate. What is the plan to rebuild?

Payment for medicines cannot be made unless cash is available, and the lack of electricity means that the ATM machines are not working. If there is no cash for residents to buy basic goods, including food and water, how does the administration plan to solve this problem? This kind of inadequacy is unacceptable in America in 2017.

Rebuilding will require a long-term commitment. It will require a plan and a strategy, not just over the next 24 hours or 24 days but 24 months and longer. It must deal with a financial situation that is a storm of its own.

As I described it yesterday, this storm is not a natural disaster. It is a manmade disaster, the result of healthcare and tax programs that are

beyond any fault of the people of Puerto Rico. It is not of their doing.

Vast swaths of resources have been swept away in Puerto Rico, including many of the attractions important for Puerto Rico's tourist industry. The same is true, for example, on the island of St. John in the Virgin Islands. Tourism is a key component of Puerto Rico's economy. It may take years and possibly decades to restore. What is the long-term plan? What is the strategy for Puerto Rico and for the Virgin Islands? There needs to be a kind of Marshall Plan for rebuilding because the devastating damage done is no less than what Europe suffered as a result of World War II. We have an obligation—certainly, no less than rebuilding our European allies—to restore and rebuild Puerto Rico.

All of these natural disasters and the financial manmade storm come as Puerto Rico continues to endure the struggles of its internal financial commitments that are necessary for the lifeblood of the economy. Jobs and economic progress must be the end goal.

With so many questions about the President's plan or lack of plan, I am struck by the need for this body and this Congress to take the initiative. I think we will need to begin action, begin hearings, and begin a process of building a plan if the administration fails to present it.

I believe, too, that we share so much with the island of Puerto Rico in people who have come to Connecticut and other parts of the country that we will find a ready and enthusiastic audience and support for such an effort.

In the past 2 days, after silence through much of it about Puerto Rico, the President seemed to blame the island itself, its financial struggle, other storms, and even the size of the ocean. There should be no excuses. There must be a call to action.

I thank the Coast Guard, our military, the first responders, the rescuers, and relief organizations—from Americares to the Red Cross to Save the Children—that have devoted so much and given so much in these times of crisis. They have been stretched thin. They have performed with courage and generosity and so have the donors who have come forward in Connecticut and around the country. People are calling my office asking what they can do for the people of Florida and the gulf coast and Puerto Rico and the Virgin Islands. They are all fellow Americans, and we owe it to them to do more and do better to make sure that we keep faith with our fellow Americans.

I thank you, Mr. President, for the opportunity to talk about this subject.

NOMINATION OF AJIT PAI

Mr. President, I want to express as well my concern regarding the renomination of Ajit Pai to be Chairman of the Federal Communications Commission. I will oppose his nomination. As much as I respect his background and his achievements, his intelligence and

ability, I believe that, during his tenure over the past year, he has taken one step after another that is contrary to the public interest. He has launched an attack on net neutrality, and he is working adamantly for undoing the open internet order.

The open internet order was established based on 10 years of evidence about how the internet has changed, and it was most recently fully upheld by the U.S. Court of Appeals for the DC Circuit in June 2016. The most recent evidence shows that net neutrality has not inhibited network investment at all, in contrast to Chairman Pai's claim.

On broadband privacy, Chairman Pai forcefully advocated in support of efforts to rescind the FCC's broadband privacy rules, a blatant attack on consumer privacy rights—all the more striking in light of recent dramatic concerns about privacy. Signing up for the internet should not mean that you have to sign away your rights to privacy, and that is why it is so important to have baseline privacy and data security rules that our broadband providers subscribe to, observe, and follow.

Earlier this year, Senate Republicans gave broadband providers a green light to sell sensitive personal information to the highest bidder—a move that came with cheers of support from Chairman Pai. By supporting this measure, I think Chairman Pai raised severe doubts about his commitment to the average American consumer.

One of Chairman Pai's first actions after his designation as chairman was to direct the FCC's Wireline Competition Bureau to overturn an order designating nine wireless companies to provide lifeline broadband service through the USF Lifeline Program, despite the assertion that his foremost goal was to close the internet and digital divide. I strongly criticized this decision and led a letter to Chairman Pai expressing that this action not only forfeits and affects these providers consumers' interests, but it may also have a chilling effect on other broadband providers that were interested in participating in the Lifeline broadband program. This action would limit choice and increase the cost of service for the lifeline participants.

Finally, as Chairman of the FCC, Mr. Pai has a duty to review whether Sinclair's proposal to acquire Tribune Media complies with the FCC's broadcast media ownership rules and serves the public interest by promoting localism and diversity. Rather than scrutinizing this deal as closely and carefully as I believe he should, Mr. Pai has focused his efforts on loosening restrictions to enable the deal. This transaction not only blatantly violates existing rules, but it also abridges existing FCC policy. Those policies were just recently scrapped under Mr. Pai's watch.

This action can only be explained by interest in prioritizing the demands of Sinclair over the public interest. It

also is no surprise that this decision happened just days before he had a meeting with the chairman of Sinclair.

Every market impacted by this megamerger would experience a reduction in responsive local news due to Sinclair's unresponsive, top-down approach—denigrating diversity, diminishing our already distorted civic discourse, and devaluing local voices of women and people of color. Today, I sent a letter to Chairman Pai to let him know that blessing a media behemoth such as Sinclair-Tribune would reflect an abject failure on his part to protect the public interest and to uphold the FCC's duty to promote localism and diversity. Localism needs responsiveness to local interests, local news, and local voices. That is a trust the FCC has by its own rules and as a matter of public interest.

Today we rely more than ever on the internet for so many facets of our everyday life: freedom of expression, education, healthcare, housing, entertainment, and more. Consumers need a champion that will be their voice at a time when so often the public interest is drowned by moneyed interests and special interests.

Chairman Pai, far from our champion, seems to be more a servant of those interests. American consumers deserve better. My hope is, the President will nominate someone who can better serve those interests.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

DELRAHIM NOMINATION

Ms. WARREN. Mr. President, our economy is in trouble. In markets all across our economy, a few giant corporations hold all the power. It is everywhere. Four airlines control over 80 percent of all domestic airline seats in America. Five health insurance giants own over 80 percent of the health insurance market. Four companies dominate over 80 percent of the beef market. Three drugstore chains control almost all retail pharmacies in the country. Two companies sell more than 70 percent of the beer in America.

As competition has been snuffed out in industry after industry, big corporations have made out like bandits, and everyone else has paid the price. How do we pay? American families shell out more for lower quality goods. Small businesses find it harder and harder to compete against the big guys. Innovators and entrepreneurs struggle to promote new ideas that can change the world. Income inequality has left more American families struggling to make ends meet as the top 1 percent has grown even richer and richer. As fewer companies have seized more economic power, they have translated their economic muscle into political power—power they can use to elect the politicians they like, get the kinds of laws and policies they like, and run up even more economic power.

It is a nasty, self-perpetuating cycle, and it is exactly why Congress created antitrust laws over a century ago. Back then, like today, a few powerful companies were stifling competition in markets all across the economy and gaining extraordinary political power. Congress decided to create laws to break up trusts and protect competition.

Today the Justice Department's Antitrust Division is charged with protecting competition by blocking anti-competitive mergers and going after companies that engage in illegal conduct. For decades, though, antitrust enforcers have put their tools on the shelf instead of aggressively enforcing our antitrust laws, they have given the green light to megamerger after megamerger and allowed big corporations to misuse this power without a peep.

That problem is set to get worse in the Trump administration. Since taking office, President Trump has loaded his administration with a Who's Who of former lobbyists, Wall Street insiders, and corporate executives committed to tilting the scales even further in favor of his powerful friends and against American families.

Now, President Trump has nominated someone to head the Justice Department's Antitrust Division. His nominee, Makan Delrahim, will be in charge of determining whether there is someone to stand up for competition or let the big guys just get bigger and more powerful. Unfortunately, Mr. Delrahim's approach to antitrust enforcement is based on a hands-off economic theory that just leaves big corporations to do pretty much whatever they want to do. Case in point, just last year, when asked what he thought about the proposed merger of AT&T-Time Warner—a merger that would combine two of the most powerful companies in media—Mr. Delrahim said he didn't think it was a "major antitrust problem."

Mr. Delrahim spent over a decade working to convince government officials that other megamergers weren't antitrust problems. During the airline merger wave that left us with only four major carriers, Mr. Delrahim was lobbying the government to approve a merger between US Airways and Delta. Despite the fact that there are only a few large retail pharmacies, he lobbied to get government approval for CVS's proposed takeover of Caremark. Even though only five health insurers control the vast majority of the health insurance market, he tried to convince government regulators to approve Anthem's unsuccessful attempt to merge with Cigna.

Now he wants to take a spin through the revolving door and regulate the industries he worked to make even less competitive. For the giant corporations, wealthy individuals who want to amass more power and profits for themselves, Mr. Delrahim is a dream candidate, but he is also a dream can-

didate for President Trump. President Trump has not been shy about his willingness to use his power against individuals or companies he doesn't like, and he has made it clear that he expects his agency heads to carry out his orders.

Mr. Delrahim has been a loyal supporter of President Trump's since the campaign. He urged fellow Republicans to support President Trump because he correctly believed President Trump would appoint a pro-corporate Justice to the Supreme Court. He also served as legal counsel to President Trump after he was sworn in and as the President reversed rules that made it easier for families to pay their mortgages or reversed rules to prevent people with serious mental illnesses from buying guns or reversed rules to stop companies from dumping toxic waste into water. As head of the Antitrust Division, Mr. Delrahim will be in a position to make even more harmful decisions.

It is no secret that Americans don't trust Washington. They see politicians who care more about catering to corporate donors than fighting for the interests of hard-working people who are trying to figure out how to pay the bills and build a little security in their own lives. It is a real problem, but it is a problem we can solve. We can begin to solve it by fighting the economic concentration that is putting more money and more power into the hands of a few giant corporations. That means choosing enforcers who will hold companies accountable when they break the rules, and that means rejecting nominees like Makan Delrahim.

