The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
Eternal Savior, we thank You for the fellowship of Your Spirit and Your consolations of love. May our lawmakers remember that You are their rock and refuge. Lord, speak peace to their hearts in these turbulent times, guiding them along the path of Your wisdom. Reward their efforts with a joyful harvest, as they strive to build up and not tear down. Raise them above discord and division, helping them to work together to keep America strong.

We are grateful for the favor You have given this Nation and for surrounding us with the shield of Your compassion, mercy, and love. Strong Deliverer, accept our grateful praise.
We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

THE BUDGET AND TAX REFORM
Mr. MCCONNELL. Mr. President, the Senate is taking the next critical step in passing the comprehensive, fiscally responsible budget before us. It is pretty obvious that this is a good budget, and that is true whether you are looking at it from a fiscal perspective or an economic one.

Take the fiscal side first. It reins in government spending. It protects Social Security fully with the previous spending caps, while also providing for an increase for defense resources if a bipartisan agreement can be reached. In short, it is a fiscally responsible budget that will help put the Federal Government on a path to balance.
On the economic side, this budget can help our country realize better and more sustained economic growth, which is critical, given the last decade of missed opportunities for the middle class. One way this budget can help our economy is by providing legislative tools to advance tax reform.
As I have said many times before, tax reform represents the most important thing we can do today to get our economy reaching for its true potential. Tax reform is all about getting America going again and growing again. It aims to take more money out of Washington’s pockets and put more money in middle-class pockets, and it represents a once-in-a-generation opportunity to replace a falling tax bill that holds Americans back with one that works for them. Passing this budget is critical to getting tax reform done so we can strengthen our economy, after years of stagnation under the previous administration.
I know Members are eager to continue proposing amendments to this budget. We already adopted some good ideas yesterday. For instance, the Senate adopted an amendment offered by Senator HARKIN to establish a Fairness for Customers in Small Business Act of 2017, which would close a loophole in the current tax code that allows large businesses to shift their profits abroad.
We also adopted an amendment from Senator CTEHOM to provide relief to the small businesses, which have been responsible for the creation of about two-thirds of the net jobs in recent years.

That is according to statistics from the Small Business Administration. Both of these amendments reinforce the goals of the tax reform framework developed by the President, his team, and the tax-writing committees in Congress.
Today we will consider more ideas from colleagues on both sides of the aisle. I want to thank, particularly, Chairman ENZI and the members of the Senate Budget Committee for their good work in getting us to this point. The budget they produced is important to our fiscal and our economic future. I look forward to passing it soon.

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

RESERVATION OF LEADER TIME
The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS
The PRESIDING OFFICER. Morning business is closed.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2018
The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H. Con. Res. 71, which the clerk will report.

The legislative clerk read as follows:
A concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
The PRESIDING OFFICER. Under the previous order, the time until 11:45 a.m. will be equally divided between the managers or their designees.

The Senator from Oregon.

AMENDMENT NO. 1302 TO AMENDMENT NO. 1116

Mr. WYDEN. Mr. President, I call upon amendment No. 1302, as provided for under the previous order.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] proposes an amendment numbered 1302 to amendment No. 1116.

The amendment is as follows:

(Purpose: To strike the reconciliation instructions relating to tax reform)

After section 2002, insert the following:

SEC. 2003. MODIFICATION TO RECONCILIATION INSTRUCTIONS.

Section 2001(a) and 2002(a) are null and void.

Mr. WYDEN. Mr. President and colleagues, later this morning, the Senate will be voting on the amendment I am offering to strike what are known as reconciliation instructions from the budget proposal.

The reason I will be focused this morning on that is that it is absolutely key that we pass this amendment in order to get bipartisan tax reform. The fact is that reconciliation is an on-ramp to the most partisan process around, and the history of successful tax reform is in our working in a bipartisan way. For example, that is what the late President Reagan worked to do in 1986 with a whole host of Democrats, and they came up with a lot of very important, bold, progressive ideas. They chose to actually treat income from a wage in the same way as one would treat income from investments so as to send, in one fell swoop, a message that working-class people would get a fair shake, that the tax law was not about the 1 percent back then but that it was about working people. The middle class drives 70 percent of the American economy. They were not talking about massive tax handouts to big corporations and the wealthy; they were talking about the fact that, in our country, economic success is built around a thriving middle class—a middle class that can buy homes and cars and educate kids and pay for essentials.

What troubles me so much about these reconciliation instructions that would allow for a $1.5 trillion net tax cut is that it is just the opposite of the kind of approach that Ronald Reagan and the Democrats used in 1986. It is going to polarize us rather than bring us together.

I think that is particularly important right now, given the meeting that was held at the White House yesterday that I attended along with a number of Democratic colleagues on the Finance Committee, because at that meeting Democrats made it very clear to the President and his team at the White House that we think that the Tax Code is broken, that it is a broken, dysfunctional mess. We described the letter we sent that lays out our principles that tax reform should focus not on the 1 percent but on the middle class and not savage Medicare and Medicaid and Social Security, which are our essential retirement programs.

What was the result of the discussion was that the President said: I agree with you on all of those things. He said: Tax cuts should not go for people like me. I want help for the middle class, and I don’t want to cut Medicare and Medicaid and Social Security. I hope respectfully, Mr. President. I said: Unfortunately, there is a big gap between the administration’s rhetoric on this and the reality of what is really on paper. That is why it is so important that we strike these reconciliation instructions and make it clear from the get-go that we are going to get tax reform right, that we are not just going to kind of utter these sort of sound bites and rhetorical plights and speeches, as the discussions go out from various White House officials, and we actually focus on what it is going to take to do bipartisan tax reform.

The President agreed with the principles that Democrats talked about yesterday when you said you, as a politician, want to help, as a politician, I want to help. If you see it on paper, and I want to talk a little bit about what is actually on paper.

First, the Trump tax plan creates a massive new loophole, the Grand Canyon of all loopholes, by twisting and dodging paying into Social Security and Medicare like every hard-working wage earner in America. You see them all over Oregon. You see them all over America. Those are the people for whom we ought to be working together to give a boost to. That is not what is on paper. What is on paper is very different, and it is very different than what the President said yesterday he wanted.

For example, on paper is a new loophole that would allow tax cheats to self-declare as passthroughs, rake in income, and pay a much lower rate. It is a tax change that is deeply slanted toward what I call the top of the top—not just the 1 percent but the top of the top. Eighty-eight percent of the benefits of this kind of passthrough rate cut would go to those at the very top, according to recent analyses, the top 1 percent and those even more affluent. This is how our tax system dodges paying into Social Security and Medicare like every hard-working wage earner in America. This would leave a lot of those programs that are lifelines for working families a lot worse off than they are today and that, too, is something the President said he didn’t want.

Next, apropos again of the most affluent the President said he didn’t want to help, is the estate tax. Here, there is a proposal in the administration’s plan to abolish the estate tax. The reason I will be focused this morning on that is that it is absolutely tantamount that we strike these reconciliation instructions.

There have been some other whoopers about the Republican plan, at least what is is again written down on paper. Secretary Mnuchin said it is very hard not to give tax cuts to the wealthy with tax cuts to the middle class. That is one stunner of a statement: It is very hard not to give tax
cuts to the wealthy. In the same interview, he delivered what sounded like a real ultimatum; that if the Congress doesn’t pass this plan so tilted to the megawealthy, oh, boy, it is going to be tough times on Wall Street. You have to approve—a popular amnesty, but the ideas behind what the Treasury Secretary is talking about on tax reform pretty much leave your jaw on the floor. If that is where the administration has trained its focus, as far as tax reform is concerned, the middle class is in tough straights.

In my judgment, this is yet another reason the Senate should reject using reconciliation for taxes and support my amendment. The fact is, the Congress has never used reconciliation to write a comprehensive tax reform bill. There is a template for comprehensive tax reform that has been proven to work, and I have mentioned it already. It is the one initiated by President Reagan, a big group of Democrats, a culmination of years of work and study. We saw was real bipartisanship, which I define as not taking each other’s bad ideas but taking each other’s good ideas. The bill was considered under regular order; it was debated in the Finance Committee and on the Senate floor for months, and it was open to unlimited amendments and passed the Senate by a vote of 97 to 3. That is the kind of bipartisan process we would like to see.

Democrats have made it clear, and we made it clear again yesterday, that we have heard the President’s comments about how he wants to help the middle class and not the wealthy, that he understands how strongly we feel about protecting Social Security, Medicare, and Medicaid, but the fact is—and this is the heart of the challenge—there is a big gap right now between what the President says his priorities are and what is actually written down on paper. That is the challenge, and we are not going to be able to address that challenge, in my view, by signing up for more partisanship, for taking the most partisan route on tax reform.

What we ought to be doing is saying that we all agree the Tax Code is broken, that we have heard the President’s comments about how he wants to help the middle class and not the wealthy, that he understands how strongly we feel about protecting Social Security, Medicare, and Medicaid, but the fact is—and this is the heart of the challenge—there is a big gap right now between what the President says his priorities are and what is actually written down on paper. That is the challenge, and we are not going to be able to address that challenge, in my view, by signing up for more partisanship, for taking the most partisan route on tax reform.

What we ought to be doing is saying that we all agree the Tax Code is broken; we all understand the key is helping the middle class, not more handouts for the top of the top, the 1 percent; that is sensitive to long-term costs because we don’t want to pass those off to our children. Doing that is best going to be accomplished by saying that as we move now to the actual consideration of tax reform, we reject partisan approaches like reconciliation, and we come together. I know we can do it.

The fact is, what the President says when he speaks about this subject is in line with the principles in the Democrats’ letter tracks a bipartisan piece of legislation that several colleagues here have been part of, including one in the President’s Cabinet now. We can do bipartisan tax reform that is good for our country. We shouldn’t make it a lot harder to accomplish that goal by including partisan reconciliation instructions in the budget proposal. That is why I urge my colleagues to support my amendment to strip these reconciliation instructions when we vote on my amendment later in the morning.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I ask unanimous consent to use leader time.

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

Mr. SCHUMER. Mr. President, first, on healthcare, my two good friends Senators ALEXANDER and MURRAY have constructed a good, fair, bipartisan agreement that gives us a way forward on healthcare. It will offer stability in the markets, and it will help lower premiums.

We have seen President Trump’s near-constant equivocation on the agreement. We shouldn’t let it impede the progress of this very important bipartisan compromise. He is for the bill one day, against it the next. That is not uncommon; the President sometimes is for and against something in the same sentence. We can only hope he comes around again once he grasps what is in the bill.

The Alexander-Murray deal is not a bailout to the insurance companies at all; it is the opposite. We have taken pains to ensure that insurance companies do not reap any benefits from this program. That is what ALEXANDER and MURRAY have done. They have explicit provisions in the bill to ensure that the cost-sharing program does what it is intended to do: Lower premiums, deductible, and out-of-pocket costs for Americans who can least afford it. I was reading in the Wall Street Journal this morning where they interviewed a retired manufacturing worker in Pennsylvania who was upset by the President’s decision. The man said:

It seems like he’s trying to hurt the middle class. . . . He [President Trump] says he’s going to make it better for everyone. How does a (premium) increase make it better? That is the question the President should ask himself. Ending cost-sharing hurts people, not insurance companies. Restoring cost-sharing will help people, not insurance companies. Senators ALEXANDER and MURRAY have made sure of it. I have talked to them about their language. It is good language, well intended. Maybe we can make it better. If the President has a suggestion, we welcome it, but as it is, it is pretty strong.

Well-intentioned Members on both sides of the aisle could continue to sign their names onto this bill. I believe it has significant support within my caucus, and if Leader MCCONNELL puts it on the floor of the Senate, I am pretty certain it would pass.

My Republican colleagues to take a good, hard look at the bill and to cosponsor it. So many of my Republican friends have said: Why can’t we be more bipartisan? This is a bipartisan agreement. It wasn’t one party coming up with something and telling the other to be for it, as too often happens in this Chamber. It was done together by the chair of the HELP Committee and the ranking Democrat of the HELP Committee. It is truly bipartisan, and it is a good way for us to go forward and set a metaphor for future bipartisanship.

Mr. President, now on the budget, today the Senate will vote on more amendments to the GOP budget resolution, which increases deficits by $1.5 trillion, sets up this awful, partisan process—the same one our Republican friends used in healthcare.