TARBERT NOMINATION

Mr. President, I rise to speak on the nomination of Heath Tarbert, who has been nominated by President Trump to be the Assistant Secretary of the Treasury for International Markets and Development. If confirmed, Mr. Tarbert will be in charge of the Treasury Department's role on a multi-agency body called the Committee on Foreign Investment in the United States, or CFIUS, which reviews whether foreign acquisitions of a U.S. company would pose a threat to our national security and then makes recommendations to the President on whether the President should block the transaction.

This is not about whether foreign investment benefits our economy. Of course it does. The United States is the third largest recipient of foreign direct investment, and our markets attract the world's best talent and capital. Going back to the 1990s, only four foreign acquisitions of American companies have ever been blocked by a President based on a recommendation of the Committee on Foreign Investment in the United States. This is about whether our national security is put at risk when foreign governments, foreign state-owned enterprises, and foreign investors acquire our companies and assets. This is also about foreign governments and the companies they own,

trying to gain access to sensitive technologies that are important to our military and our national security.

The risk posed to the security of the United States is real. I want you to consider just one example here. According to a news report last year, an internal Pentagon report found that China was making significant targeted investments in cutting-edge American startups, with expertise in areas like autonomous vehicles, artificial intelligence, and robotics. These can be transactions that don't necessarily result in foreign control over one of our companies, but they can give a foreign adversary access to technologies that could harm our strategic interests and erode our military advantage.

The risk is significant, but unfortunately CFIUS does not apply to these transactions. The problem is, CFIUS was created back in 1975. Since then, both technology and the nature of foreign acquisitions, mergers, and takeovers have changed substantially. The nature of the threats we face has also changed substantially. Our top military leaders—such as the Secretary of Defense and Chairman of the Joint Chiefs—believe that CFIUS needs to be updated to fully address them, and I agree.

Another concern is that CFIUS does not focus enough on whether the benefits of foreign acquisition outweigh the costs when it comes to the competitiveness of American workers. While I recognize that CFIUS has historically focused on the national security impacts of foreign investment, I think Congress should consider elevating the Department of Labor to the group of agencies that are currently part of the core CFIUS review process. If we believe economic security and national security are intertwined, then I think we can both look out for the American worker and review the national security threats posed by foreign acquisitions.

Finally, the ethics problems that are everywhere in this administration come forward again in the area of national security. We all know President Trump, his family members, and other Trump administration officials have business ties in the United States and throughout the world, even if we don't know the full extent of President Trump's business ties because he will not release his tax returns.

Imagine a Trump administration official who has a financial stake in an American company, a foreign state-owned company or both. Now imagine that a foreign company backed by China, Russia, or another foreign adversary tries to acquire a U.S. company and a Trump official suddenly has financial ties to that transaction and then that transaction triggers a CFIUS review for national security concerns. If that scenario were to occur, I am deeply concerned about the conflicts of interests that could emerge. I would expect CFIUS to vigorously review such an investment as it affects our national security.

I raised all of these issues with Mr. Tarbert when I met with him today and his answers improved from when I asked him about these issues earlier this year, but I remain concerned about his commitment to modernize CFIUS and to ensure that CFIUS does more to consider the impact of foreign acquisitions on American workers. I hope I am wrong, but I still have concerns about his nomination, which is why I will vote against it.

Mr. Tarbert promised me that if confirmed, he would work to ensure that no transaction is approved by CFIUS if national security concerns remain unresolved, and that is encouraging to hear. If he is ultimately confirmed, I will use my position in the Senate Banking Committee to hold him to that promise because the threats we face are growing in complexity, and the Committee on Foreign Investment in the United States must be ready to confront them. We don't want to wake up one day and discover that our adversaries have access to key components of our national security technology because Congress and the White House were asleep at the wheel.

If confirmed, I will work in good faith with Mr. Tarbert to ensure that the Committee on Foreign Investment in the United States is updated so it is in the strongest position to protect our national security—both from the threats we face today and the threats we will face in the future.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CRAPO. 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. CRAPO. Mr. President, I rise to speak in support of the nomination of Mr. Heath Tarbert to be Assistant Secretary of the Treasury for International Markets and Development. This position is both a critical national security and international economic policy job.

A critical part of the Assistant Secretary's job—and the reason for which this position was created by statute and passed in the Banking Committee—is to marshal the procedures and processes of the interagency, Treasury-led Committee on Foreign Investment in the United States, or CFIUS, which protects our Nation from hostile foreign transactions designed to undermine U.S. national security interests.

This is now a very time-sensitive post because Senators on both sides of the aisle are working to introduce legislation to change the CFIUS process for the first time in a decade.

Confirmation of Mr. Tarbert is critical so that he is available to provide necessary input on any proposed changes and to swiftly implement any new legislation.

Mr. Tarbert would also serve as the principal policy advisor to the Secretary on international economic matters, including serving as the Treasury's representative at the Financial Stability Board.

Finally, Mr. Tarbert has strong bipartisan support and was voice-voted out of the Banking Committee.

Mr. Tarbert has served in senior roles in all three branches of government and is an experienced lawyer and a recognized financial expert.

In short, he is an important asset whom the Congress and Treasury Department do not want to lose to further delay.

I urge all of my colleagues to support Mr. Tarbert's nomination today and to vote for his confirmation.

With that, I yield the floor.

DELRAHIM NOMINATION

Mr. GRASSLEY. Mr. President, today, the Senate is voting to confirm Makan Delrahim to serve as the Assistant Attorney General for the Antitrust Division. When Mr. Delrahim was 10 years old, his family fled the tyranny of Iran and settled in the United States, knowing no English. Since then, Mr. Delrahim received his B.S. from the University of California in 1991, his J.D. from the George Washington University School of Law in 1995, and his M.S. from Johns Hopkins University in 2002.

Mr. Delrahim's professional career and broad range of legal experiences have prepared him well to lead the Antitrust Division. He has experience in both the private and public sectors. He has worked at various law firms and served in government, including as staff director to then-Chairman HATCH of the Senate Judiciary Committee, deputy counsel to the President of the United States, and Deputy Assistant Attorney General of the Antitrust Division at the Department of Justice. He also served as a Commissioner of the U.S. Antitrust Modernization Commission.

Mr. Delrahim will serve as the highest ranking Iranian-American official ever at the Department of Justice. His journey epitomizes the American dream. He is well known and liked by my colleagues and me. I am pleased to support his nomination today.

Mr. CRAPO. 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. HATCH. 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. HATCH. Mr. President, the confirmation of Makan Delrahim has been a top priority of mine. I know the man. He worked with us. He headed our Judiciary Committee staff. Amidst the rising controversy over antitrust law in the 21st century, he is precisely who we need in that position. I commend the President for having picked him.

All of us, Democrats and Republicans, liberals and conservatives, are going to make sure that our markets remain free and competitive. Cheap talking points are not going to cut it; only serious debate will.

I am pleased that recent efforts to rise above the partisan fray and treat this subject with the seriousness it deserves have paid off today.

I expect our colleagues to vote for Makan because of the high-quality lawyer he really is.

I thank my colleagues for joining me in this debate. I congratulate Makan, who is sure to make us all very pleased with the way he can run things and the way he can begin this important work that he knows is important. We know it is important; I particularly know it is important.

Makan has been an honest, decent, wonderful man. He is a good father. He has been a terrific staffer here on Capitol Hill. He has worked with both Democrats and Republicans in good faith. I think almost all of them, if they are honest, will say he was a very, very good person to work with and a wonderful person to fill this position.

It is a blessing that someone like Makan, who comes from a very humble family, could rise to the top in this particular position in antitrust, and I am sure he will do an honest, decent job within the antitrust laws as they are configured and written.

I am proud of him. I think the world of him. I hope everybody will vote for him. But if not, I will commend him, and I know he will do a good job in this particular position.

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

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

VOTE ON TARBERT NOMINATION

Mr. HATCH. Mr. President, I yield back all time on both sides, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Heath P. Tarbert, of Maryland, to be an Assistant Secretary of the Treasury?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. STRANGE), and the Senator from Indiana (Mr. YOUNG).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 8, as follows:

[Rollcall Vote No. 204 Ex.]

YEAS—87

Alexander	Feinstein	Murphy
Baldwin	Fischer	Murray
Barrasso	Flake	Nelson
Bennet	Franken	Paul
Blumenthal	Gardner	Perdue
Blunt	Graham	Peters
Booker	Grassley	Portman
Boozman	Hassan	Reed
Brown	Hatch	Risch
Burr	Heinrich	Roberts
Cantwell	Heitkamp	Rounds
Capito	Heller	Rubio
Cardin	Hoeven	Sasse
Carpenter	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Collins	Kaine	Shelby
Cooms	Kennedy	Stabenow
Corker	King	Sullivan
Cornyn	Klobuchar	Tester
Cortez Masto	Lankford	Thune
Cotton	Leahy	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Udall
Daines	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	McConnell	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden

NAYS—8

Gillibrand	Markey	Schatz
Harris	Merkley	Warren
Hirono	Sanders	

NOT VOTING—5

Cochran	Menendez	Young
Donnelly	Strange	

The nomination was confirmed.

VOTE ON DELRAHIM NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Makan Delrahim, of California, to be an Assistant Attorney General?

Mr. WARNER. 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 assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. STRANGE), and the Senator from Indiana (Mr. YOUNG).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 21, as follows:

[Rollcall Vote No. 205 Ex.]

YEAS—73

Alexander	Boozman	Carper
Barrasso	Brown	Casey
Bennet	Burr	Cassidy
Blumenthal	Capito	Collins
Blunt	Cardin	Coons

Corker	Hoeven	Portman
Cornyn	Inhofe	Reed
Cotton	Isakson	Risch
Crapo	Johnson	Roberts
Cruz	Kennedy	Rounds
Daines	King	Rubio
Durbin	Klobuchar	Sasse
Enzi	Lankford	Scott
Ernst	Leahy	Shaheen
Feinstein	Lee	Shelby
Fischer	Manchin	Stabenow
Flake	McCain	Sullivan
Franken	McCaskill	Tester
Gardner	McConnell	Thune
Graham	Moran	Tillis
Grassley	Murkowski	Toomey
Hatch	Nelson	Warner
Heitkamp	Paul	Wicker
Heller	Perdue	
Hirono	Peters	

NAYS—21

Baldwin	Hassan	Sanders
Booker	Heinrich	Schatz
Cantwell	Kaine	Schumer
Cortez Masto	Markey	Udall
Duckworth	Merkley	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

NOT VOTING—6

Cochran	Menendez	Van Hollen
Donnelly	Strange	Young

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume consideration of the Erickson nomination.

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

The clerk will report the nomination.

The bill clerk read the nomination of Ralph E. Erickson, of North Dakota, to be United States Circuit Judge for the Eighth Circuit.

The PRESIDING OFFICER. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, one of the Senate Republicans' most important priorities for the rest of this year is passing comprehensive tax reform. Why? Because comprehensive tax reform is perhaps the single most important thing we can do to get our economy back on the path to long-term health. Comprehensive tax reform done right will boost jobs. It will increase wages. It will provide much needed tax relief for middle-income taxpayers and families. It will help businesses reinvest in their operations, employees, and new products. And most importantly, it will help us achieve strong, consistent economic growth.

Over the past few weeks, leaders from the House, Senate, and White House have been meeting to develop the framework for the tax reform bill we will take up later this year. This morning, they unveiled that framework. The framework supports Republicans' five principles for tax reform: providing tax relief for the middle class; increasing wages, jobs, and economic growth;

keeping good-paying jobs here at home; increasing American competitiveness in the global economy; and simplifying the Tax Code.

The framework released today emphasizes tax relief for the middle class.

First and foremost, we are going to ensure that working families receive a much needed increase in take-home pay. Right now, 50 percent of families are living paycheck to paycheck, while one-third of people across this country say they are just \$400 away from a financial crisis. That is not acceptable.

Our tax reform plan will ensure that these families are no longer left behind. Our plan will increase the standard deduction, which will provide tax relief to those families who need it the most. It will also enhance the child tax credit, and I don't need to tell anyone that the important work of raising a family is getting more and more expensive. It is time for hard-working families to get a break with a larger child tax credit. Finally, we will be lowering the rates on middle-class families. By collapsing the seven income tax brackets to three, we will ensure that working families get to keep more of what they earn.

Second, our tax plan will increase wages, jobs, and economic growth by lowering taxes and improving cost recovery for American businesses and job creators. The framework released today lays out a goal of a 20-percent corporate tax rate. Right now, our corporate tax rate is the highest in the developed world. Our competitors pay an average rate of 22.5 percent, while U.S. companies face a 35-percent tax rate. That is a big problem. Our uncompetitive tax rate has driven companies to move their headquarters and jobs overseas and led to wage stagnation and a lack of opportunity for American workers. Lowering the corporate rate will create jobs and increase wages for working families across the country.

An equally important priority laid out in the framework is lower tax rates for small businesses, farms, and ranches. Like bigger businesses, small businesses—from partnerships to S corporations—currently face high tax rates, at times even exceeding those paid by large corporations. Lowering tax rates for these businesses and creating a new maximum passthrough rate will allow a business to reinvest more of its earnings in successful operations. In short, it will help these job creators thrive. The Republican tax plan will also allow for unprecedented expensing. Allowing small businesses to recover their costs more quickly will free up capital and allow them to grow and to create jobs.

The framework released today also shows how we are going to meet our goal of making America more competitive and keeping those good-paying jobs here at home. A key part of keeping good-paying jobs here at home is making the United States an attractive place to do business by reforming our outdated worldwide tax system.

Having a worldwide tax system means that American companies pay U.S. taxes on the profit they make here at home as well as on some or all of the profit they make abroad, once they bring that money back to the United States. The problem with this is that American companies are already paying taxes to foreign governments on the money they make abroad. Then, when they bring that money home, they too often end up having to pay taxes again on part of those profits and at the highest tax rate in the industrialized world. It is no surprise that this discourages businesses from bringing their profits back to the United States to invest in their domestic operations, new jobs, and increased wages.

Between 1983 and 2003, when the U.S. tax rate was much more competitive with those of other countries, there were 29 corporate inversions where U.S. companies moved abroad. Between 2003 and 2014, when other countries were dropping their corporate tax rates and shifting to territorial tax systems, there were 47 such inversions.

Our tax plan addresses this drag on our economy by moving from our outdated worldwide tax system to a territorial tax system. By shifting to a territorial tax system here in the United States—a move, I might add, that is supported by Members of both parties—we will eliminate the double taxation that encourages companies to send their investments and their operations overseas. Combine that with a reduction in our high corporate tax rate, and we can provide a strong incentive for U.S. companies to invest their profits at home in American jobs and American workers instead of abroad.

We will also simplify our Tax Code. Each year, Americans spend 2.6 billion hours filling out complicated individual tax forms. Not only is this a drag on our economy, it is an annual frustration and burden for hard-working families. The goal of our tax reform plan is to let American families complete their taxes on something as simple as a postcard.

Lower rates, fewer tax brackets, and a generally simplified code will end the complicated mess that too many families face every tax season.

We will continue to develop the details of this framework in the coming weeks as we work toward a final draft of our comprehensive tax reform bill. I look forward to collaborating with my colleagues in the Senate Finance Committee as we work to put our country on the path toward long-term economic health and the jobs, increased wages, and opportunities that come along with it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. INHOFE. Will the Senator yield?

Mr. WYDEN. I will be happy to.

Mr. INHOFE. I ask unanimous consent that at the conclusion of the remarks from my friend from Oregon, Senator WYDEN, that I be recognized for such time as I shall consume.

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

The Senator from Oregon.

CHRONIC CARE ACT

Mr. WYDEN. Mr. President, often late at night when the Senate passes a piece of legislation by unanimous consent, people often don't get a chance to understand what it really means, and usually there is a sense of, well, this maybe won't be the most important thing coming down the road, and everybody just said OK, and so it passed the Senate.

Last night, the Senate took action on Medicare. At a time when 10,000 people will turn 65 every day for years and years to come, Medicare is something millions of older people rely on, and their kids and grandkids make plans to make sure their grandparents are taken care of, but also they want to know what their future is going to be all about.

What the Senate did last night—Democrats and Republicans coming together—is, in my view, transformational for seniors today and the beginning of an effort that is going to evolve in the days ahead for kids and their parents and their grandparents to, in effect, benefit from an updated Medicare guarantee that will stand the test of time for many years to come. The reason I say “updated Medicare guarantee” is that Medicare is not a voucher. It is not a piece of paper. It is not something you get and then, well, maybe it will do you some good, but if your healthcare costs go above your vouchers, you are going to get buried in costs. Medicare is a guarantee that vital services are going to be available to those over 65.

Last night, all Senators voted to send to the House of Representatives a bipartisan effort that was years in the making to update the Medicare guarantee to start focusing on chronic illnesses, such as cancer, diabetes, heart disease, and Alzheimer's.

Mr. President, I am going to make this a little bit personal. I am so grateful to Chairman HATCH, Senator ISAKSON, Senator WARNER—the bipartisan group in the Senate that has been working on this.

What I can tell the Senate tonight is that back when I was director of the Gray Panthers and ran the legal aid services for older people, Medicare was a very different program. Back in the 1970s when we were getting the Gray Panthers off the ground, it was a very different program than it is in 2017. Medicare really consisted of two parts. There was Part A. If a senior broke their ankle or needed surgery for a broken hip, they went to the hospital, and Medicare Part A would be there to cover a senior's surgery. If a senior had an awful bout of the flu, he or she visited the doctor and they used Part B. That is not Medicare in 2017. Medicare in 2017 is not primarily about treating the flu or a broken ankle. It is there for those conditions, and we are very glad that it is, but more than 90 percent of the Medicare dollars go to treat

older people with two or more chronic conditions. I will tell you, until the Senate Finance Committee, on a bipartisan basis, began to deal with this problem—and fortunately, we had a couple of colleagues in the House who picked up on it as well—my sense is that, basically, both political parties had missed it. They really missed the fact that most of the Medicare dollars—90 percent—go to seniors who have two or more of these chronic conditions. They might, for example, deal with diabetes and heart problems.

But today's seniors really face the kinds of conditions that didn't dominate the program back in the days when the Gray Panthers were getting off the ground. Today, seniors get their care in a variety of different ways. It is not just fee-for-service medicine. We have the Medicare Advantage Plan, Accountable Care Organizations, and other new systems under development.

So keeping up with those changes—updating the Medicare guarantee—ought to be a real priority for policymakers. That is why the Finance Committee has put so much effort over several years to get the bill that passed late last night across the finish line. There are still more steps before the policies reach the President's desk with strong bipartisan backing of the entire Senate. I am confident the job will get done.

The CHRONIC Care Act means more care at home and less in institutions. It will expand the use of lifesaving technology. It places a stronger focus on primary care. It gives older people—however they get their Medicare—more tools and options to receive care specifically targeted to address chronic illnesses and to keep them healthy. These, in my view, are a whole set of building blocks that you have to set in place to update the Medicare guarantee. Still to come is ensuring that every older person with multiple chronic conditions has an advocate to help them navigate through the Byzantine healthcare system in America.

I just want to highlight that point. If you have two or more of these chronic conditions—I guess the physicians call them comorbidities—you can be drowning, especially if you are not part of a coordinated Medicare program or Medicare Advantage or something like that. You can just be drowning in forms and processes and procedures. Lots of times, over the years, I have gotten calls from a child who is a lawyer or an engineer and they said: RON, help me out in trying to get through all of this maze of bureaucracy to try to get help for my parents. So I want it understood that what the Senate has done as of last night is an extraordinarily important beginning, but there is a lot more to do.

I want to wrap up my comments on this subject and, then, turn briefly to one other, by handing out some very appropriate thank-yous. I think the Finance Committee has handled this bill, in my view, as a model to work on a bi-

partisan basis. I want to thank Chairman HATCH. He and I put together the bipartisan chronic care working group two years ago, and Senators WARNER and ISAKSON did a first-rate job of leading it.