The Democrats could have offered an unlimited number of amendments on the bill, but this bill that we didn’t want to be all over the lot. We wanted to focus on a few issues where we know the American people are overwhelmingly with us, not with the language in the bill.

Here is some of what we are doing.

We are going to make our colleagues say that they want to vote to increase the deficit by $1.5 trillion. After 8 years of crowing about debts and deficits under a Democratic President, the Republicans say it is deficit neutral. We have heard that for the last 8 years. Whenever a spending program comes about, I know our side says that spending programs grow the economy; their side says that tax cuts grow the economy. But if there is going to be an actual deficit, we should vote for it. Put your convictions where your vote is.”

We are also going to make our Republican colleagues vote on whether they want to raise taxes on the middle class. The President claims that his tax plan will cut taxes, but it actually will raise them on millions of hard-working families. Today our Republican colleagues will decide whether they want to support those tax increases or protect the middle class from paying more taxes.

We are going to make our Republican colleagues vote on their specific proposal to eliminate the State and local deduction. Nearly one-third of all taxpayers take the deduction—red States,
blue States, everyone in between. As the chairman of the Finance Committee knows, 35 percent of Utahns take the State and local deduction. It goes right to the heart of the middle class and upper middle class, giving families tens of thousands of dollars in deductions that are lower. The elimination of State and local deductibility is a sure sign that the Republican tax plan does not favor the middle class.

In fact, AP reported yesterday that, according to experts, the GOP tax plan may still allow corporations to claim State and local deductibility but not individuals. Did you hear that? Corporations can claim it, but individuals can't. Isn't that backward? It shouldn't be taken away from either one. What the GOP plan takes away from individuals and families, it makes sure remains for big corporations.

So today Democrats will ask our Republican friends to vote on our amendment, by contrast, is crystal clear: no elimination of State and local. I hope my Republican friends won't vote to raise taxes on so many of their middle-class residents.

Mr. President, finally, every morning I hear my friends the majority leader and the chairman of the Finance Committee talk about the need for tax reform, middle-class tax relief, and leaving the door open. That is why a coalition of groups, including the National Governors Association, the U.S. Conference of Mayors, and organizations representing firefighters, teachers, sheriffs, and just come out against Senator CAPITO's amendment.

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the weak economic growth in the United States over the last 10 years, the one sector that is actually driving growth has been the energy sector.

How about the trade deficit? It is a big problem. Everybody has talked about it. Mr. President is very focused on it. We are now starting to export oil and export natural gas. My State has been exporting natural gas for over four decades. That helps our trade deficit.

Then, when you look at the Federal budget deficit, energy is a huge positive impact on the Federal budget deficit. That is what the budget resolution asks Congress to do in terms of policy: Let's produce more energy so we can produce more revenue for the Federal Government. That is a good idea. Nobody should be opposed to that.

Mr. President, as you know, when we are the world's energy superpower, as we are now, really helps on national security. It really helps our foreign policy. A lot of Americans have been concerned for decades that we have troops in the Middle East, that we have troops in areas where energy is really important to our production. I was in a meeting last year at the Munich Security Conference with the great Senator from Arizona and many of my colleagues. It was bipartisan. Senator McCain led that codel to the Munich Security Conference in Germany. We met with a very prominent Russian dissident who has been fighting and battling with Vladimir Putin. At the very end of the meeting, we asked a question: What more can we do in the United States to help somebody like you, who is battling against a dictator who doesn't have our interest at heart? Do you know what this very smart Russian official, a courageous person, said? He said: anybody needs to produce more energy. That is how you take down the leadership in the Kremlin—more energy.

This is national security.

Let me say one more thing that doesn't get talked about a lot. It is not just helpful in all of these areas. When the United States of America is producing energy, it helps the global environment. Some people say: Well, wait a minute. A lot of the colleagues on the other side of the aisle come to the floor and kind of insinuate that when our country produces energy, it actually hurts the environment. That is not the case. When the United States produces energy, it actually helps the global environment.

Why is that the case? Let me just pause for a minute because, like I said, a lot of my colleagues are coming to the floor and talking about Alaska, energy, and the environment. Again, it is not with a lot of knowledge. They are stale talking points, yes. They have been using them for 40 years. Literally, I think one of my colleagues has been in the Congress plus or minus 40 years and has been using the same talking points on this.

As somebody who came to the Senate previously from a job as attorney general and a commissioner of natural resources and energy in Alaska, I know a little bit about this topic. I can tell you two important points.

My colleagues talk a little bit about Alaska, the environment, and energy. First, Senator McCain and I care a lot more about the environment, the wildlife, the pristine wilderness in our great, amazing State than any other Member in this body. I don't need Senators coming down from places like Washington, Vermont, and Rhode Island talking about Alaska's environment. OK? Thanks. I don't need it. I care way more than any of them. With all due respect, I know a heck of a lot more about it than any of them.

I also know this. In my State—and, I believe, in most of the country, but particularly in Alaska—Democrats, Republicans, Alaskan Natives, and non-Natives can really support the highest standards on the environment, but we also support responsible resource development. Here is the key issue: We know we can do both. You can protect the pristine, amazing Alaskan environment, and we can responsibly develop our resources.

Let's talk about how we do this. Let's talk about how this applies to Alaska and how this applies to the rest of the country in general.

As I mentioned, this is a really important point. We have the highest standards on developing our resources and our energy than anywhere in the world, and we have some of the most technically advanced and sustainable ways to develop resources in the energy sector. That allows us to do what I just mentioned, which is to protect the environment and to develop our resources.

Here is a really important point that a lot of my colleagues on the other side of the aisle miss. They come down here, and this is what they talk about—by the way, they were in alliance with the last administration: How do we shut down energy development? How do we make it harder? How do we delay it?

As I mentioned, I was attorney general and the DNR commissioner in Alaska for almost 6 years of the Obama administration. It was all about how to shut it down in Alaska, how to delay it in Alaska, and how to shut it down in America. This is not what the country wants. This is not what the country needs. This is one issue that is often overlooked. This doesn't help the global environment, as they claim. It doesn't. Why is that? Because when you chase away investment in places like Alaska, with the highest standards in the world, what does that do? That drives capital and that drives investment to places like Russia, Iran, and Brazil, whose standards are so much lower than ours.

Russians on the tundra in the Arctic don't care anything about their environment. In my State and in the rest of America, we do.

I don't need to remind people that Russia and Iran right now are certainly our adversaries. Yet the policies that some of my colleagues like to promote, and certainly the last administration promoted, are to drive away investment in America, and drive away energy production in America, with the highest standards in the world, so the Russians and the Iranians can take the capital and produce energy. They do not have high standards on the environment, and they are our adversaries. It makes no sense—no sense.

So how do we do this in Alaska? What are the environmental standards that almost no other place in the world—maybe Norway, maybe, to some degree, Canada—uses? What is the technology that enables us to produce American energy, with American jobs, with the American people, with the highest standards in the world? Let me provide a few examples. First, what I want everybody here to be aware of, is do not believe the scenarios. Don't believe the misinformation commentary. When my Democratic colleagues come to the floor, with very little knowledge about what is really happening in this sector, don't believe it. Ask them why they came down here and talk about a State like mine—Alaska—about which they know next to nothing, don't believe it.

Let me give one infamous example. In the 1970s, we were debating in the Senate—and I think one of my colleagues was maybe here then, probably using the same talking points—the Trans-Alaska Pipeline System, one of the greatest energy infrastructure projects in the history of the world: 800 miles, 16 billion barrels of oil; at one point, 2 million barrels a day, from Americans, in America.

The people who were against it came to the floor and said: Oh, no. The Central Arctic caribou herd is going to be decimated if you do this—these beautiful animals that we care so much about in Alaska. Those were the arguments right on this floor. So what happened to the Central Arctic caribou? Again, we care about these animals way more than anybody else does in this body. In 1975, we had about 5,000 caribou; today, 66,000. I don't think the herd was decimated. We haven't heard that from anybody because they don't know, but that is the kind of doomsday scenario we heard from people who have no knowledge, and then, when it doesn't happen, we don't hear them on the Senate floor saying: Oh, we were wrong about that.

Let me talk just briefly about some of what we do to make sure we do this in the most responsible way in the world. First, in the energy business, one thing we do is we explore. Again, in Alaska we have the highest standards in the world. A lot of other places in the United States have these standards. In the Arctic, what is called impact exploration. What does that mean? It means we literally do everything to make sure there is no
impact on these great species like the polar bear. Again, we care a lot more about our animals than my colleagues on the other side of the aisle.

What does no impact exploration mean? Well, we undertake exploration required by trust standards—these are not Federal standards—where we essentially have what are called ice roads and ice pads. Let me show my colleagues what that means. We only allow for exploration in the winter on the tundra. When an exploration crew comes out, they have to build an ice road—it is a road made of ice—over the tundra. This photograph is an example of an ice road. Then they do exploration on an ice pad. They have drills, and they do all this work on the ice, on the tundra. They have about 4 months to do it and then they are done and then they leave.

What does the tundra look like after that exploration on ice? Right here. This is just one capped exploration well. Of course, we know what we are there—literally zero impact. These are Alaska standards, the highest in the world. They are expensive, yes, but we do it because we care so much about the environment. That is the exploration.

How about the production phase? What has happened in the production phase? The innovations in technology, many of which have occurred in my State, have made it so the surface footprint—really put together—a production pad—has shrunk dramatically. When we look at this chart, we see Prudhoe Bay in the 1970s. The other developments in Alaska include Kuparuk, Alpine, and Liberty. What happens is, the surface footprint has shrunk dramatically to 11, 12 acres now. Yet the ability to horizontally drill extends the reach of these wells underneath the ground, where we can reach resources in an incredibly vast manner without impacting the environment at all.

If a rig was placed right here on the Capitol Building, in terms of horizontal drilling, it could extend out to Andrews Air Force Base in Southeast, Silver Spring, MD, to the north, and well into Fairfax County—miles and miles and miles. Yet the surface footprint—the impact on the environment—is minimal.

That is what we do. We don’t hear about it on the other side of the aisle. It is as though nobody was there—literally zero impact. These are Alaska standards, the highest in the world. They are expensive, yes, but we do it because we care so much about the environment. That is the exploration.

In conclusion, tonight the budget resolution is not just going to be a vehicle for tax reform, but there is also, as I mentioned, going to be an instruction for increased revenues for the country for more American energy production. It is a simple instruction.

As I mentioned, this should be very noncontroversial. What could be wrong with more energy production, particularly in a State like mine, where the standards are the highest in the world, and the technology is the most advanced in the world. What could be controversial about more energy production? More energy production means more American jobs, more American economic growth, more American national security, more American energy security, increased Federal budgets and trade deficits, and a more sustainable global environment because no one in the world produces energy more responsibly than Americans, especially Alaskans.

Nevertheless, some of my Democratic colleagues will be putting forth an amendment that does just the opposite. Think about that, an amendment that says let’s kill energy production, thereby undermining American job growth, good jobs, American economic growth, American national security and energy security, while increasing our budget and trade deficits and harming the global environment. That is a lose-lose-lose scenario to me, but that is what is at stake.

Later this afternoon, when we debate that amendment—and I certainly ask all of my colleagues on both sides of the aisle to reject any attempts to not take advantage of this incredible opportunity to have an American energy renaissance that we need to continue—and this afternoon we are going to have an opportunity to do that.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

NUCLEAR AGREEMENT WITH IRAN

Mr. Kaine. Mr. President, I rise to speak about the President’s action last week stepping away from certifying Iran’s compliance with the nuclear deal that was negotiated between the U.S. allies and the nation of Iran.

National security is about military power, but there is more to it than that. America’s strength also comes from the power to use diplomacy.

In October 1945, President Harry Truman, my favorite President, changed the seal of the Office of the President to have the eagle face the olive branches of diplomacy instead of the arrows of war, signifying that America would also prefer that we use diplomacy first. In modern times, our judgments to go to war rather than use diplomacy have been flawed. Under this administration, diplomacy, in my view, is under assault, and that is why I rise today.

We see a decimated State in the USAID budget. We see bellicose rhetoric from the President. We see efforts to undermine, publicly, American diplomats engaged in negotiations. We see the refusal to even nominate key State Department diplomatic appointees.