There is an awful lot of sweat equity put in by staff. A lot of staff worked on these issues while they were dealing with weddings. We had three children born in the process, and there were job changes.

Big thanks go to Karen Fisher, Hannah Hawkins, Kelsey Avery, Leigh Stuckhardt, Liz Jurinka, Beth Vrabel, and Matt Kazan on our team.

Chairman HATCH and his team really stepped up to work with us and all the Senators: Jay Khosla, Brett Baker, Jen Kuskowski, Katie Meyer-Simeon, and the chronic care lead, Erin Dempsey. Big thanks also go to Senators WARNER and ISAKSON for lending us Marvin Figueroa and Jordan Bartolomeo.

I close this portion of my remarks by saying that I think what happened last night—while certainly not something everybody is talking about this evening—is something that is going to be extraordinarily important in the years ahead. It is an issue that I know the President of the Senate and I have talked about—this whole question of healthcare and Medicare and the like. This was an important step to take and an important step we can build on. I hope the other body in the House will take action quickly.

PUERTO RICO AND U.S. VIRGIN ISLANDS
RECOVERY EFFORT

Mr. President, let me turn now to this question of the Puerto Rico disaster. It has now been a week since Hurricane Maria made landfall in Puerto Rico, and 3.5 million American citizens are living amidst a horrifying state of devastation. When I was chairman of the Energy and Natural Resources Committee, which has jurisdiction over the affairs of Puerto Rico, the U.S. Virgin Islands, and America's other territorial possessions, I got very involved in the economic issues on the island.

But I come today to make a humanitarian plea to my friends and colleagues in the Senate. It is a plea not about economics. It is about people—fathers and mothers, children, grandparents, teachers, nurses, and thousands of veterans who served their communities and their country proudly. They are dealing with something that is almost unimaginable—this horrifying set of circumstances that they now find dominating their lives. The press accounts describe Puerto Rico as looking like a war zone. Millions of people on the island are without power, running water, and fuel. The few hospitals that are open—only 20 for the entire island—struggle to care for the injured and the sick. Many doctors and first responders are unable to get to their workplaces because their lives, too, are thrown into chaos, and 911 still doesn't work. Cell service and power are down. The airport in San Juan

barely functions now, after days of being completely off the grid.

It is almost impossible for us here in this city to imagine this. We have the basic infrastructure and health and safety that we take for granted every day. Only one word sums up the state of the islands—demolished. It is almost impossible to gauge the full extent of the devastation. Nobody knows how many lives have been lost or how many homes and businesses have been damaged beyond repair, and how many lives have been shattered.

What is known is that this disaster has affected the lives of every single one of the 3.5 million individuals living on the island and the millions more on U.S. mainland, who have had sleepless nights worrying about loved ones. This is a humanitarian crisis on American soil. It is past time to step up and provide immediate aid to help these Americans—not only for Puerto Rico but also for the U.S. Virgin Islands, which has also been clobbered by these storms. It is not just the right thing to do. It is the only thing to do.

A few hours ago, I joined 35 of my colleagues in sending a letter to the President, and we requested a number of concrete actions. There are other additional steps in my view that are vital. So I want to just tick through some of them on the floor.

First, the President has to issue a full disaster declaration for all of Puerto Rico, not just parts of it. Currently, 24 municipalities in Puerto Rico have yet to receive individual disaster assistance. This means that people who have lost their homes in these areas are ineligible for Federal assistance. This is unacceptable.

Next, while the President rightfully revised his original disaster declaration so that the island will not have to split the cost of disaster relief with the Federal Government for 180 days, the President should continue this assistance until the island is back on its feet.

The administration also needs to include funding and necessary emergency support for the Puerto Rico Medicaid Program in any emergency request. Medicaid in Puerto Rico doesn't work the way it does in the 50 states, where it is a guarantee of care for vulnerable, low-income people. Puerto Rico's Medicaid Program is built on a block grant, which means that in times of crisis, resources might not be there when it is needed most. Even before the disasters, Puerto Rico was close to depleting its Medicaid supplemental funding. When it does, it will have nowhere to turn to pay for medical care for many of its most vulnerable.

In my view, this is a perfect example of why block grants—as contemplated by the bill that we considered in the Finance Committee this week—Graham-Cassidy-Heller—and vital programs like Medicaid don't mix. It is a recipe for disaster.

In addition, there are expired tax provisions unique and vital to Puerto

Rico's economy, and they ought to be extended with any disaster relief package in order to give workers and businesses certainty and predictability. This includes tax incentives for producing goods in Puerto Rico and rebates for taxes on exported rum. In my view, if this is done properly and laid out in a proactive way, it will give predictability for the future and make a difference—an important difference to a lot of people on the job.

It is also vital to get Puerto Rico's electric grid up and running and provide power generators in the meantime. This isn't simply a matter of recharging phones or turning televisions back on for news updates. Going without power is life-threatening. Perishable food goes bad. Those with diabetes can't refrigerate their insulin. Hospitals have a difficult time running essential medical equipment, like dialysis machines or heart monitors. Air conditioners are useless, which is especially dangerous for kids and seniors given the hot, humid temperatures and the limited supply of safe water.

Another necessary step is to help ensure that Puerto Rico and the U.S. Virgin Islands receive assistance as quickly as possible, and that would include a short-term waiver of the Jones Act. The Jones Act is an important policy for ensuring a vibrant U.S. maritime industry and for our national defense. But in times of disaster it is more important to get supplies to the impacted areas as quickly as possible. The government has granted such a waiver in Houston and Florida, and it is, in my view, beyond comprehension that they haven't done the same thing for Puerto Rico and the Virgin Islands.

Finally, the administration needs to mount a full-court press to rebuild the islands' roads, ports, and airports. Once aid arrives, it is useless if you can't get it out to those who need it most.

As several of my colleagues and I wrote to the President today, our military is uniquely qualified to help Puerto Rico meet some of its critical recovery needs. That includes construction battalions that can repair power and surface transportation infrastructure.

I close by saying that the people of Puerto Rico and the Virgin Islands are desperate for our help. This situation is extreme. Congress and the administration need to act as soon as possible. The cleanup from Maria and Irma is just the beginning. The fact is that these megastorms, fueled by global warming, are going to keep coming, even after the power is restored and the storm damage from Maria and Irma is repaired. There is going to be a lot of work necessary to reverse years of struggle and build up Puerto Rico's economy and infrastructure.

Coming to the aid of our fellow Americans at a time of crisis, in my view, is at the very core of being Americans. At home, I call it "the Oregon way." Our natural disaster this summer was wildfires. Recently, I was out visiting fire camps that stretched from

our northern border with Washington State to our southern border with California and many points in between. I met people helping Oregon fight fire from all over the United States. I met Floridians who were there the weekend Irma hit Florida. They were there to help Oregonians deal with fire, when they and their families were worried about what Irma was going to do to Florida.

Colleagues, I close simply by way of saying that we should expect no less in our efforts here in the Senate to help our fellow Americans in Puerto Rico and the U.S. Virgin Islands. The American people now have to be part of a mobilization to bring together the enormous resources in the Federal Government to help when disaster strikes. It is a matter of basic fairness and humanity to help protect and restore these American citizens and lands.

I yield the floor.

I thank the Senator from Oklahoma for his courtesy.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me say to the Senator from Oregon that help is on its way. It is a very difficult thing because we don't have any idea how long this is going to last. When you stop to think about a land that is in the tropics not having electricity, it is something that is hard to imagine and to get arms around the devastation that takes place. I appreciate the fact that he has brought that up.

WORK OF THE ADMINISTRATION

Mr. President, when I watch the news, I can't help but see that the media is showing a kind of picture of Washington that really doesn't exist. The news would have the public believe that there is a lot of dysfunction in the administration, and nothing is getting done. But I can share some examples of how the government has been working to get America back in business.

In my former life, I participated for some 20 years or longer in a free enterprise business. I was making money. I was losing money. I was hiring people, doing what I thought Americans were supposed to be doing. All that time, the major problem I had was the obstruction of the Federal Government. One of the reasons I actually ran in the first place was to try to save the free enterprise system. I never dreamed that we would end up with an administration—as well-meaning as the Obama administration was—that would be putting people out of business.

During the last administration, the Obama administration, new rules were created that had no purpose but to hinder economic growth. In fact, President Obama is the first President since Hoover not to hit a 3-percent GDP growth in any year of his Presidency.

With every industry coming under scrutiny from every regulatory agency, President Obama added more regulations to the Federal Register than any

other President in history. Businesses are complying with regulations, costing in the neighborhood of \$2 trillion. You have to keep in mind that when you hear the businesses and corporations are paying this, it is not the businesses that are paying it. It is the public—the people who are out there, and they, through increased costs of goods and services or through taxes, are paying it.

I heard an alarming figure the other day that some 65 percent of the people in America—this is a poll that is about a week old—are opposed to any stopping of regulations in corporations. Yet they are the very ones who are paying for this fun they are having.

This administration has tried to do something about all the overregulation, all the rules that the previous administration had put in place. There are two ways you can do this. One is through Executive orders. People know what those are; that is, the President coming along and giving an Executive order that will undo damage that was done by a previous Executive order imposing a new rule on America. That has been taking place.

At the same time, the other way of doing it is through a CRA resolution. Not many people know what a CRA resolution is. A CRA resolution is a Congressional Review Act resolution. It started about 20 years ago and has never been used until this administration. What it does is say that if you have up to 30 Members of the Senate, you can get a CRA resolution against a rule that some administration has put in place in a certain time period. It is the way people who are elected to office, accountable to the people, can get things done and be answerable to the people, as opposed to an unelected bureaucrat who is out there imposing hardships and rules on the public.

Actually, this administration came in, and they passed 14 Congressional Review Act resolutions; that is, 14 in the first few weeks, actually. The savings from repeal of these 14 regulations were estimated to be \$3.7 billion in costs and 4.2 million hours of paperwork, the most expensive of which—this is kind of interesting because I introduced a CRA resolution. It happens to be that mine was the first one to pass. So I had the first signing ceremony with our new President Trump during the initial days of his administration.

The rule was imposed by the Obama administration. It was one that would force domestic oil and gas companies to release all of the information they had in formulating their estimates and their bids in competition with maybe China or other countries, and it was putting our domestic oil and gas companies at a competitive disadvantage. This was all part of the Obama war on fossil fuels. Everyone knows that fossil fuels are oil, coal, and gas, and this was an effort to do that. We introduced a resolution repealing that. It was a CRA resolution, and it was successful. We

had our signing ceremony, and that was history.

That is 1 of 45—some Executive orders—and 1 of 14 successful CRA resolutions. In addition to the CRA resolutions, President Trump has signed 45 Executive orders with the goal of reducing redtape and cutting back on harmful administrative redtape.

Thanks to our colleagues on the other side of the aisle for changing the Senate rules because, with their help, President Trump and a Republican-led Senate have been able to confirm one of the most conservative Cabinets in history, and they have been working to implement the President's pro-business, pro-jobs, pro-economic growth policy.

If you want to see the effect that this administration is having, you need only to look at the energy industry. Of course, that is to say nothing about the fact that we now have a great conservative judge. But when you look at the energy industry, it has been under attack for 8 years.

Within weeks after taking office, the Army Corps of Engineers under the Trump administration approved an easement for the Dakota Access Pipeline that had been withheld by the Obama administration because of nothing more than political pressure from the far left.

The next month, the State Department issued a crossborder permit for the Keystone Pipeline. Again, the permit had been withheld purely for political far-left reasons.

Later the same month, the Department of the Interior lifted the coal leasing ban that the Obama administration had placed on Federal land. Federal lands have about 40 percent of the coal production in the United States, so that was just devastating to that industry. It was a killer.

Another notable win for energy came just last week out of the Federal Energy Regulatory Commission; that is, FERC. FERC was without a forum from February until mid-August, creating a backlog and delaying \$50 million of energy infrastructure projects from moving forward. The new forum has quickly gone to work to address that backlog, improving pipelines and power agreements.

However, a decision made last week has clearly sent a message that America's energy sector is open for business again. For years, New York State had been delaying consideration of water certifications that are required for FERC approval to allow construction of several federally approved pipelines.

The Millennium Pipeline, in particular, would take natural gas 9 miles from one pipeline to a natural gas-fired electric plant, providing clean, cheap, natural gas power in New York State. It was delayed and denied certification simply because, again, the radical left doesn't want it.

Last week, FERC took the authority granted to them under the Clean Water Act to override New York State's de-

nial of certification because New York had waived their authority under the law.

Section 401 of the Clean Water Act says that if a State "refuses to act on a request for a certification within a reasonable time period (which shall not exceed 1 year) after the receipt of such request, the certification requirements . . . shall be waived with respect to such Federal application."

With environmentalists increasingly urging States like New York, New Jersey, and Virginia to block pipelines by delaying or withholding otherwise valid certifications, these States are interfering with interstate commerce, a role that is clearly within the purview of the Federal Government.

I applaud the administration for the progress they have made and the independent agencies for taking a stand against the gamesmanship of the radical left, environmentalist groups, and those who do their bidding by using loopholes and their official authority to block valid, compliant energy projects from safely transporting cheaper and cleaner energy across State lines.

When the government works with industry, not against it, we start to see companies unleash investments across the country. In fact, the economy has picked up since Trump and his administration have come into office with the economy growing 3 percent in just the second quarter, which is the first full quarter under the administration, and the fastest pace of growth in 2 years, according to the website called CNN Money.

Each nomination, confirmation, or policy directive of President Trump and the Republican-led Congress signals to the business community and American workers that America is open for business again.

I look forward to continuing to work with my colleagues to address our energy industry's needs so that private investors can be utilized to deliver American products to American consumers around the world. Just this week, I introduced a bill to address the known bottleneck issues that add unnecessary delays in the FERC permitting process by identifying participating agencies early in the process and providing contract reviews and providing transparency. This is something that is just common sense.

I thank very much Senator KING and his staff for working with me and my staff on this legislation, and I hope my colleagues will join us in getting these reforms into law.

I bring this up only because you would never know that this is progress that is being made in the economy through the Trump administration. Somehow that report has yet to get through.

TRIBUTE TO DAVID BOREN

Mr. President, I have another thing in mind. A lot of people who have been around in this Senate for a while remember the name of David Boren.

David Boren is from my State of Oklahoma. He was a Senator here for quite some period of time. He went on to be the president of Oklahoma University.

I am kind of excited about recognizing him, especially because David Boren and I, in 1967—before any of you guys were born—were elected to the State legislature in the State of Oklahoma. This is kind of funny because, at that time, people thought of Oklahoma as being a red State. Let me tell you, it wasn't a red State then. We had a House of Representatives of 100 people, and only 7 of us were Republicans; the rest were Democrats.

The way it is set up in the House of Representatives in Oklahoma—it is still true today, I believe—you have two members per desk. They would have two Democrats at one desk, two Republicans at one desk. Well, it came out uneven, so the only integrated desk was ours, that of David Boren, who was a Democrat, and I, who was a Republican.

It is kind of interesting also that the first thing we did—keep in mind, this was right after we took office in January of 1967. We came to Washington. We thought we were really important at that time. We were going to testify before a committee. That committee was called the Environment and Public Works Committee. I don't remember his name, but he was a very popular Democrat from West Virginia. He was, I think, the chairman of that committee.

I remember standing up and testifying before that as a junior Senator from the State of Oklahoma. I really thought I was something. I will tell my colleagues what I was testifying about. It was right after the Johnson administration, and I was protesting Lady Bird's Highway Beautification Act of 1965—taking private property away from people and all that.

It is interesting because David Boren and I were testifying before that committee way back in January of 1967, and I ended up chairing that same committee just a few years later. So that was the beginning.

Anyway, it was kind of interesting because David Boren being a Democrat and myself being a Republican and coming from a very strong, almost entirely Democratic State, we had an individual who is the—I can't remember his name—he was secretary of the treasury for the State of Oklahoma. So we started introducing the reforms. All the reforms in that decade were the product of David Boren, Democrat, and Republican JIM INHOFE. None of them ever passed, but we introduced all of these things.

So we put together a plan. We had a Governor at that time—it is not necessary to mention his name. He was a corrupt Governor, and he ended up in the penitentiary. We put together a plan of how to get him out of office. I would run for Governor as a Republican, I would win my nomination, and he would run for Governor as a Democrat, and of course he most likely

would lose—he was running against a very popular Democrat. Anyway, as it turned out, he won. Coming from a solid Democratic State, I can remember calling him up and saying: What do we do now? I think I was best advised to just go out of town until the campaign was over.

Anyway, we spent time together, and we had a great time. David did a great job as the University of Oklahoma's president. He would actually teach classes. He always put students first. So he did a great job.

I would say that it is fitting that he announced his retirement this year because this is his 50th year of public service, and he leaves a legacy of dedication and hard work and public service. His influence has shaped Oklahoma more than I think he ever thought he could. His daddy was Lyle Boren, who was a very popular Democratic House Member for a long period of time, and we all at that time became very close friends.

I don't think there has been a man who loved Oklahoma more and served our State more faithfully than David Boren.

God bless you, David Boren. Enjoy your retirement.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. INHOFE. 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.

AFFORDABLE COLLEGE TEXTBOOK ACT

Mr. DURBIN. Mr. President, textbook costs are one of the most overlooked barriers to college affordability and access, and they are continuing to get more expensive.

Over the last decade, 2006 to 2016, the Bureau of Labor Statistics Consumer Price Index shows that consumer prices for college textbooks increased almost 90 percent. It means students have to spend more every year. In 2016 to 2017, the College Board recommended that students budget an average of \$1,250 for their books.

A survey released by the Student Public Interest Research Group reported that 65 percent of students decided not to buy a textbook because of

the cost, and 94 percent of those students worried it would hurt their grade.

This week, I joined with Senators AL FRANKEN and ANGUS KING and Representatives JARED POLIS and KYRSTEN SINEMA to reintroduce the Affordable College Textbook Act. This bill would establish a grant program to encourage the creation and use of high-quality open textbooks which are free to use. Greater access to and widespread use of these open textbooks can save each student who uses one hundreds of dollars, and, long term, it puts pressure on the traditional college textbook market to come up with affordable alternatives.

My home State of Illinois provides an example of how this bill would work. The University of Illinois used \$150,000 in Federal money to pilot an open textbook project at its main campus. The university, working with faculty, developed an open textbook, "Sustainability: A Comprehensive Foundation." This textbook was published electronically for free and open use. You can go online today and find it.

Instead of a student having to shell out \$150 or more for his or her introductory environmental sustainability class, he or she can use this free online book. That is a direct savings to a student every time a professor assigns this text in place of a traditional textbook. Today it is saving students money in Illinois, but also across the country at other colleges and universities where it has been adopted by faculty into their curriculum.

I would again like to thank my colleagues, Senators AL FRANKEN and ANGUS KING, for joining me in this effort I would also like to thank the wide variety of organizations that support this bill, including the U.S. PIRG, SPARC, National Association of Big Ten Students, National Association of College Stores, American Association of Community Colleges, United Negro College Fund, and others.

Mr. President, I hope that my colleagues in Congress will join us in supporting this bill to create a program at the Federal level to encourage the creation and adoption of these materials. In the meantime, I hope students across the country will reach out to their professors and have this conversation with them. Ask them to adopt these free, quality materials that are available today.

FUNDING FOR SAFE, PUBLIC LATRINES IN AFRICA AND ASIA

Mr. LEAHY. Mr. President, in the year 2017, when some people live in extravagant homes with half a dozen or a dozen bathrooms with marble floors and the latest fixtures, an estimated 2.5 billion people live in squalor with no access to modern sanitation. One billion people have no access to latrines and defecate in the open, like our ancestors did thousands of years ago.

The United States spends about \$400 million a year on water supply and sanitation programs worldwide, pursuant to the Senator Paul Simon Water for the Poor Act of 2005. One of our late colleague's many public policy contributions was his focus on pressing issues such as the growing scarcity of clean water sources—even in our own country—and the preventable suffering that comes from poor sanitation. His book, "Tapped Out," is another contribution he made to greater understanding of these challenges. The law named for him requires the Secretary of State, in consultation with the U.S. Agency for International Development and other U.S. Government agencies, to develop and implement a strategy to provide affordable and equitable access to safe water and sanitation in developing countries.