As of last week, the administration has not put forward a nominee for approximately 57% of high-level positions at the State Department that require approval by the Senate. Thirty-two countries do not yet have Ambassadors in place, and that includes no nomination from the White House for Ambassadors to key countries like South Korea, Egypt, Jordan, Saudi Arabia, and Qatar. No one has been nominated for Assistant Secretary for Arms Control, for Assistant Secretary for International Non-Proliferation, for Assistant Secretary for Near Eastern Affairs, Assistant Secretary for South and Central Asian Affairs, or for East Asian and Pacific Affairs.

How serious can the administration be about nuclear threats with no Ambassador to South Korea or no ambassadorial nomination for the key State Department official, official, non-proliferation? And the President has repeatedly undercut his Secretary of State’s diplomatic efforts with North Korea.

President Trump’s most recent action—his recent attack on diplomacy—is the decision to decertify the Iran deal, and I think this could be the most dangerous yet. By stepping back from a diplomatic deal that the United States made with the global community that is clearly working, the President is publicly undercutting negotiations and is setting us up on a road where military options become increasingly more likely. I will state it bluntly. If you weaken diplomacy, you raise the risk of unnecessary war, and that is what this President is doing.

First, President Trump’s refusal to make the Iran certification and his threat to abandon the nuclear deal with Iran recalls the disastrous U.S. decision into the Iraq war in 2003, where intelligence was politicized and the administration repeatedly made false claims to justify going to war—a war of choice—to overthrow Saddam Hussein.

The Bush administration insisted that regime change in Iraq was necessary, and it insisted on that because of the claim of Iraq’s continuing production of weapons of mass destruction.

In March of 2003, the IAEA came out and said there was no credible evidence that Iraq had a program of weapons of mass destruction and that there was no evidence they had ever revived the nuclear program they shelved in the 1990s, but the Bush administration would not accept that claim. It did not fit with the narrative they were selling to the American people about Saddam Hussein so they said the IAEA was wrong. It is hard to believe that we need another war—one that has proven so costly to Virginians and to Americans in treasure and in regional stability but especially in American lives—to prevent Iraq from obtaining weapons of mass destruction.

We went to war. It turned out the scientists and the technicians and the IAEA were right. Iraq didn’t have a program of weapons of mass destruction. The politicians who tried to undermine the credibility of the international agencies were wrong. Of course, the consequences of that decision are significant. Ironically, you
could claim—I believe there is strong evidence—that decision in 2003 has today led to greater Iranian influence in Iraq and the region and a proliferation of extremist groups that didn’t exist before.

We are now hearing the Trump administration make similar claims about Iran; that Iran will soon enough have a nuclear weapons program, that the IAEA cannot be trusted, that Iran supports al-Qaeda, and from a Republican colleague: “The policy of the United States will be regime change in Iran,” and from Secretary of State Tillerson, we need a “peaceful transition” of the Iranian Government.

We should stop to think, Is this really about the nuclear deal or is it about beginning a drumbeat from the administration to march the United States toward another preventable war in the Middle East?

Second, while threatening to unilaterally terminate the nuclear deal at any time, the Trump administration also wants to revisit the terms of the deal to address what he sees as its flaws.

This isn’t new. Since the day the deal was announced, some critics have argued that we could get a better deal or push more, even if it was then, nor am I now, interested in the world of hypotheticals. I am interested in the world of facts. The fact is, the deal is working, and it is dramatically better than the alternative for at least 15 years or more.

Additionally, if we want to renegotiate the deal, Iran will seek to do the same. If we take a step back from the deal, Iran will take a step back, and what will they ask for—that they get to now increase centrifuges or get some of their enriched uranium back? I don’t want to give Iran one thing back from this deal, but if we step back from a deal that is working and say we want to renegotiate, they will, too, and I don’t want to tolerate that.

Most wars start because of miscalculations. The notion that we can renegotiate the deal just on our side and the other side wouldn’t think of renegotiation is magical thinking. The U.S. entrance in World War I 100 years ago started with miscalculations—most nations do. A miscommunication, a misunderstanding, another step, another step, and you are at war. We should be very, very wary.

I agree we are very, very willing to go after Iran on the nonnuclear front. It was just 2 months ago that we passed—I think unanimously; maybe there was one “no” vote in this body—a set of stiff sanctions against Iran, North Korea, and Russia. We have given the power to the President to impose more sanctions on Iran for bellicose behavior, for activities in other countries, for violations of human rights, and for violating U.N. Security Council resolutions on their missile program. The President has the same power we just gave him to go after Iran’s activities that violate international norms and make America less safe. But when the IAEA, our allies, the head of the Joint Chiefs of Staff, the Secretary of Defense, and the Secretary of State all say that with respect to the nuclear deal, Iran is complying, we should avoid stepping back on that deal, lest we suggest that the United States is not trusted in good faith to follow a deal.

Third, I worry about the timing of this effort to step away from the Iran deal with respect to the imminent threat. I heard about North Korea about the Iran deal and what Iran might be able to do in year 8 or year 10 or year 15. Let me tell you about something I am worrying about this month, and that is the North Korean nuclear program.

We have been in briefings, and we hear the Secretary of Defense and the Secretary of State say to us and say to the world: The United States will always push for a diplomatic solution. We are never out of diplomatic solutions.

But let’s be candid. What are the chances of a diplomatic solution with North Korea that would end or dramatically limit their nuclear weapons ambitions? I don’t think the chances are high. I would say they are 20 percent, probably zero. Even if they are not, high, but if there is any chance of a diplomatic negotiation and a diplomatic end to this program, don’t we owe it to the American public and don’t we owe it to our troops to step back from this and explore it? Of course we do. Yet every time Secretary of State Tillerson talks about trying to have some diplomatic outcome to pressure the Chinese to use leverage against North Korea, the President pours cold water on him.

I would argue that stepping back from the Iran deal sends an unmistakable signal to North Korea if I am right, and there is even a small chance of a diplomatic resolution. But the President and I, and Secretary of Defense Tillerson, is that the United States will back out of a nuclear deal even when it is being complied with. I think we drive the chances of a diplomatic resolution with North Korea down to zero, and we should not do that.

There is significant evidence that while Iran’s nonnuclear behavior is worthy of additional sanctions and pressure, the deal on the nuclear program is working. Our closest European allies unilaterally verified, the IAEA, the P5—when I visit Israel and speak to national security and intelligence leaders, such as Gadi Eisenkot, who is essentially the equivalent of the head of our Joint Chiefs of Staff, they say Iran is complying with the deal, and it is making the world safer in the near and medium term. Secretary Dunford and General Mattis have said the same thing.

The deal gives us more intelligence because we have inspections that we didn’t have before. We have more inspections, and we know more about their program. In the first paragraph of the deal, on the first page of the deal, Iran pledges to never purchase, acquire, or develop military weapons. That promise, which is in perpetuity, gives us a legal justification, if they ever break it, to take action, including military action, to punish them for violating what they have signed. Do we want to give Iran the ability to step back from that promise they have made by stepping back ourselves when the deal is working?

Finally, the deal gives us a coalition. Our partners around the world who have signed on to the deal, who have been witness to the Iranian pledge, who know that Iran will have to permanently comply with the additional protocol of inspections under the deal—if we move away from the deal and Iran moves away from the deal, could we count on the coalition partners being with us to try to put a deal back together when it is we alone among the partners who have walked away from the table? What coalition could we expect if we are the ones who walk away from the table, if we say we are not interested in diplomacy? Then, later, if Iran begins to think that we are talking about a new commission against Iran after we walked away from a deal, could we expect a coalition to support us in that?

I would like to conclude in this way: I think the President’s decision to step back from this diplomatic deal poses a real challenge for this Congress. The President has done some things I agree with. He has done a number of things I disagree with. He has done only one thing that scares me, and it is this. I think that, together with the funding of the State Department and pouring cold water on diplomacy and not filling key posts, this leads us closer to an unnecessary war. When you reject diplomacy or weaken it, you run the risk of an unnecessary war.

I have had to cast two war votes in the Senate, both as a member of the Senate Foreign Relations Committee. I have been a city councilman, a mayor, a Lieutenant Governor, and a Governor, and casting a war vote is different from any vote you ever have to cast—any vote you ever have to cast. I have a son in the military, and that makes that vote different from any vote I have cast in 23 years in public life. As a Member of Congress, I may have to cast other votes to go to war against other nations, whether against nonstate terrorist groups or against a nation like North Korea or even Iran if we are the ones who break for war. If I have to cast that vote, if I have to contemplate putting Congress on record that we should go to war, I want to be able to look American troops in the face and say: I exhausted every diplomatic option before I cast this vote. I have had to cast two war votes in the Senate, both as a member of the Senate Foreign Relations Committee.
war, we should be able to look at our public and look at our troops and say we exhausted diplomacy.

Stepping away from a diplomatic deal that is working is exactly the wrong thing for us to do at this time. It is my concern that Congress will not dignify what the President is doing in this regard and that we will insist, yes, upon strict compliance and also insist upon sanctions against Iran for non-nuclear behavior. But let’s not be a nation that refuses to keep its diplomatic commitments. The stakes are just too high.

Mr. President I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I wish to take a few minutes to support the effort to pass the fiscal year 2018 budget resolution. I am on the Budget Committee, and I am pretty familiar with the process. It provides a pathway to balance. It actually has a $197 billion surplus in 2027, and it allows for tax cuts.

To Republicans—and Democrats too; you are welcome to join—the only way we are ever going to meaningfully get a tax cut is a budget reconciliation instruction. This budget allows us to cut taxes. I hope some Democrats will join us, but if they choose not to, we can do it with a simple majority. If we don’t pass this budget, we can’t cut taxes. If we don’t pass a budget, we are tied behind our back. So I will be working with Senator MCCAIN and the Presiding Officer will be right in that fight—that I, along with Senator McCAIN, President Trump, General Mattis, Senator SULLIVAN, Senator BLUNT, and many others, am going to do everything I can to give the military more resources to fight wars we can’t afford to lose.

I look forward to this debate with some of my colleagues on the other side and a few on this side.

Really, is it smart to have the smallest Navy since 1950? Is it really smart to have an Army 40s-size given what is going on in the world, having fighter squadrons grounded not because the enemy shot us down but because the Congress shot them down. Is it really smart to have an Army consistent with the size of World War II, it has been about 5. Tell me how you justify spending that much less today given the world we have to deal with. Where is the peace dividend? Since we passed the defense authorization, the world has deteriorated. President Trump is promising to rebuild the military, give them the capability they need to keep the enemies at bay and not fight wars with the hand tied behind their back. So I will be working with Senator McCAIN and many others to make sure that our military is replenished; that we do have a 350-ship Navy, not 276; that we have an Army consistent with the threats—about 520,000 versus 420,000.

The No. 1 job of the Congress and the Federal Government is to defend the Nation. That is a different debate. That is not part of the budget. The budget resolution doesn’t change defense spending caps. Hopefully, we can do that later, working with our Democratic friends.

This is the last best chance we will have to cut taxes. If this budget resolution fails, the ability to cut taxes on President Trump’s watch goes away.

To those of you on the Republican side who have been claiming that we need tax cuts and a simpler tax code, this is your chance. If we don’t succeed now, we are going to fail for the entire term of President Trump. That will be the end of us as a party, because if you are a Republican and you don’t want to simplify the Tax Code and cut taxes, what good are you to anybody? Our friends on the other side have really invested in “the government.” Somebody needs to be involved in American politics who would actually like to send more money to you and less money to the government in a re-square way.

So I hope we are going to cut the corporate tax rate to make us competitive. We are going to double the standard exemptions so working people will have more money in their pockets. We are going to improve our friends on the other side—truly create a system for tax cuts to spur economic growth.

If we can grow the GDP number by just 1 percent, that would be trillions of dollars of revenue. To those who are interested in this, we have been growing at about 1.9 percent GDP per year over the last 8 years—right around 2, sometimes under, sometimes a bit over. The historical average since World War II has been 2.2. If we could get back to 3.2 percent GDP growth, there would be trillions of dollars coming in to the Treasury, and I believe we can.

President Trump is trying to deregulate America after 8 years of heavy regulation, and he can only do so much through Executive order.