For the past several years, the Congress has directed that \$14 million of those funds be used specifically to design and build safe, public latrines in Africa and Asia. Our purpose has been to help reduce the risk to women and girls, particularly in rural areas in these countries, who are often assaulted at night or subjected to humiliation and harassment, due to the lack of safe and accessible latrines.

Unfortunately, USAID has not utilized these funds as effectively as we intended, and the fiscal year 2018 Department of State and Foreign Operations appropriations bill, which was reported unanimously by the Senate Appropriations Committee on September 7, specifies that not less than \$15 million shall be made available "to support initiatives by local communities in Africa and Asia to build and maintain safe, public latrines."

What we intend is not rocket science. Today communities in Africa and Asia, often with the assistance of small local or U.S. nongovernmental organizations like the Advocacy Project, are building low-cost, easy to maintain, public latrines. Something as basic as a latrine can transform a community, particularly for women and girls. Not only does it reduce their vulnerability to assault, it reduces the obvious health problems caused by open defecation. It also increases girls' access to education, if there are latrines for girls at schools. The cost of such projects can be as little as a few hundred dollars, particularly when members of the community volunteer their labor. Just as important as the design and construction is a plan for community members to regularly maintain the latrines and to educate the local population—men, women, and children—on their use.

Access to water and sanitation are fundamental to social and economic development. The lack of safe drinking water and proper sanitation, coupled with poor hygiene, are leading causes of sickness and death worldwide. Nearly 1,000 children under age 5 die each day from diarrhea caused by contaminated water and from poor sanitation and hygiene. There are few ways to

safeguard a person's health and improve their dignity more basic than by providing them access to sanitation facilities for safely disposing of human waste.

There should be no confusion about what we intend for these \$15 million. We want USAID missions in countries where women and girls in rural areas lack access to safe, public latrines to identify communities for pilot projects, where local leaders want to address this problem and where a small investment can make a significant difference. Working with those leaders and utilizing the technical expertise of local or U.S.-based NGOs, we can help set an example for other communities to replicate.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 204, on the nomination of Heath P. Tarbert, of Maryland, to be Assistant Secretary of International Markets and Development, U.S. Treasury Department. Had I been present, I would have voted no.●

ADDITIONAL STATEMENTS

• Mr. RISCH. Mr. President, today I would like to recognize an outstanding small business located in my home State of Idaho. Dedication, hard work, and the entrepreneurial spirit are some of the guiding principles that define us as Americans. It is these traits that have enabled so many of our fellow citizens to achieve the American dream. As our workforce moves further into the 21st century, new opportunities are created every day by the American people themselves to ensure that they can achieve a better standard of life, without reliance on others. My State of Idaho knows this and is proud to serve as an incubator for many small businesses that seek to expand these values through their unique entrepreneurial spirit. As Chairman of the Senate Committee on Small Business and Entrepreneurship, it is my pleasure to recognize LiveRez as the Senate Small Business of the Month for September 2017. LiveRez is one of a good number of software companies in Idaho, which provides services to American businesses nationwide and serves as a true example of hard work in pursuit of the American dream.

LiveRez is based out of Eagle, ID, and was founded by Tracy Lotz in 2008, after years of research and development within the vacation rental sector. Tracy started his journey with vacation rentals in 1994, when he launched First Choice Vacation Properties, one of the few early websites where managers were able to advertise their vacation rentals in cyberspace. It wouldn't be until 2002 that Tracy and his nephew Jeremy would start building websites

for their clientele of professional vacation rental managers, and within a year, they were pioneering online bookings in real time. It would not be until 2005 that the Lotz's would shift from providing the service at an incremental level to designing software that would be 100 percent cloud-based. In January 2008, LiveRez was launched as the first all-in-the-cloud management system. From there, they have continued expanding and innovating with the establishment of the First Advisory Board, mobile websites, and other technical applications that enabled their software to be one of the most sought after management systems for managers not only in the United States but also around the world.

Perhaps what makes all of this success even more incredible is that Tracy was able to do all of this organically, utilizing the revenue from the company's early days to continue to grow. He did not seek out venture capital for the company, nor did he take on debt. Today Tracy and the team at LiveRez host their annual partner conference, which includes classes, tech reveals, networking, and more amenities for members of the industry.

I would like to congratulate Tracy Lotz and the employees of LiveRez on their innovation and hard work and the commitment that they have to their partners and clients. I wish the best for LiveRez, and I am confident that they will continue to provide innovative services and ideas to their growing customer base.●

MESSAGES FROM THE HOUSE

At 10:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 603 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114-323), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Western Hemisphere Drug Policy Commission: Mr. Matt Salmon of Mesa, Arizona.

ENROLLED BILL SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 810. An act to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3354. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year

ending September 30, 2018, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2923. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Hurricane Harvey and Hurricane Irma Disaster Relief" (Notice 2017-49) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2017; to the Committee on Finance.

EC-2924. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-1011); to the Committee on Foreign Relations.

EC-2925. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0512)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2926. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0481)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2927. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR - GIE Avions de Transport Regional Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0516)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2928. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0496)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2929. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0008)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2930. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2017-0164))

received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2931. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0479)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2932. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2017-0652)) received in the Office of the President of the Senate on September 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2933. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Adding the Polar Ship Certificate to the List of SOLAS Certificates and Certificates Issued by Recognized Classification Societies" ((RIN1625-AC35) (Docket No. USCG-2016-0880)) received during adjournment in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2934. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Rice Creek, Putnam County, FL" ((RIN1625-AA09) (Docket No. USCG-2016-0523)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2935. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Little River to Savannah River, Beaufort, SC" ((RIN1625-AA09) (Docket No. USCG-2015-0343)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2936. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Sarasota, FL" ((RIN1625-AA09) (Docket No. USCG-2016-0330)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2937. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wando River, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2017-0348)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2938. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

"Safety Zone; Delaware River, Philadelphia, PA" ((RIN1625-AA00) (Docket No. USCG-2017-0543)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2939. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Delaware River; Dredging" ((RIN1625-AA00) (Docket No. USCG-2017-0811)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2940. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dredging; Shark River, NJ" ((RIN1625-AA00) (Docket No. USCG-2017-0843)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2941. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tombigbee River, Demopolis, AL" ((RIN1625-AA00) (Docket No. USCG-2017-0786)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2942. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Lakes Pilotage Rates - 2017 Annual Review" ((RIN1625-AC34) (Docket No. USCG-2016-0268)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2943. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Event held in the Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2017-0716)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2944. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Village of Sodus Point Fireworks; Lake Ontario, Sodus Point, NY" ((RIN1625-AA00) (Docket No. USCG-2017-0718)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2945. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Frogtown Regatta, Maumee River, Toledo, OH" ((RIN1625-AA08) (Docket No. USCG-2017-0754)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2946. A communication from the Chief Counsel, National Telecommunications and

Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Repeal of Regulations Governing the Public Telecommunications Facilities Program" (RIN0660-AA34) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-2947. A communication from the Director, Bureau of Transportation Statistics, Department of Transportation, transmitting, pursuant to law, a report entitled "Transportation Statistics Annual Report 2016"; to the Committee on Commerce, Science, and Transportation.

EC-2948. A communication from the Acting General Counsel, Department of Transportation, transmitting, pursuant to law, a report entitled "Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2016"; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MCCAIN for the Committee on Armed Services.

*Marine Corps nomination of Gen. Joseph F. Dunford, Jr., to be General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Mr. GRASSLEY (for himself, Mr. JOHNSON, Mr. WYDEN, and Mrs. MCCASKILL):

S. 1869. A bill to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HOEVEN (for himself, Mr. MCCAIN, Ms. HEITKAMP, Ms. CORTEZ MASTO, Mr. FRANKEN, Mr. DAINES, Mr. TESTER, and Mr. BARRASSO):

S. 1870. A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes; to the Committee on Indian Affairs.

By Mr. CASSIDY:

S. 1871. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Mr. NELSON, Mr. BLUNT, and Ms. CANTWELL):

S. 1872. A bill to authorize the programs of the Transportation Security Administration relating to transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself and Mr. BLUNT):

S. 1873. A bill to require the Secretary of Veterans Affairs to carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WYDEN:

S. 1874. A bill to direct the Secretary of Energy to establish certain demonstration grant programs relating to the demonstration of advanced distribution systems, smart water heaters, vehicle-to-grid integration, and granular retail electricity pricing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 1875. A bill to move the United States toward greater energy independence and security, to increase the flexibility, efficiency, and reliability of the electric grid, to increase the competitiveness of the United States economy, to protect consumers, and to improve the energy performance of the Federal Government, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. WHITEHOUSE, and Mr. REED):

S. 1876. A bill to direct the Secretary of Energy to establish a program to advance energy storage deployment by reducing the cost of energy storage through research, development, and demonstration, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself, Mr. WARNER, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 1877. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI (for himself and Mr. BENNET):

S. 1878. A bill to authorize the Department of Labor's voluntary protection program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself and Ms. STABENOW):

S. 1879. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. UDALL (for himself, Mr. MERKLEY, Mr. DURBIN, Mr. LEAHY, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. MARKEY, Mr. VAN HOLLEN, Mr. FRANKEN, Mr. WYDEN, Ms. WARREN, and Mr. WHITEHOUSE):

S. 1880. A bill to reform our government, reduce the grip of special interest, and return our democracy to the American people by increasing transparency and oversight of our elections and government, reforming public financing for Presidential and Congressional elections, and requiring States to conduct Congressional redistricting through independent commissions, 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. SCHUMER (for Mr. MENENDEZ (for himself, Mr. CRAPO, Mr. MARKEY, Mrs. FEINSTEIN, Mr. CARDIN, Mr. BOOKER, Mr. BLUNT, and Mr. COONS)):

S. Res. 269. A resolution designating September 2017 as "National Prostate Cancer Awareness Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Massa-

chusetts (Ms. WARREN) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 364

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 364, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 538

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Idaho (Mr. RISCH), the Senator from Michigan (Ms. STABENOW), the Senator from Mississippi (Mr. WICKER) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 951

At the request of Mr. PORTMAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 951, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, and for other purposes.

S. 1144

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1144, a bill to amend the Internal Revenue Code of 1986 to encourage business creation by allowing faster recovery of start-up and organizational expenses, to simplify accounting methods for small businesses, to expand expensing and provide accelerated cost recovery to encourage investment in new plants and equipment, and for other purposes.

S. 1292

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1292, a bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes.

S. 1319

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr.

DURBIN) was added as a cosponsor of S. 1319, a bill to require the Secretary of Veterans Affairs to establish a continuing medical education program for non-Department of Veterans Affairs medical professionals who treat veterans to increase knowledge and recognition of medical conditions common to veterans, and for other purposes.

S. 1358

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1358, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1505

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Alabama (Mr. STRANGE) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1505, a bill to provide that silencers be treated the same as firearms accessories.

S. 1531

At the request of Mr. YOUNG, the names of the Senator from Utah (Mr. HATCH) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1531, a bill to require reporting by the Secretary of Education on the implementation of recent Government Accountability Office recommendations.

S. 1568

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1595

At the request of Mr. RUBIO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1595, supra.

S. 1697

At the request of Mr. GRAHAM, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1697, a bill to

condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1753

At the request of Mr. HELLER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1753, a bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes.

S. 1754

At the request of Ms. COLLINS, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 1754, a bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1767

At the request of Mr. LEAHY, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1767, a bill to reauthorize the farm to school program, and for other purposes.

S. 1774

At the request of Mr. HATCH, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 1774, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1816

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1816, a bill to amend the Fair Credit Reporting Act to enhance fraud alert procedures and provide free access to credit freezes, and for other purposes.

S. 1823

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1823, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes.

S. 1829

At the request of Mr. GRASSLEY, the names of the Senator from New Hamp-

shire (Mrs. SHAHEEN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 1829, a bill to amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

S. 1868

At the request of Mr. HEINRICH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1868, a bill to amend the Internal Revenue Code of 1986 to provide tax credits for energy storage technologies, and for other purposes.

S. RES. 250

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 250, a resolution condemning horrific acts of violence against Burma's Rohingya population and calling on Aung San Suu Kyi to play an active role in ending this humanitarian tragedy.

S. RES. 264

At the request of Mr. WYDEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 264, a resolution designating September 2017 as "National Kinship Care Month".

S. RES. 267

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. Res. 267, a resolution designating September 2017 as "National Workforce Development Month".

At the request of Mrs. FEINSTEIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. Res. 267, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 1874. A bill to direct the Secretary of Energy to establish certain demonstration grant programs relating to the demonstration of advanced distribution systems, smart water heaters, vehicle-to-grid integration, and granular retail electricity pricing, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am introducing a set of three bills that will lower the cost of energy storage, increase flexibility in the power grid, and create a comprehensive set of grant programs to advance development of renewable energy technologies throughout the country.

Currently, many energy technologies—like energy storage—compete in unfair markets, making it hard for new innovations to measure up to more established technologies like those of the fossil fuel industry. Congress and the Department of Energy can work hand-in-hand with industry to level the playing field, using a fair,

tech-neutral approach when updating the electricity system, to benefit the American consumer.

My Reducing the Cost of Energy Storage Act will provide funding to the Department of Energy to research and develop ways to lower the cost of energy storage technologies. Ultimately, this bill will make it possible for renewable energy to be used on a more reliable and affordable basis.

To protect the power supply from disruptions caused by natural disasters, which can wipe out power to millions of homes, my Flexible Grid Infrastructure Act will require the Department of Energy to find and develop ways to make the power grid more flexible and responsive to these challenges. The bill will also connect displaced workers to training programs that will allow them to transition to high-skill clean energy jobs. Finally, this bill will provide states and utilities with resources to upgrade the flexibility and reliability of the power grid.

In order to ensure private sector growth in distributed energy technologies, my Distributed Energy Demonstration Act will create competitive, cost-share grant programs for new small-scale, grid-connected projects such as rooftop solar panels, hot water heaters, electric vehicles and modernized utility pricing technologies.

Together, or apart, these bills will promote a more flexible electricity grid that can respond to power disruptions from natural disasters and ensure reliable, low-cost electricity for consumers now and in the future. They will also lower costs for energy storage technologies that make renewable energy more reliable and cost-effective, boost funding for cutting-edge research and reward state and private sector innovations, which will make renewable energy more reliable and affordable for U.S. energy consumers.

By Mr. WYDEN:

S. 1875. A bill to move the United States toward greater energy independence and security, to increase the flexibility, efficiency, and reliability of the electric grid, to increase the competitiveness of the United States economy, to protect consumers, and to improve the energy performance of the Federal Government, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. WHITEHOUSE, and Mr. REED):

S. 1876. A bill to direct the Secretary of Energy to establish a program to advance energy storage deployment by reducing the cost of energy storage through research, development, and demonstration, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 269—DESIGNATING SEPTEMBER 2017 AS “NATIONAL PROSTATE CANCER AWARENESS MONTH”

Mr. SCHUMER (for Mr. MENENDEZ (for himself, Mr. CRAPO, Mr. MARKEY, Mrs. FEINSTEIN, Mr. CARDIN, Mr. BOOKER, Mr. BLUNT, and Mr. COONS)) submitted the following resolution; which was considered and agreed to:

S. RES. 269

Whereas over 2,900,000 families in the United States live with prostate cancer;

Whereas 1 in 7 men in the United States will be diagnosed with prostate cancer in their lifetimes;

Whereas prostate cancer is the most commonly diagnosed nonskin cancer and the third-leading cause of cancer-related deaths among men in the United States;

Whereas the American Cancer Society estimates that in 2017, 161,360 men will be diagnosed with, and more than 26,730 men will die of, prostate cancer;

Whereas 43 percent of newly diagnosed prostate cancer cases occur in men under the age of 65;

Whereas the odds of developing prostate cancer rise rapidly after age 50;

Whereas African-American men suffer from a prostate cancer incidence rate that is significantly higher than that of White men and have double the prostate cancer mortality rate than that of White men;

Whereas having a father or brother with prostate cancer more than doubles the risk of a man developing prostate cancer, with a higher risk for men who have a brother with the disease and the highest risk for men with several affected relatives;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the earlier, more treatable stages, which could increase the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 29 percent of men survive more than 5 years if diagnosed with prostate cancer after the cancer has metastasized;

Whereas there are no noticeable symptoms of prostate cancer in the early stages, making appropriate screening critical;

Whereas, in fiscal year 2017, the Director of the National Institutes of Health supported approximately \$274,000,000 in research projects focused specifically on prostate cancer;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2017 as “National Prostate Cancer Awareness Month”;

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to encourage research—

(i) to improve screening and treatment for prostate cancer;

(ii) to discover the causes of prostate cancer; and

(iii) to develop a cure for prostate cancer; and

(C) to continue to consider ways to improve access to, and the quality of, health

care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1106. Mr. INHOFE (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

TEXT OF AMENDMENTS

SA 1106. Mr. INHOFE (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bankruptcy Judgeship Act of 2017”.

SEC. 2. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by the following districts by subsection (b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

(A) The district of Delaware.

(B) The southern district of Florida.

(C) The district of Maryland.

(D) The eastern district of Michigan.

(E) The district of Nevada.

(F) The eastern district of North Carolina.

(G) The district of Puerto Rico.

(H) The eastern district of Virginia.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), and (D), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF DELAWARE.—The 1st, 2d, 3d, and 4th vacancies in the office of a bankruptcy judge for the district of Delaware—

(i) occurring 5 years or more after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(C) DISTRICT OF MARYLAND.—

(i) The 1st vacancy in the office of a bankruptcy judge for the district of Maryland—

(I) occurring more than 5 years after the date of the enactment of this Act, and

(II) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(ii) The 2d and 3d vacancies in the office of a bankruptcy judge for the district of Maryland resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of subsection (b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES EXTENDED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005 AND THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and extended by subsection (c) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and further extended by section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) for the district of Delaware and the district of Puerto Rico are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 5th vacancy in the office of a bankruptcy judge for the district of Delaware—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), subsection (c) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

SEC. 3. TEMPORARY OFFICE OF BANKRUPTCY JUDGE AUTHORIZED.

(a) APPOINTMENTS.—The following bankruptcy judges shall be appointed in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of that title:

(1) Two additional bankruptcy judges for the district of Delaware.

(2) One additional bankruptcy judge of the middle district of Florida.

(3) One additional bankruptcy judge for the eastern district of Michigan.

(b) VACANCIES.—

(1) DISTRICT OF DELAWARE.—The 6th and 7th vacancies in the office of a bankruptcy judge for the district of Delaware—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under paragraph (1) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(2) MIDDLE DISTRICT OF FLORIDA.—The 1st vacancy in the office of a bankruptcy judge for the middle district of Florida—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under paragraph (1) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) EASTERN DISTRICT OF MICHIGAN.—The 2d vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under paragraph (1) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

SEC. 4. BANKRUPTCY FEES.

(a) AMENDMENTS TO TITLE 28 OF THE UNITED STATES CODE.—Section 1930(a)(6) of title 28, United States Code, is amended—

(1) by striking “(6) In” and inserting “(6)(A) Except as provided in subparagraph (B), in”; and

(2) by adding at the end the following:

“(B) During each of fiscal years 2018 through 2022, if the balance in the United States Trustee System Fund as of September 30 of the most recent full fiscal year is less than \$200,000,000, the quarterly fee payable for a quarter in which disbursements equal or exceed \$1,000,000 shall be the lesser of 1 percent of such disbursements or \$250,000.”

(b) DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS 2018 THROUGH 2022.—Notwithstanding section 589a(b) of title 28, United States Code, for each of fiscal years 2018 through 2022—

(1) 98 percent of the fees collected under section 1930(a)(6) of such title shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended; and

(2) 2 percent of the fees collected under section 1930(a)(6) of such title shall be deposited in the general fund of the Treasury.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply to quarterly fees payable under section 1930(a)(6) of title 28, United States Code, as amended by this section, for disbursements made in any calendar quarter that begins on or after the date of enactment of this Act.