Senator SULLIVAN, the Presiding Officer, talked about the opportunities in Alaska. I have learned a lot about Alaska. There are 750,000 people living in a state twice the size of Texas. It is beautiful as it can be. Environmentally, you are very sensitive. That is one of the qualities of Alaska you want to preserve. God has blessed Alaska with a lot of natural resources, and it would be good for the people of Alaska and the United States as a whole.

Every liter of gas and barrel of oil we can extract from Alaska in an environmentally sound way helps to pay for the military. I think Senator SULLIVAN explained how sensitive they are in the extraction process. But it would be insane to take Alaska oil and gas off the table for America because in that area, Russia is all over the place, and, trust me, they don’t care about the environment.

One thing this budget doesn’t do is it doesn’t change the Budget Control Act caps. There is one member of our caucus who claims that this budget is somehow fiscally irresponsible. It is not. It actually leads to a surplus.

There is nothing in this budget that allows for more defense spending. The overseas contingency operations account is money set aside for our military to deal with the enemies we are fighting that are not part of the Budget Control Act. We have been doing that for years. So for anybody to suggest that this authorizes an explosion of spending on the defense cap is just misleading. We know what we are talking about. If you looked at the details of the budget, you would find that it cuts spending by $5.1 trillion and actually has a $197 billion surplus 10 years from now.

But I want to let the body know—and the Presiding Officer will be right in that fight—that I, along with Senator McCAIN, President Trump, General Mattis, Senator SULLIVAN, Senator BLUNT, and many others, am going to do everything I can to give the military more resources to fight wars we can’t afford to lose.

A final thought. From the Republican Party point of view, we have the House, the Senate, and the Presidency. We have no chance to do this exercise but ourselves. If you are a Republican and you are frustrated with the lack of progress, count me in. The President is a willing partner to help us repeal and replace ObamaCare and get to a healthy tax cut to grow an economy that is dying to grow. But we have to help ourselves.

If we can’t muster the votes necessary to pass this budget resolution to cut your taxes, then everybody who supported us for all these years should feel let down, and we will have let you down. I hope that doesn’t happen. I am confident it won’t. But to those Republic who believe that it is good for the future of conservativism and the future of the economic well-being of the country, I could not disagree with you more. You will never balance the budget by dealing with discretionary spending alone. We are at 2006 levels of discretionary spending. What balances the budget is entitlement reform. If you want to balance the budget, vote for Graham-Cassidy because it finally puts Medicaid on a sustainable path.
were not seeing that better job out there that was largely available to those very same hard-working families in the past because we aren’t as competitive as we need to be.

There ought to be a couple of things we would do. First, if you create tax relief for working families right now so that, as soon as possible, they begin to see a check that has more take-home pay? The other way to increase take-home pay is to increase starting wages to make those jobs better. That is where we need to be looking on the other end of the spectrum.

On the end that creates jobs, what do we need to do to make ourselves more competitive? What do we need to do to constantly have the kind of pressure on the working job market that allows people who are working hard for a living to have better opportunities than they would have otherwise because we are more competitive than we would be otherwise.

I think the entire focus of this discussion should be, what do we do that improves the opportunities and improves the future for hard-working families? You can do that with a tax cut right now, which we should do. You can also do it in a way that makes more sense as we try to compete with the people we compete with around the world.

You can’t have the highest corporate tax in the entire world and assume you are going to be the most competitive country in the entire world. You can’t have a tax system that is uniquely different as it relates to products you sell overseas and expect to be more competitive than the countries who don’t have that unique system, which penalizes rather than encourages American products to be sold in other places.

The Senate will vote later today on a budget resolution that reduces Federal spending by $5 trillion over 10 years, provides a strong foundation for economic growth, and allows us to move forward in the first, necessary legislative step in the Senate so that we can then move immediately to tax policy. This is a budget that will allow us to reduce taxes by $1.5 trillion over 10 years, a budget that would put more money in the pockets of hard-working families, a budget that would add some opportunity to that struggle where, for almost a decade now, things haven’t been able to get better or easier. They seemed to be getting more difficult because we were less competitive and there was less pressure to find the workforce to do the jobs that need to be done. And then this is a tax code that will make it simpler and fairer and more uniformly impactful on everyone who pays taxes.

Most people don’t mind paying taxes on the income they have until they find out that their neighbor next door with the same income has figured out how not to pay taxes. There is a reason why American families and American businesses can’t get through April without a bottle of aspirin. There is a reason this Tax Code creates headache after headache.

There is one estimate that individuals and businesses complying with the complicated tax system we have costs $267 billion a year. That is half of the defense budget. If people are spending half the defense budget just to comply with the Tax Code, there has to be something wrong with that, and we can do better. I think the proposals we are talking about will do a better job.

Right now, the individual Tax Code has seven different brackets—seven rates—and you have to figure out how they apply to whatever income you have had. It has 100 different credits, deductions, exclusions, and other provisions that make it extremely difficult to know what you owe or when you are going to owe what you owe.

According to the American Action Forum, the IRS currently imposes 8.1 billion hours of paperwork on Americans, which amounts to about 54 hours per taxpayer who is paying taxes. It is more for some, less for some, but a burden of work for 54 hours of work—for taxpayers who pay their taxes. Every taxpayer gives that week to the Federal Government.

We are streamlining the Tax Code, increasing the basic deduction that families can have. If they don’t want to go through the complicated Tax Code—here is how many of us there are who live at our house. Here is the basic deduction we get for each of those people living at our house. Here is how much we subtract from the money we make. Here is how much we need to pay.

There is no reason that one of the compliance options can’t be a postcard or a piece of paper. In fact, when the current income tax was imposed on the American people, the entire set of instructions were on an entire set of instructions for everyone who had to fill out the income tax form—with the assurance that only the richest people would ever pay any income tax, so most Americans would never have had to read that instruction sheet at all.

Now most Americans find it almost impossible to read the 100 pages of instructions that just get them to the Tax Code itself. Streamlining the Tax Code, helping families keep more of their money, figuring out a way we can be more competitive so there is opportunity for better jobs in the future, all should be important priorities for this Congress.

Passing a budget today will allow us to take the first step, which then allows us to take the next step in tax relief that matters and makes sense to the American people. We will take that step today. We should take that step today.

We should then follow up as quickly as possible to win the fights that can start next year understanding that their Tax Code is simpler, the Tax Code is fairer, and their opportunities are
likely to be greater. But for hard-working families, their take-home pay will definitely be higher than it is today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Democrats have 4 minutes remaining.

AMENDMENT NO. 1392

Mr. WYDEN. Mr. President, yesterday I was with the President at the White House, along with several members from both sides of the Senate Finance Committee. I said to the President flatly that Democrats agree that the Tax Code is a broken, dysfunctional mess. Finance Democrats yesterday laid out to the President our principles for reform, focusing on the middle class—not 1 percent—and being fiscally responsible so that Congress doesn’t turn around and look at gutting safety-net programs such as Medicare and Medicaid or Social Security.

I think it would be fair to say that a whole lot of ears in that room perked up when the President said: Hey, I am for those kinds of things. The President talked to us about wanting help for the middle class. He said that this is not supposed to be about people like him, and he said that he doesn’t want to shred the safety net.

Unfortunately, as I have indicated, there are gaps as wide as Crater Lake among all of the administration’s statements, the rhetoric about taxes, and the reality of what is actually written down on paper about its tax cut plan. The Republican plan—this administration’s plan, which actually is written down on paper, doesn’t resemble what the late President Reagan accomplished in partnership with Democrats in 1986. Back then, the two sides brought their best ideas forward and passed major tax reform bills, and the idea that America is strongest when the middle class is prospering. What is on paper today is just an enormous gift to the top of the top—the most fortunate special interests.

I hope the Senate, in a few minutes, will vote for my amendment to strike the reconciliation instructions from the budget because budget reconciliation is exactly the kind of partisan process, at least for taxes—especially for taxes, given the importance of taxes in this particular budget—budget reconciliation is exactly the kind of approach that President Reagan rejected in 1986.

I hope my colleagues will support my amendment, striking the reconciliation instruction from the budget, Senate Democrats have outlined our principles for reform.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. WYDEN. Mr. President, I ask unanimous consent for an additional 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. WYDEN. Mr. President, very quickly, the principles that the Senate Democrats have laid out in our letter are very much in line with what the President says he wants. Now what we have to do is to have a bipartisan process to get to that. You do not get that with reconciliation. I hope the Senate supports my amendment. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided prior to each vote in the 11:45 a.m. vote series this morning.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1302, offered by the Senator from Oregon—Mr. WYDEN.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I think I have made the case.

To my colleagues, what the American people have told us—and they certainly told me this last work period—is that they understand that the big challenges in this country require bipartisan approaches. That is what President Reagan understood when he brought together Democrats and Republicans for comprehensive tax reform. We need to pass this amendment to strike the reconciliation instructions from the budget because they send all of the wrong signals with respect to tax reform.

The American people understand what it takes to tackle big issues. They understand that tax reform should be about the middle class. It should not be about the 1 percent, and it should not be about causing a huge, new sea of red ink.

I urge my colleagues to support my amendment to strike the reconciliation instructions from the budget. The PRESIDING OFFICER. Who seeks time in opposition?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, we have an opportunity today to give ourselves the tool to pass a tax reform bill that will absolutely mean tax relief for middle-income and working-class families and will promote the kind of economic growth that we have been waiting for, but to do it, we are going to have to defeat this amendment and pass the underlying budget.

What my friend from Oregon is suggesting is that we give a minority in the Senate the opportunity to defeat tax reform by filibuster. That is what would happen if we were to pass this amendment.

I have disagreed strongly with the notion that somehow this is not a bipartisan exercise. There is nothing about reconciliation that in any way discourages or prevents full Democratic participation. We are going to have a markup in the Senate Finance Committee, and there will be unlimited amendment opportunities. If we are able to report something out, then there will be unlimited amendment opportunities on the floor. There is nothing that we could do to stop it if we wanted to because those are the rules of reconciliation. Every Democrat in this body will have an unlimited opportunity to weigh in on this, to influence this, and to amend this, and it will be a purely bipartisan exercise.

I urge a “no” vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

Mr. BARRASSO. Mr. President, I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 225 Leg.]

YEAS—47

Baldwin  
Bennet  
Blumenthal  
Booker  
Brown  
Cantor  
Cardin  
Carper  
Casey  
Cochrane  
Cortez Masto  
Donnelly  
Duckworth  
Durenberger  
Feinstein  
Franken

NAYS—52

Alexander  
Barrasso  
Blunt  
Boozman  
Burr  
Capito  
Cassidy  
Cochran  
Collins  
Corker  
Cory Gardner  
Cotten  
Cruz  
Daines  
Enzi  
Ernst  
Fischer

NOT VOTING—1

Menendez

The amendment (No. 1302) was rejected.

AMENDMENT NO. 1392 TO AMENDMENT NO. 1116

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1392, offered by the Senator from West Virginia, Mrs. CAPITO.
The Senator from West Virginia.

Mrs. CAPITO. Madam President, I call up amendment No. 1393.

The PRESIDING OFFICER. The clerk will report.

The Senator from West Virginia [Mrs. Carro] proposes an amendment numbered 1393 to amendment No. 1116.

Mrs. CAPITO. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To help provide tax relief to middle-class Americans by reducing deductibility, for Federal tax purposes, of federal deductions, such as the state and local tax deduction which disproportionately favors wealthy individuals.

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX RELIEF FOR HARD-WORKING MIDDLE-CLASS AMERICANS.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include reducing federal deductions, such as the state and local tax deduction which disproportionately favors high-income individuals, to ensure relief for middle-income taxpayers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

Mrs. CAPITO. Thank you, Madam President.

I would like to speak, for my 1 minute, about this amendment, which prioritizes tax relief for the middle class over the State and local tax deduction, which disproportionately benefits the wealthy and high earners.

Only 1 percent of the State and local deductions goes to taxpayers who earn less than $50,000 annually. Tax reform means higher wages, lower taxes for middle-class workers. To unlock these benefits, we must reduce expensive deductions that do little to benefit everyday Americans. Keeping the State and local tax deduction without modification would cost more than $1 trillion over 10 years. That money would be better spent on relief for the middle class.

Middle-class workers will benefit from the enhanced 0-percent bracket, enhanced child tax credit, and lower rates that will be part of this reform. We cannot let an unwillingness to reduce deductions for the wealthy stand in the way of relief for the middle-class working folks of this great country.

I hope my colleagues will join me in prioritizing middle-class families by supporting this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I rise in strong opposition to the Capito amendment. Mrs. Capito has the tax-payers claiming the State and local deduction make less than $100,000. These hard-working, middle-class folks are not going to appreciate Congress double-taxing them.

The fact is Mrs. Capito amendment is Washington lingo that would produce a Republican tax plan that hits the middle class, yet again, with more taxes. Under Capito, you could again have one hand giveth and the other hand taketh away. You might have Republicans say let’s double the standard deduction, but then when those middle-class folks lose their deduction for State and local taxes and their personal exemptions, they are big holes.

Reject this amendment, reject sleight-of-hand tax policy and those approaches like this that hurt hard-working, middle-class families.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENZI. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The clerk will report.

The senior assistant legislative clerk reported, as follows:

NAY—47

Balbín
Bennet
Blumenthal
Booher
Brown
Cantwell
Cassidy
Carper
Casey
Cicchino
Cortez Masto
Donnelly
Duckworth
Durbin
Feinstein
Franken

NAYS—47

Alexander
Barrasso
Blumenthal
Blanken
Boozman
Budin
Burkett
Capito
Cassidy
Collins
Corker
Cornyn
Cotton
Crapo
Cruz
Daines
Ernst
Fischer

Yielding
Gardner
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johnson
Kennedy
Lankford
Lee
Manchin
McCain
McConnell
Moran
Mowgli

Portman
Risch
Robert
Round
Rubio
Sasse
Scott
Shelby
Strange
Sullivan
Thune
Tillis
Toomey
Wicker
Young

Paul
Peters
Reed
Schatz
Schumer
Shabazz
Stabenow
Tester
 Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

Ms. CANTWELL. Madam President, I ask unanimous consent that the read

WELL] proposes an amendment numbered 1147 to amendment No. 1116.

Ms. CANTWELL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To create a point of order against legislation that would raise taxes on middle-class families by double-taxing income already taxed at the state or local level).

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ANY TAX BILL THAT RAISES TAXES ON MIDDLE-CLASS FAMILIES BY ELIMINATING OR LIMITING THE STATE AND LOCAL TAX DEDUCTION.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any joint resolution, motion, amendment, amendment between the Houses, or conference report that repeals or limits the State and Local Tax Deduction.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

Ms. CANTWELL. Madam President, this amendment simply raises a point of order on any legislation that modifies or eliminates State and local tax deductions. I know there are many States that have the State and Local Tax Deduction. It has produced a point of order by three-fifths of the Members of the Senate. They have had the ability to itemize and deduct our sales tax from our Federal income tax. That has resulted in a savings to the taxpayers. Under the President’s proposal of increasing the standard deduction, even for households between $50,000 and $70,000, if you repeal their ability to continue to itemize, even with the standard deduction, you are raising taxes on them. It will not be covered. The standard deduction is only $12,000. For that bracket in my State, they are deducting up to $23,000.

Please do not raise taxes on our constituents without a due process and a budget point of order that says that we are all going to be a part of this process and discussion before you take away a way for our citizens to save money.

I ask my colleagues to support this amendment.
Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. That Senator MURRAY and I would like to present to the Senate for its consideration and the consideration of the House of Representatives be printed in the Record following my remarks.

Mr. President, I ask unanimous consent to speak for up to 10 minutes, and that following my remarks, the Senator from Washington, Mrs. MURRAY, be allowed to speak for up to 10 minutes.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

HEALTHCARE

Mr. ALEXANDER. Mr. President, a week ago Saturday night, I was having dinner with my wife. It was about 8:30 in the evening, and the telephone rang, my cell phone, sitting in my pocket. I pulled it out, and it was the White House operator. The President was calling. So I walked out of the restaurant, sat on a curb outside in the dark, and had about a 15-minute conversation with the President of the United States while my dinner got cold.

President Trump said: I am calling about the cost-sharing reduction payments. I have cut them off as of October 1. The court says they are illegal. I don't want insurance companies to be bailed out. I think I can get block grants to replace ObamaCare, but I don't want people to suffer in the meantime.

And so I said to me: I think I might want to get a bipartisan interim deal, a short-term deal. I have called CHUCK SCHUMER and told him that.

The President put that out in a tweet that day.

So the President said to me: Why don't you negotiate with Senator MURRAY and try to get one; meaning a short-term, bipartisan deal.

I said: Well, what about the CSR payments?

He said: I can put them back, and you can use that as a negotiating tool to get a better deal with the Democrats.

I responded that I was already working on an agreement with Senator MURRAY.

He said: Finish it, and let me know. He called me again last Saturday. We talked about it again, and we talked twice yesterday.

I reported to the President that we have finished our problem list and that we and that we are here today to present to the Senate the agreement we recommend.

The bill has 22 sponsors, half Democratic and half Republican—very few bills come to the floor with that many cosponsors originally—and there are a number of others on the Republican side and I understand from Senator MURRAY a number on the Democratic side who support the idea.

I ask unanimous consent that a list of the cosponsors I am about to read be printed in the Record following my remarks.

Mr. President, I ask unanimous consent that the text of the agreement that Senator MURRAY and I would like to present to the Senate for its consideration and the consideration of the House of Representatives be printed in the Record following my remarks.
are already set, in most cases. The Federal debt will increase by $1.94 trillion because of the extra cost of subsidies to pay the higher premiums, and up to 16 million Americans may live in counties where they are not able to buy any insurance in the individual market.

So unless the cost-sharing payments, which the President says are illegal—and I agree with him. The Federal Court in Washington, DC, has told him they are illegal, not properly authorized by Congress. Unless they are replaced by something else temporarily, there will be chaos in this country, and millions of Americans will be hurt.

The President says there should be no bailout of insurance companies—no bailout of insurance companies. I agree 100 percent and so does Senator Murray. She can speak for herself. I have said to the President in our telephone calls—as I mentioned, 4 of them in the last 10 days—that if there is a way to improve the language in our bill, we would do that. We have done that and a half to make it clear that the benefits go to consumers, not insurance companies. That can always be improved.

Some conservatives object to the idea of paying them at all, but I would ask this: What is conservative about unaffordable premiums? What is conservative about $1.94 trillion of new Federal debt? What is conservative about creating chaos so millions can’t buy insurance at all or at least fail to deal with the chaos that has been created? What is conservative about a four-lane highway that would be the chaos that leads to a single-payer solution for insurance in this country? Do we really think that if 50 counties in Tennessee or Iowa or Kansas or any State are in a situation where no one can buy insurance on the individual market, that government-sponsored insurance is not far behind? Of course it is. That is why Senator Graham and Senator Cassidy sponsored our bill, because our bill would have been part of the Senate Republican repeal-and-replace bills if budget rules had allowed it.

Senator Graham and Senator Cassidy know that if we repeal and replace Obamacare in 1 year or 2 years or 3 years, it takes 2 or 3 years for it to take effect. We still need the cost-sharing payments for the interim, and you can’t pass those in the Senate with 51 votes. We need the Senate. If the Senate fails to do it, the House will do it. The Republican House majority has voted for it. The sponsor of the Senate repeal-and-replace bills are cosponsors of this agreement. It sounds like something that might actually become law before the end of the year.

Second, flexibility. The biggest difference between the Senate Republicans and the Senate Democrats with regard to health insurance and the individual market is whether Washington should write more of the rules or States should write more of the rules. Our position has been that States should write more of the rules. We have had about 50 votes—maybe more—and we have lost them all. We have made thousands of speeches, and we have lost them all. In the last 7 years, we haven’t moved an inch toward our objective of giving States more flexibility in creating insurance policies in the individual market. This agreement does.

It provides and authorizes States to offer an insurance policy called catastrophic insurance for people of all ages that would keep a medical catastrophe from turning into a financial catastrophe. It encourages interstate agreements among States in health insurance. It streamlines the innovation waiver—section 1332, we call it—for States that want to do what Alaska did, which is to create a fund to pay for the very sick and then reduce premiums for everybody else by 20 percent and use no new Federal dollars. Most important, it changes the law to make it easier for States like Iowa, Oklahoma, New Hampshire, Minnesota, Massachusetts, Vermont, Alabama, Alaska, and many others to use their creativity to write policies that offer more choices and lower costs.

Some have said: Well, that is not enough. Well, that is more than we have gotten for 8 years, and it is the first step.

I welcome anyone who wants to negotiate further with Senator Murray or Senator Schumer. That is what the legislative process is about.

Now, because Senator Murray has called me again yesterday, I would like to add Senator Isakson and Senator Grassley to the sponsor list, which would be two additional Republican sponsors, I would say to Senator Murray. That gives us a total of 12. I thank Senator Grassley for his support.

The only thing I would say to those who want to negotiate further to get more flexibility is to keep in mind that with the cost-sharing payments, you can’t strike any agreement without 60 votes in the Senate.

I thank Senator Murray for being an able and effective negotiating partner. We have worked on many pieces of legislation together. She is tough and respected in her caucus. She does what she says she will do, and she is interested in getting a result. I respect that and I thank her.

I thank President Trump for his encouragement. He called me 10 days ago, he called me 2 days ago, and he called me again yesterday. I thank him for his encouragement—to encourage someone to come up with a bipartisan agreement to cover these 2 years so people wouldn’t be harmed—and his willingness to consider what we are offering today.

I thank Senator McConnell and Senator Schumer because they have created an environment in which Senator Murray and I could make this proposal. I hope they and our other colleagues will seriously consider it. The President was right to suggest that we need a short-term agreement so people will not be hurt. Now, some people are still objecting to the idea of continuing these temporary cost-sharing payments for 2 years and the other provisions that would have as the objective to keep premiums from going up in 2018 and for premiums to begin to go down in 2019.

They are listening to groups around Washington, DC. I would suggest they listen to some other people. Listen to the waitress, listen to the songwriter, listen to the bricklayer, listen to the small businesswoman, and the people of key Arctic—there are 350,000 in Tennessee—who may be terrified by the prospect of increasing premiums or even by the prospect of not being able to buy insurance at all. These are people who don’t get insurance from the government. They don’t get it on the job. They might never know when they are going to lose their job and they will be in this individual market.

We have a solution here. Senator Murray and I—24 total Senators—are offering it today. We are certain it can be passed. We are working with those who would improve it, but I do not believe Congress would want to fail to deal with a problem that will hurt millions of Americans if we allow it to continue.

I predict this agreement that we 24 Senators are suggesting today will become law in some fashion before the end of the year. I think most Senators and most House Members will be looking around for a solution when they consider the consequences of a failure to act. When they look for a solution, I believe this solution supported by 24 Senators—half Democrats, half Republicans—will be the easiest solution to adopt. I believe all the Democrats want it. Almost all of the House Republicans have already voted for it this year, and the Senate Republican leaders who would prefer to repeal and replace Obamacare would put it in their bill if they could get it in there, but they can’t because the budget rules will not allow it.

I thank the Presiding Officer.

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

LIST OF REPUBLICAN CONSPONSORS
ALEXANDER, ROUNDS, GRAHAM, MCCAIN, CASSIDY, COLLINS, ERNST, MURKOWSKI, GRASSLEY, ISAKSON, BUIR, AND CORNER.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
Title: To stabilize individual market premiums for the 2018 and 2019 plan years and provide meaningful State flexibility.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be called as the “Bipartisan Health Care Stabilization Act of 2017”.