SEC. 5. CLARIFICATION OF RULE ALLOWING DISCHARGE TO GOVERNMENTAL CLAIMS ARISING FROM THE DISPOSITION OF FARM ASSETS UNDER CHAPTER 12 BANKRUPTCIES.

(a) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

“§ 1232. Claim by a governmental unit based on the disposition of property used in a farming operation

“(a) Any unsecured claim of a governmental unit against the debtor or the estate that arises before the filing of the petition,

or that arises after the filing of the petition and before the debtor’s discharge under section 1228, as a result of the sale, transfer, exchange, or other disposition of any property used in the debtor’s farming operation—

“(1) shall be treated as an unsecured claim arising before the date on which the petition is filed;

“(2) shall not be entitled to priority under section 507;

“(3) shall be provided for under a plan; and

“(4) shall be discharged in accordance with section 1228.

“(b) For purposes of applying sections 1225(a)(4), 1228(b)(2), and 1229(b)(1) to a claim described in subsection (a) of this section, the amount that would be paid on such claim if the estate of the debtor were liquidated in a case under chapter 7 of this title shall be the amount that would be paid by the estate in a chapter 7 case if the claim were an unsecured claim arising before the date on which the petition was filed and were not entitled to priority under section 507.

“(c) For purposes of applying sections 523(a), 1228(a)(2), and 1228(c)(2) to a claim described in subsection (a) of this section, the claim shall not be treated as a claim of a kind specified in subparagraph (A) or (B) of section 523(a)(1).

“(d)(1) A governmental unit may file a proof of claim for a claim described in subsection (a) that arises after the date on which the petition is filed.

“(2) If a debtor files a tax return after the filing of the petition for a period in which a claim described in subsection (a) arises, and the claim relates to the tax return, the debtor shall serve notice of the claim on the governmental unit charged with the responsibility for the collection of the tax at the address and in the manner designated in section 505(b)(1). Notice under this paragraph shall state that the debtor has filed a petition under this chapter, state the name and location of the court in which the case under this chapter is pending, state the amount of the claim, and include a copy of the filed tax return and documentation supporting the calculation of the claim.

“(3) If notice of a claim has been served on the governmental unit in accordance with paragraph (2), the governmental unit may file a proof of claim not later than 180 days after the date on which such notice was served. If the governmental unit has not filed a timely proof of the claim, the debtor or trustee may file proof of the claim that is consistent with the notice served under paragraph (2). If a proof of claim is filed by the debtor or trustee under this paragraph, the governmental unit may not amend the proof of claim.

“(4) A claim filed under this subsection shall be determined and shall be allowed under subsection (a), (b), or (c) of section 502, or disallowed under subsection (d) or (e) of section 502, in the same manner as if the claim had arisen immediately before the date of the filing of the petition.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended—

(A) in section 1222(a)—

(i) in paragraph (2), by striking “unless—” and all that follows through “the holder” and inserting “unless the holder”;

(ii) in paragraph (3), by striking “and” at the end;

(iii) in paragraph (4), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(5) subject to section 1232, provide for the treatment of any claim by a governmental unit of a kind described in section 1232(a).”;

(B) in section 1228—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1)— (aa) by inserting a comma after “all debts provided for by the plan”; and

(bb) by inserting a comma after “allowed under section 503 of this title”; and

(II) in paragraph (2), by striking “the kind” and all that follows and inserting “a kind specified in section 523(a) of this title, except as provided in section 1232(c).”; and

(ii) in subsection (c)(2), by inserting “, except as provided in section 1232(c)” before the period at the end; and

(C) in section 1229(a)—

(i) in paragraph (2), by striking “or” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(4) provide for the payment of a claim described in section 1232(a) that arose after the date on which the petition was filed.”

(2) TABLE OF SECTIONS.—The table of sections for subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

“1232. Claim by a governmental unit based on the disposition of property used in a farming operation.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) any bankruptcy case—

(A) that is pending on the date of enactment of this Act;

(B) in which the plan under chapter 12 of title 11, United States Code, has not been confirmed on the date of enactment of this Act; and

(C) relating to which an order of discharge under section 1228 of title 11, United States Code, has not been entered; and

(2) any bankruptcy case that commences on or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 10 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, September 27, 2017, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 27, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Hearing on Forest Management to Mitigate Wildfires: Legislative Solutions.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 27, 2017, at 10:45 a.m., to hold a hearing entitled “Nominations.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 27, 2017 at 2:15 p.m., to hold a hearing entitled “Nominations.”

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 27, 2017, at 10 a.m., in order to conduct a hearing titled “Threats to the Homeland.”

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 27, 2017, in room 628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing on “The GAO Reports on Human Trafficking of Native Americans in the United States.”

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate Wednesday, September 27, 2017 at 3 p.m., in 428A Russell Senate Office Building to conduct a hearing entitled “An Early Review of SBA’s Response to the 2017 Hurricanes.”

COMMITTEES ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, September 27, 2017, at 10 a.m., in SR-418, to conduct a hearing titled, “#BeThere: What More Can Be Done to Prevent Veteran Suicide?”

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Jessica Rosenblatt, be granted privileges of the floor for the remainder of the day.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Caroline Normile, an AAAS fellow in my office, be granted floor privileges for the remainder of this Congress.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that Scott Litzelman, a legislative fellow in my office, be given floor privileges for the remainder of this Congress.

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

S. RES. 114—PRINT CORRECTION

On Tuesday, September 26, 2017, the Senate adopted S. Res. 114, as amended, with its preamble, as amended. The corrected text is as follows:

S. RES. 114

Whereas Nigeria, Somalia, South Sudan, and Yemen are all in famine, pre-famine, or at risk of famine in 2017;

Whereas according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 20,000,000 people are at risk of starvation this year in Nigeria, Somalia, South Sudan, and Yemen;

Whereas, on March 22, 2017, Mr. Yves Daccord, the Director-General of the International Committee of the Red Cross, testified before Congress that the crisis represents “one of the most critical humanitarian issues to face mankind since the end of the Second World War” and warned that “we are at the brink of a humanitarian mega-crisis unprecedented in recent history”;

Whereas according to the United States Agency for International Development (USAID), “[m]ore than 5.1 million people face severe food insecurity in northeastern Nigeria”;

Whereas according to USAID, “An estimated 6.2 million people—more than half of Somalia’s total population—currently require urgent humanitarian assistance.”;

Whereas according to USAID, “An estimated 5.5 million people—nearly half of South Sudan’s population—will face life threatening hunger by July.”;

Whereas according to USAID, in Yemen, “More than seventeen million people—an astounding 60% of the country’s population—are food insecure, including seven million people who are unable to survive without food assistance.”;

Whereas according to the United Nations Children’s Fund (UNICEF), “[s]ome 22 million children have been left hungry, sick, displaced and out of school in the four countries” and “Nearly 1.4 million are at imminent risk of death this year from severe malnutrition.”;

Whereas the humanitarian crises in each of these regions are, to varying degrees, man-made and preventable—exacerbated by armed conflict and deliberate restrictions on humanitarian access;

Whereas parties to the conflicts, including even some government forces, have harassed, attacked, and killed humanitarian workers, blocked and hindered humanitarian access, and continue to deprive the world’s most hungry people of the food they need;

Whereas humanitarian actors, coordinated by OCHA, have appealed for \$5,600,000,000 in 2017 to address famines in Yemen, South Sudan, Nigeria, and Somalia; and

Whereas Mr. Daccord testified before Congress on March 22, 2017, “Our main message is clear: immediate, decisive action is needed to prevent vast numbers of people starving to death.”: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) an urgent and comprehensive international diplomatic effort is necessary to address obstacles in Nigeria, Somalia, South Sudan, and Yemen that are preventing humanitarian aid from being delivered to millions of people who desperately need it;

(2) the United States should encourage other governments to join in providing the resources necessary to address the humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen;

(3) parties to the conflicts in Nigeria, Somalia, South Sudan, and Yemen should allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need and respect and protect humanitarian and medical relief personnel and objects;

(4) the United States, working with international partners, should support efforts to hold accountable those responsible for deliberate restrictions on humanitarian access in Nigeria, Somalia, South Sudan, and Yemen; and

(5) the contributions of charities, non-profit organizations, religious organizations, and businesses of the United States have an important role in addressing humanitarian crises.

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution shall be construed as a declaration of war or authorization to use force.

DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES ACT OF 2017

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3819, which was received from the House.

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

The bill clerk read as follows:

A bill (H.R. 3819) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

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

Mr. INHOFE. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3819) was ordered to a third reading, was read the third time, and passed.

BANKRUPTCY JUDGESHIP ACT OF 2017

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 2266 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2266) to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges, and for other purposes.

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

Mr. INHOFE. Mr. President, I ask unanimous consent that the Grassley substitute amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1106) in the nature of a substitute was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2266), as amended, was passed.

NATIONAL PROSTATE CANCER
AWARENESS MONTH

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 269, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 269) designating September 2017 as "National Prostate Cancer Awareness Month."

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

Mr. INHOFE. 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. 269) was agreed to.

The preamble was agreed to.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 349; that the nomination be con-

firmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

IN THE MARINE CORPS

The following named officer for reappointment as the Chairman of the Joint Chiefs of Staff and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

To be general

Gen. Joseph F. Dunford, Jr.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR THURSDAY,
SEPTEMBER 28, 2017

Mr. INHOFE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their

use later in the day, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Erickson nomination, with the time until the cloture vote equally divided between the two leaders or their designees.

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

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. INHOFE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:23 p.m., adjourned until Thursday, September 28, 2017, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 27, 2017:

DEPARTMENT OF THE TREASURY

HEATH P. TARBERT, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DEPARTMENT OF JUSTICE

MAKAN DELRAHIM, OF CALIFORNIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be general

GEN. JOSEPH F. DUNFORD, JR.