SEC. 2. WAIVERS FOR STATE INNOVATION.
(a) Streamlining the State Application Process—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—
(1) in subsection (a)(1)(C), by striking “the law” and inserting “a law or has in effect a certification”; and
(2) in subsection (b)(2)—
(A) in paragraph heading, by inserting “OR CERTIFY” after “LAW”;
(B) in subparagraph (A)—
(i) by striking “A law” and inserting the following:
"(i) LAWS.—A law”;
and
(ii) by adding at the end the following:
"(ii) terminating a certification described in this paragraph as paragraph (3);
(3) by adding after the second sentence the following:
"(3) may include—
(A) any application submitted prior to the start of any budget year; or
(B) in subparagraph (A)—
(1) in subsection (a)(1)(C), by striking “the date of enactment of the Bipartisan Health Care Stabilization Act of 2017 or any such application submitted prior to the date of enactment of the Bipartisan Health Care Stabilization Act of 2017” and inserting “the date of enactment of section 1332 before the period described in subclause (I) with respect to applications for waivers under such section 1332 submitted after the date of enactment of the Bipartisan Health Care Stabilization Act of 2017”;
and
(2) in subsection (a)(3), by striking “the Secretary determines that the State materially failed to comply with the terms and conditions of the waiver.”;
(4) GUIDANCE AND REGULATIONS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—
(1) by adding at the end the following:
"(4) EXPEDITED APPROVAL.—A waiver under this section—
(A) in general—(i) is for a waiver that is the same or substantially the same as the waiver approved under this section; and
(ii) shall be made without regard to any application under subsection (a)(1) submitted prior or any portion of, such aggregate amount of funds provided to such other States under section 1332 before the period;
(B) LIMITATION.—A determination made under subparagraph (A)—
(i) shall not be construed to affect any waiver process or provision of health care items or services described in clause (i); and
(ii) shall be made with respect to any changes in policy with respect to any waiver process or provision of health care items or services described in clause (i); and
(C) by inserting after paragraph (1) the following:
"(2) BUDGETARY EFFECT.—
(A) IN GENERAL.—In determining whether a State plan submitted under subsection (a) meets the deficit neutrality requirements of paragraph (1), the Secretary may take into consideration the direct budgetary effect of the provisions of such plan on sources of Federal funding other than the funding described in subsection (a)(3); and
(B) LIMITATION.—A determination made by the Secretary under subparagraph (A)—
(i) shall not be construed to affect any waiver process or provision of health care items or services; and
(ii) shall be made with respect to any changes in policy with respect to any waiver process or provision of health care items or services described in clause (i); and
(2) in subsection (a)(2)(B), by adding ""(i) LAWS.—A law” and inserting “subsection (a)(2)(B)”; and
(3) by adding after the second sentence the following:
"(3) may not be expedited or terminated, in whole or in part, by the Secretary at any time before the date of expiration of the waiver period (including any renewal period under paragraph (2), unless the Secretary determines that the State materially failed to comply with the terms and conditions of the waiver.”;
(i) APPLICABILITY.—The amendments made by this Act to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052)—
(1) with respect to applications for waivers under such section 1332 submitted after the
Nothing in this clause shall prevent a State, the Secretary shall recalculate the amount of funding provided under subsection (a)(3) of such section.

(3) of such section.

(2) with respect to applications for waivers approved under such section 1332 before the date of enactment, on or after January 1, 2019.

(1) providing monthly rebates to affected consumers and the Federal Government;

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;

(ii) risk pools.

(1) the division of spending on individual and small group credits, cost-sharing reductions, or other coverage;

(ii) the number of calls to the call center;

(iii) the average time for callers contacting the call center;

(iv) the number of individuals who enroll in a qualified health plan; and

(v) the percentage of individuals who enroll in a qualified health plan through each of—

(A) the website;

(B) the call center;

(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;

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(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;

(ii) risk pools.

(1) the division of spending on individual and small group credits, cost-sharing reductions, or other coverage;

(ii) the number of calls to the call center;

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(iv) the number of individuals who enroll in a qualified health plan; and

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(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;

(ii) risk pools.

(1) the division of spending on individual and small group credits, cost-sharing reductions, or other coverage;

(ii) the number of calls to the call center;

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(v) the percentage of individuals who enroll in a qualified health plan through each of—

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(B) the call center;

(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;

(ii) risk pools.

(1) the division of spending on individual and small group credits, cost-sharing reductions, or other coverage;

(ii) the number of calls to the call center;

(iii) the average time for callers contacting the call center;

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(A) the website;

(B) the call center;

(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of financial assistance;
to raise consumer awareness of open enrollment;
(2) the division of spending on individual outreach platforms, including email and text messages, to raise consumer awareness of open enrollment; and
(3) whether the Secretary conducted targeted outreach to specific demographic groups or geographic areas.
(d) ORCHESTRATION AND ENROLLMENT ACTIVITIES.—
(1) OPEN ENROLLMENT.—Of the amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations), the Secretary shall obligate $105,800,000 for outreach and enrollment activities for each of the open enrollment periods for plan years 2018 and 2019.
(2) ORCHESTRATION AND ENROLLMENT ACTIVITIES.—
(A) IN GENERAL.—For purposes of this subsection, the term ‘‘outreach and enrollment activities’’ means—
(i) activities to educate consumers about coverage options or to encourage consumers to enroll in or maintain health insurance coverage with issuers participating in the call center for the Federal Exchange; and
(ii) activities conducted by an in-person assistance program that does not have a conflict of interest and that, among other activities, facilitates enrollment of individuals through the Federal Exchange, and distributes impartial information concerning enrollment through such Exchange and the availability of tax credits and cost-sharing reductions.
(B) CONNECTION WITH FEDERAL EXCHANGE.—Activities conducted under this subsection shall be in connection with the operation of the Federal Exchange, to provide special benefits to health insurance issuers participating in the Federal Exchange.
(3) CONTRACT AUTHORITY.—The Secretary may contract with a State to conduct outreach and enrollment activities for plan years 2018 and 2019. Any outreach and enrollment activities conducted by a State or other entity at the direction of the State, in accordance with such a contract, shall be treated as Federal activities to provide special benefits to participating health insurance issuers consistent with OMB Circular No. A-11.
(4) CLARIFICATIONS.—
(A) PRIOR FUNDING.—Nothing in this subsection shall be construed as requiring the Secretary to cancel any funds already obligated on the date of enactment of this Act for outreach and enrollment activities for plan year 2018.
(B) AVAILABILITY OF FUNDING.—The Secretary shall ensure that outreach and enrollment activities are conducted in all applicable States, including, as necessary, by providing for such activities through contracts described in paragraph (3).
SEC. 6. OFFERING HEALTH PLANS IN MORE THAN ONE STATE.
Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the National Association of Insurance Commissioners, shall issue regulations for the implementation of health care choice options as described in section 1333 of the Patient Protection and Affordable Care Act (42 U.S.C. 18053) to allow for the offering of health plans in more than one State.
Mr. ALEXANDER. I yield the floor to Senator MURRAY.
The PRESIDING OFFICER. The Senator from Washington.
Mrs. MURRAY. Mr. President, first I thank Chairman ALEXANDER for his leadership in launching a bipartisan process, as well as his dedication to seeing it through and getting a result, as he said.
I have to say that, after 7 years of intense partisanship on these issues, which would lead everyone to believe that the Republicans and Democrats to come together and work to strengthen our healthcare, I am really pleased with this common ground we have been able to find, providing multiple years of certainty when it comes to payments to reduce out-of-pocket costs that affect the people Senator ALEXANDER just talked about—the waitress, the songwriter, and people who care and need this—restoring critical investments, making sure people know about enrollment and can get coverage, and offering States more flexibility to innovate, as the Affordable Care Act intended, while maintaining those essential health benefits, like maternity care, protecting people with preexisting conditions, and doing all this while making sure that costs do go down for our families and preventing insurers from double-dipping and getting the benefit of both cost reduction and higher premiums. If there are ways to do this that make sure patients come first and insurers can’t pad their profits, I, as I know Senator ALEXANDER is, as well, am open to that.
Chairman ALEXANDER just took some time to lay out the policies we are putting forward in this legislation. So I will not go into those details. But I do want to take a few minutes to focus on what this legislation would mean for the people we are all here to serve because what is really at stake is that patients and families across the country are now looking ahead to next year, and they are realizing they are about to pay the price for the uncertainty and partisanship we have seen, especially frustration, on healthcare over the last 9 months.
To many of those families, that out-of-pocket cost-reduction payment we are debating in Congress has nothing to do with politics and has everything to do with whether they will be able to make ends meet at the end of the month. Now the law is very clear that these payments are required, but with the President’s decision to stop them, families are looking to this Congress and the administration and asking what we plan to do.
So I am very glad that Democrats and Republicans agreed that we need to act. We could do much better working together under regular order rather than doubling down on partisanship and dysfunction. As a result of the hard work of Chairman ALEXANDER and members of our HELP Committee and with input from half of the Senate, we were able to put forward an answer—a bipartisan solution that prevents families from having to choose between sabotage and uncertainty and one that Members on both sides of the aisle can be proud to support, starting with the list of original cosponsors we are revealing today. Senator ALEXANDER listed the 12 Republicans. The 12 Democrats are Senators MURRAY, King, Shaheen, Donnelly, Klobuchar, Heitkamp, Franken, Manchin, Carper, Baldwin, Menendez, and Blumenthal.
We are doing this today not only because it will help protect our families from premium spikes that are set to kick off in the next year but because it sends a powerful message that, when Members of Congress put past our talking points and take a few steps out of our partisan corners, there is a lot we can agree on and a lot we can get done.
Chairman ALEXANDER and I are going to continue to make the case for this agreement. We are already getting a promising response from many Members on both sides of the aisle. I am very appreciative of Senator SCHUMER for his strong support and I am optimistic, with Chairman ALEXANDER working on this, we will continue to build momentum and, as he said, we will get this done.
At the end of the day, this isn’t about Republicans or Democrats. It is about doing the right thing for the people we serve. That means having an answer to the premium spikes that are going to set in and burden our families next year. We have been able to find one. It is bipartisan. We both gave on this. I really hope all of our colleagues will work with us to get this signed into law and show the American public that we can get the job done for them and we understand the priorities of this country.
I yield the floor.
The PRESIDING OFFICER. The Senator from Tennessee.
Mr. ALEXANDER. Mr. President, if I could ask a question, through the Chair, to the Senator from Washington.
In my conversations with President Trump, he has made it clear—and several of my colleagues have made it clear on the Republican side—that they don’t want to bail out insurance companies. What I responded is that I 100-percent agree.
I have already said this to the President, but I think it is important for our colleagues to know that probably the most heated debate Senator MURRAY and I had was not over whether we agreed with that but on how to actually do it in the most effective, strongest, toughest way possible.
So I wish to emphasize the point that these payments are designed to help low-income Americans pay their copays and deductibles. We have in our agreement a page and a half of language that requires every State to make sure the benefits of these payments go to the consumers in 2018 and not to the insurance companies.
I wish to ask Senator MURRAY if she sees any disagreement at all between her and me, and most of our colleagues on that side of the aisle and over here, about whether we want to bail out insurance companies or whether we
would be willing to consider any effective language that would improve our own language.

Mrs. MURRAY. Mr. President, I would respond to my colleague, through the Chair, that negotiations are ongoing. There are things you disagree on, and you have to work your way to an answer. The one issue we did not disagree on but we worked the hardest on and had the most discussion on was how we make sure we have the language in place on this—that consumers benefit and it is not a bailout for insurers. We absolutely share that point, and I know we both heard from Members on both sides of the aisle that they share that point.

We have strong language in here, but we are still open together to make it stronger under anybody’s suggestion because our intent is to make sure our constituents get the result of this. We are together on that and working on that. I, absolutely, disregard anyone who says this is a bailout for the industry; they share that point.

I appreciate Chairman Enzi’s willingness to include this instruction, and I have come to the conclusion that our committee will be able to meet the instructions. There are good reasons why we should be able to meet it, and, really, very good reasons why we should oppose an amendment that would preemptively strike it. I think it is important to say that we have opportunities within the energy sector to help advance this country when it comes to our energy security, our national security, and our economic security. But we need to be able to move forward with that.

So what we are able to do within this instruction, which is pretty wide open, is to focus on those areas where we might be able to see increased energy production that could bring us new revenue—that could create new wealth in this country.

I am going to be the first to agree that some of our options within this open instruction are better than others. Some will create jobs. Some may end up driving energy costs as opposed to raising them. Some will increase our energy and mineral security as opposed to sacrifice or selling it off.

I hope Members will do is look at this instruction as an opportunity to do something constructive for the country. The best example of that is to expand energy development in our Federal areas where we have seen decline in recent years.

I think we recognize that responsible development not only will reduce our immediate deficits, but it is about jobs and job creation. It is about wealth and wealth creation, about allowing us to build new wealth and create prosperity. It will help energy affordability for our families and businesses. That is something I hear about all the time. It will strengthen our national security and our competitiveness.

This is a point that needs to be emphasized over and over again. It is not only energy security, but it is national security. When we are dependent on other nations for our energy resources, there is an energy insecurity and vulnerability. We also realize energy production will ensure the type of growth that will help energy affordability for our families and businesses. That is something I hear about all the time. It will strengthen our national security and our competitiveness.

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In short, what we will be able to do with this energy instruction is allow us to create new wealth. Why wouldn’t that be something we would all embrace? I think the instruction will allow us to see some enduring benefits that will be felt all across our country. I think it is important to recognize and to state that this does not come at the expense of the environment. This is not an either/or proposition. Anyone familiar with modern development can recognize that as the scare tactic it is.
dramatically is the subsurface reach. The new technologies have allowed us to increase the ability to reach out under the surface to an area 125 square miles—125 miles. We have increased it by 4,000 percent, in the years we have been producing, exploring, and innovating. Due to the technologies we use for exploration, Senator Sullivan showed the ice roads we use that reduce the impact on the surface and avoid the need for permanent roads.

We use forward looking infrared cameras to survey for polar bear dens so we can avoid them. There was actually a story just this spring about a polar bear that was denning. We found where she was by using the technologies that we know and literally working around where that polar bear was until she emerged from her den with her cub in the spring. It is working with the technologies we have to allow for the activity but with minimal disturbance to not only the land but to the wildlife there.

Caribou. We all know about the caribou in the North Slope area. What we have learned is that over the years, the caribou that occupy these areas have not suffered. In fact, they have thrived. When oil development first began, we were looking at herds in the numbers of about 5,000. Just this last year, the caribou herd is numbering about 22,000, and it has maintained steady and substantial levels.

When you understand what the 1002 area really is and what development would actually look like, it is not hard to understand why you have Alaskans’ support. Over 70 percent of Alaskans support responsible development there. I want to give you one of the best examples. Matthew Rexford is the president of Kaktovik Inupiat Corporation, KIC, which is a member of the Voice of the Arctic Inupiat. This is a group of community leaders from our North Slope region. It was not too long ago, explaining why he supports responsible development in the 1002 area.

I ask unanimous consent to have printed in the Record Matthew Rexford’s op-ed.

There being no objection, the mat-

Alaskans Say Yes to Drilling in ANWR

(by Matthew Rexford)

The Arctic National Wildlife Refuge is the largest wildlife refuge in America. Spanning more than 19 million acres, it’s an area larger than 10 U.S. states. This vast expanse is home to caribou, fox, bears and other species. Much of that land is also home to the Native Inupiat, and our people have used the resources it has blessed us with for more than 10,000 years. One of those natural resources lies beneath this great land—oil and gas, and lots of it.

The debate over opening ANWR to drilling gained national attention in 1980, when President Jimmy Carter set aside less than 8 percent of the refuge for potential oil and gas development. This section of ANWR became known as the 1002 area, after a section of the Alaska National Interest Lands Conservation Act.

Since then, Alaskans and the oil and gas industry have fought unsuccessfully to open the 1002 area to drilling, which literally requires an act of Congress. At the same time, technological breakthroughs have occurred across the country, folks and organizations around the world have waged war on the idea, citing the disruption of wildlife and the pristine Arctic environment.

As ANWR debates occur, the views of the Inupiat who call the area home are often times left out. The wishes of the people who live hundreds—and around the coastal plain frequently are drowned out by people who live hundreds—even thousands—of miles away, many of whom have never bothered to set foot anywhere near the Arctic. Well, today is a new day.

Voice of the Arctic Inupiat, an organization with 21 members from across the Arctic Slope region, including members from Kaktovik located inside ANWR, have voted unanimously to pass a resolution supporting oil and gas development in the 1002 area. This is an unprecedented show of unity by community leaders of the North Slope—those who live in and around the coastal plain of ANWR—emphasizing a clear message to America that we support development of a portion of the coastal plain.

My fellow Inupiat and I firmly believe in a social license to operate, and perhaps no other potential project in the history of America has called for such a blessing from local indigenous peoples more than this one. When oil was first discovered on our land in 1969, the Inupiat were worried of industry activities and fought hard for self determination to protect our subsistence resources. So fully supporting the trepidation from outsiders: the fear that the presence of industry on the coastal plain of ANWR could disrupt wildlife and affect America’s manufactured perspective of our land and culture.

However, we also have the benefit of decades of experience working with the oil and gas industry to implement stringent regulations to protect our lands, and the industry consistently has lived up to our standards. Prudhoe Bay, the largest oil field on the continent, located 60 miles west of the coastal plain of ANWR, has demonstrated for four decades that resource development and ecological preservation can coexist in the Arctic.

The oil and gas industry supports our communities by providing jobs, business opportunities and infrastructure investments, has built our schools and hospitals, and has provided other basic services most Americans may take for granted. Our region recognizes its importance to our local and state economy, and we believe that development can be done responsibly in a portion of the 1002 area. We are not alone.

I am with Matthew and a strong majority of Alaskans are. These are the voices we need to be listening to. My answer on this discussion is yes. Opening the nonwilderness 1002 area to development is an option to meet the instructions to the Energy Committee, but it is not the only option. I will tell you, it is the best option, and it is on the table.

We should be clear, amendment No. 1301 is not a vote to open the 1002 area or to keep it closed. It is about whether this instruction should stay in the budget resolution, and it is about whether we are going to recognize the substantial benefits that await us or whether we are going to ignore our future needs and once again wind up in a situation where we see prices rising, families hurting, and everyone is wondering: Why didn’t you act when you had a chance?

I think we all recognize that we are enjoying some benefits of lower energy prices, and some have suggested here: Hey, we are all fine. We don’t need to do anything. A few have even said that
because we are exporting oil now, we don’t need to do more for ourselves here. It is truly an open invitation to ignore the supply side. That is just a bad idea. Quite honestly, we have been down that road before, and we know enough that it will not be gain.

The EIA, the Energy Information Administration, projects that in 2040, the world will be using more oil, not less. They project that our country will still be importing about 7 million barrels a day on a net basis. They project prices will likely move $100 a barrel. There are other experts who are already pointing to other signs. The International Energy Agency recently found that “global oil supply could struggle to keep pace with demand after 2020, risking a sharp increase in prices, unless new projects are approved soon.”

My point here is we have an opportunity. We have an opportunity not only to help America create jobs, to allow for opportunities not only in my home state of Delaware, but also across the country. We have an opportunity to ensure a level of energy security while at the same time broadening this to enhance our national security.

So what I am asking my colleagues today is to not preempt this very important conversation. Give us a chance to consider this instruction within our committee. We will have an opportunity for hearings, and we will be able to put these options out on the table and see fully how we can do more when it comes to energy production in this country. Let the Energy and Natural Resources Committee do its part in helping. Let’s not pull the plug even before we get going.

Given everything that we have heard here on the floor about strengthening our economy and protecting the middle class and making life better for people whom we serve, I think we really have to ask the very legitimate question: Why? Why would we limit our opportunity to ensure a level of energy security while at the same time broadening this to enhance our national security?

$1.5 trillion tax reform bill from the important requirement that legislation that adds costs to the U.S. Government must be paid for rather than merely added to our deficit. This rule, well known to our colleagues, is one by which I am troubled to see a number of my colleagues choose to ignore this time around—a rule long known in the Senate as the pay-as-you-go rule, or pay-go. It is an important rule that forces Congress to be responsible stewards of taxpayer dollars. It forces Congress to do its part in helping. Let’s not simply pass a budget that allows Congress to put $1.5 trillion more on the government’s credit card, on our credit card.

I thank Senator Warner for his long leadership on the need for fiscally responsible governing. Senator Warner is a former Governor and a successful business leader, and he understands the importance of sound fiscal management and the danger that our national debt poses to our long-term economic prosperity. I am proud to work with him and to remind our colleagues of the Senate’s longstanding support of pay-go. I encourage all Members, especially my Republican colleagues, to support this amendment.

Now, with the forbearance of my colleague, I will speak to one other amendment for a moment. There is an amendment that I have introduced that I know may well not get a vote but that I wanted to speak to. It would ensure that, as we consider tax reform, we do not forget those who are the most in need of our assistance right now and in the future.

The United States was hit very hard by three hurricanes and many wildfires this year. In particular, Puerto Rico, a U.S. territory of 3.4 million people, was devastated by Hurricane Maria, which was the entire island. It caused massive damage and is now resulting in a humanitarian crisis. Puerto Rico’s 3.4 million people is several times more than live in my State of Delaware. It is about the size of Connecticut.

Once we get past this initial crisis and restore power, provide clean drinking water, get hospitals functioning, and ensure people have housing, then Puerto Rico, the U.S. Virgin Islands, the areas of Houston, TX, and Miami, Texas, and those communities affected by wildfires in all of these other parts of our country will have significant rebuilding needs.

The amendment is that of the Governor of Puerto Rico and the Governor himself here on the Hill this week to clarify just how much more will be needed for the Marshall Plan-style investment to rebuild Puerto Rico. I am going to be advocating that we provide full supplemental funding for the Corporation for National and Community Service, AmeriCorps volunteers, and NCCC volunteers. Thousands of them have served in response to these emergencies. We are going to need investment in rebuilding CDBGs for parks and for infrastructure.

Before I hand it over to my colleague from Virginia, I want to reference a second amendment that would prevent us from moving forward with tax reform until we first provide for the needs of Americans who have been affected by these disasters and emergencies. I wish we would take that up.

Let me close by thanking my colleague from Virginia for his long leadership on the issue of responsible fiscal management for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, let me thank my friend, the Senator from Delaware, for his kind comments. More importantly, I thank him for his good work that he brings to the issue of fiscal responsibility. Before he served here in the Senate, he served as the head of one of the largest counties in Delaware. Whether you serve as a county chairman or as a Governor, you are used to the notion that you have to pay your bills. I very much appreciate his support for this amendment, that of keeping pay-go in place.

Let me also echo that I absolutely support his notion that the American citizens in Puerto Rico co deserve not to be forgotten and deserve to receive the same attention we have bestowed upon Americans in Texas or in Florida or in Louisiana or elsewhere around our great country when they were victims of natural disasters. I hope the Senator from Delaware gets a chance to submit his amendment.

While Puerto Rico is not receiving sufficient attention, there is another American territory nearby, the U.S. Virgin Islands, that also has those same kinds of challenges. If the Senator gets a chance to submit that amendment, I hope he will include the U.S. Virgin Islands in there as well.

Mr. President, I call up amendment No. 1138, which I filed at the desk.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will report.

The bill clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 1138 to amendment No. 1116.
Mr. WARNER. Mr. President, I rise to speak in favor of my amendment to strike language in this budget resolution that would exempt the $1.5 trillion tax reconciliation instructions from Senate rules that are meant to prevent us from dramatically increasing our debts and deficits.

I know that everybody is coming back from lunch, and they probably feel pretty good and do not want to get indigestion, but remember, our country is sitting on top of a $20 trillion debt at this point, an accumulation in which both parties have unclean hands.

In the years that I have been in this institution, I have worked with my Republican colleagues on issues that are siring to vote? 

Mr. CORNYN. Will the Senator from Virginia yield for a question?

Mr. WARNER. I am pleased to yield to my friend, the Senator from Texas, for a question as long as I still get a chance to finish my comments.

Mr. CORNYN. Mr. President, I appreciate that. And the Senator from Virginia is my friend. We work together closely on the Intelligencer Committee on a number of matters.

I just want to ask a pretty basic question, which is whether the Senator from Virginia believes that it is possible to improve economic growth as a result of tax reform in such a way as it will close that $1.5 trillion gap that he is so concerned about. Some economists—one who I believe are people we can depend on—have suggested that as much as a four-tenths of 1 percent increase in our GDP will essentially improve our economy to the point at which that gap will close to zero, and we will actually see true deficit reduction.

Does the Senator agree with that or disagree?

Mr. WARNER. Mr. President, I thank the Senator from Texas for his comment.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. CORNYN. The following Senator is necessarily absent.

Mr. DURBIN. I announce that the Senate from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

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The amendment (No. 1138) was rejected.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

Mr. MCCAIN. Mr. President, I came to the floor today in support of the budget resolution for one reason. It is because it provides the Senate a path forward on tax reform. I strongly support this effort to fix this country's burdensome tax system. It is my hope that tax reform will lead to simplifying the Tax Code, strengthening the middle class, and ultimately boosting our economy.

Unfortunately, I cannot offer my support without reservation, so I have come to the floor today to explain my concerns and remind my colleagues of the important work ahead of us. Even as we support this resolution as a means to achieve meaningful tax reform, we must acknowledge the fact that the underlying budget contains an insufficient level of funding for national defense. As chairman of the Senate Armed Services Committee, my highest priority is to ensure that our men and women in uniform have the training, equipment, and resources they need to keep our Nation safe.

The Senate budget resolution will set fiscal year 2018 defense spending at the levels dictated by the Budget Control Act cap. This budget is $54 billion less than the President’s request and $8 billion less than this body authorized just last month in the National Defense Authorization Act. We passed the National Defense Authorization Act by a vote of 99 to 0, a demonstration of the overwhelming bipartisan belief that the Budget Control Act level of defense spending is inadequate and unacceptable.

Let me be clear. There is no BCA level defense budget that would be sufficient to provide our military with what they need to fulfill current missions and prepare for future threats.

For those of us who have been paying attention, we heard the warnings of the steady decline of our military. Time and again our senior military and civilian defense leaders have sounded the alarm about the dangers of the Budget
Control Act spending caps. The Chairman of the Joint Chiefs of Staff, our highest uniformed military officer, General Dunford, has warned that if we continue on the current path, he assesses that “within 5 years, we will lose our project power; the basis of how we defend the homeland, and advance U.S. interests, and meet our alliance commitments.”

Make no mistake about what that means: our military advantage is degrading. Without the ability to project power, the United States will no longer be a global power. That means that we put at risk not only our ability to secure our interests and protect our Nation but also the unprecedented era of security and prosperity that American global leadership has provided the world.

I might add for the benefit of my colleagues that former President George W. Bush today gave a very strong statement emphasizing this problem and the challenge we face. This is the strategic reality we are facing in the next 5 years. It should not be a surprise to us that the steady degradation of the military. The strain of constant operational tempo, combined with inadequate and unstable funding has, over the past 15 years, worn down the greatest military in the world.

Just this week, Secretary of Defense Mattis sent a letter to the Armed Services Committee expressing his concerns with regard to the National Defense Authorization Act that we are currently debating in the House. The very first thing he said before addressing any of the policy changes and reforms in the bill is that his primary concern is the Budget Control Act, and we know why—because the defense spending caps are doing such immense harms to our military. Secretary Mattis wrote:

> As I have testified before your committee, no enemy has done more to harm the warfighting readiness of our military than sequestration. I will repeat that for the benefit of my colleagues.

... no enemy has done more to harm the warfighting readiness of our military than sequestration. Current caps continue to unnecessarily defer critical maintenance, limit aviation availability, delay modernization, and strain our men and women in uniform.

We have seen the evidence of this harm. Over the last few months there have been a rash of training accidents, collisions, and crashes. We are seeing the tragic accidents in the news far too often:

Seven sailors were killed when the USS Fitzgerald collided with a container off the coast of Japan.

A Marine KC-130 crash in Mississippi killed all 16 troops on board.

An amphibious vehicle explosion at Camp Pendleton injured 15 Americans.

A demolition accident in Fort Bragg killed one soldier and injured seven others.

Two Navy pilots died in a T-45 crash in Tennessee.

An Army Black Hawk helicopter went down during a training mission off the coast of Yemen, and one soldier died.

One soldier died during helicopter training at Fort Hood.

An amphibious vehicle explosion at Camp Pendleton injured 15 Americans.

A demolition accident in Fort Bragg killed one soldier and injured seven others.

My friends, we are now losing more of our men and women in uniform in totally avoidable training accidents than we are in more than plenty of blame to go around for all of these incidents, but we cannot ignore the fact that Congress’s inability to provide adequate, stable, and predictable budgeting has contributed to the troubling state of affairs. While increased funding is not the only answer, there is no scenario where our military can get healthy and ready to meet the challenges of an increasingly unstable world without additional resources. The reality is that we all know that it would not impact the actual appropriations. To solve these problems and to fulfill our duty to the men and women in uniform we must negotiate a bipartisan budget agreement that will lift the caps on defense spending. Only then can we rebuild the military, reverse the disturbing readiness crisis, and retain our ability to project power and secure our interests around the world.

I remind my colleagues that the fiscal year started 3 weeks ago and that the Defense Department is currently operating under a continuing resolution. We know the harmful effects it will have on the military. That is why getting to work on a budget deal is so urgent. We must delay no longer.

The budget resolution is not meant to provide that broader budget agreement. This budget resolution is simply a means to get us to tax reform. However, this budget resolution does represent something extremely troubling. The Republican Party used to be unified in its support for a strong national defense. If our leaders in Congress and the White House don’t immediately get to work negotiating a deal to lift the defense caps and fund the military at a higher level than in this budget resolution, I am not sure we will be able to claim that mantle any longer.

I just want to sum up by saying that we have a problem in the military today, and that is, whenever there are cuts in defense spending, the first thing that goes are the easy ones—the training, readiness, the spare parts, the flying hours that get cut first because they are the easiest. Cutting a major weapons system or program is extremely difficult.

An Osprey helicopter crashed off the coast of Hawaii, with five soldiers presumed dead.

A Marine KC-130 crash in Mississippi killed all 16 troops on board.

An amphibious vehicle explosion at Camp Pendleton injured 15 Americans.

A demolition accident in Fort Bragg killed one soldier and injured seven others.

Three marines were killed when a U.S. military plane crashed off the coast of Australia and that resulted in the deaths of three marines.

An Army helicopter crashed off the coast of Hawaii, with five soldiers presumed dead.

Ten sailors perished when the USS McCain collided with a tanker near Singapore.

So now we have this list, as I just read off, of men and women serving in the military and we are responsible, at least partially, for their death and injury. Why? Because they are not able to be trained. They are not able to be equipped. They are not able to maintain, and 60 percent of them are not able to fly. We have sailors and airmen who are working 100-hour workweeks. We have gigantic problems with the ability to simply operate.

Meanwhile, our adversaries are stepping up their capabilities. Obviously, every time we turn around there is another crisis of some kind. Look at the world 8 years ago and look at the world today. You will find an incredible deterioration of America’s position and influence in the world. The front page of the Economist magazine this week has a picture of the dictator of China and the title is “The world’s most powerful man,” and it is true.

So here we are with a budget resolution that basically has cut our military—that is basically not funding what we need. My friends, I do not mean to get emotional, but why should we send these young men and women in uniform in harm’s way without all the things in order to fight and defend this Nation? Right now, they are not ready. Right now, their planes can’t fly. Right now, they are not able to operate and train. They are not ready, and that is not just McCain’s word. That is our military leaders’ words and those of some of the most respected people in America and in the world. General Mattis, General McMaster, and General Kelly will all tell you the same thing.

We are sending our young men and women into hazardous situations without their being completely equipped and capable of defending themselves. That is wrong. What greater responsibility do we have than to the men and women who are serving us in uniform today? Four just died in Niger. How many of the 100 Members of this body knew that we even had an operation in Niger? I will not go into the details, in deference to the family, but this is wrong, what we are doing. We saw it in the 1970s, and now we are seeing it again. It was Mark Twain who said: “History doesn’t repeat itself, but it often rhymes.” It is beginning to rhyme, and if we don’t, with this resolution that we are going through, increase our spending to the level authorized by the National Defense Authorization Act, then we will bear some responsibility for what happens.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS): The Senator from Michigan.

Mr. PETERS. Mr. President, later today the majority is going to attempt to pass a budget for 2018. Passing a budget has come to mean all sorts of things in Congress these days. Last year’s budget was an attempt to repeal the Affordable Care Act. This budget is supposed all about tax reform. However, a budget, first and foremost,
We don't know if important incentives and the scope of the child tax credit. What personal exemptions families will where they will stop. We don't know where the tax brackets will start and families impossible. We don't know what the bottom line is for working majority's tax plan, we know only a few choices a budget puts in black and You can learn a lot about which are trillions in cuts that are either so they are simply never going to happen. No. 2, they are unspecified because opportunities rely on, like Head Start, Pell programs that families and commu-

Federal budget to know that $3 trillion in cuts to services to our seniors, is cut by $470 billion. On top of that, the budget in-

Let's look at the trillions in cuts that the majority is proposing. Where the budget is specific, it is bad. Medicaid is cut by $1 trillion. Medicare, which provides essential healthcare services to our seniors, is cut by $770 billion. On top of that, the budget in-

You don't have to be an expert in the Federal budget to know that $3 trillion in unspecified cuts means one of two things. They are either, No. 1, cuts to programs that families and communities rely on, like Head Start, Pell grants, and transportation funding, or, No. 2, they are unspecified because they are simply never going to happen.

That is what we are voting on today. There is nearly $1.5 trillion in cuts to Medicare and Medicaid, and then there are trillions in cuts that are either so unspecified name what they are or trillions more in defi-

cuts because there is not a plan.

The Federal budget is about choices. You can learn a lot about which choices a budget puts in black and white and which are left deliberately unspecified. When it comes to the ma-

rity's tax plan, we know only a few details, but we know enough to see where there will be winners and where there will be losers. The winners will be those of us, those Americans who will see their tax cuts, and we can make the code fair across sectors. We can establish incentives for smart investment in our communities. We can implement strong, enforceable rules to prevent companies from gam-

ing our tax system and moving profits and jobs overseas.

For families, we can meaningfully boost take-home pay. We can expand the child tax credit and earned-income tax credit, and we can work together to find real ways to help alleviate the cost of child care. We can lessen the burden of student debt, and we can help people save for retirement.

Tax reform can help create more good jobs right here at home, fix some of the issues in the code that drive jobs and companies overseas, and put more money in the pockets of working fami-

lies.

In 1986, Congress passed the most dra-
matic reform of the Federal Tax Code in modern history. How many votes did this sweeping overhaul of the tax sys-
tem get? When tax reform ultimately passed the Senate in 1986, it received 97 votes. If we want to repeat that accomplish-
ment and truly overhaul our code to make it work better for American fami-

lies and American businesses, that level of bipartisanship should be our goal, not 50 or 51.

I know we can do these things in a truly bipartisan manner if we are just given the chance. Let's work together to pass real tax reform with broad sup-
port from both sides of the aisle. The American people deserve nothing less.

I stand ready to work with the majority, and so do my colleagues. I urge the majority to abandon this effort and start over. Make the decision not to add trillions more to the deficit. Make the decision not to cut Medicare and Medicaid for Americans in need. Start over. Let's find a path forward to find real, lasting, bipartisan solutions.

I yield the floor.

Mr. LEAHY. Mr. President, budget resolutions set general spending priorities for the Federal Government. The budget resolution before us today, however, sets a path for so-called tax re-
form that will benefit the wealthiest Americans. For all their talk of reining in spending and reducing the debt, the majority is promoting a budget that will explode the debt by $1.5 trillion. They propose increasing the debt not to invest in our future, but in educating the next generation. They propose increasing the debt not to ex-
pand access to healthcare or promote medical research. No—they propose explod-
ing the debt to give corporations and the top one percent a tax cut. Once again, they may be pushing us away from the bipartisan traditions of this Senate and toward the hyperpartisan tactics that do not result in progress for the American people.

This budget invests in millionaires and billionaires like the Trump family, the Koch brothers, wealthy corpora-
tions, and the top one percent. It turns its back on millions of hard-working American families. While the resolu-
tion authorizes a $1.5 trillion increase in the debt, independent experts cal-
culate that the real cost of the Trump tax plan will far exceed that amount.

How will the majority pay for the dif-
ference? It will slash Medicaid, a pro-
sal already rejected by the Senate this year. It will slash Medicare. It will slash programs for veterans and infra-
structure.

It will be middle-class Americans who bear the brunt of these cuts. Ac-
cording to independent analysts, mid-
dle-class Americans will see their home values drop and will experience a tax increase as a result of the Trump tax plan. This shameful budget sends the message that the Senate supports putting tax cuts for the wealthy and big-
gest corporations on our Nation's cred-

it card and, to the extent we pay for any of it, that we do so on the backs of the middle class and seniors and at the expense of protecting the environment.

This budget proposes invading the Ar-

can's National Wildlife Refuge. These are not Vermont values. These are not American values. This is not how our Nation became the greatest country on Earth.
After years of claiming that the deficit is one of the greatest threats to our country, the majority today will waive away any concern about the long-term impact of increasing it. They argue that the economic growth spurt will outpace the foregone revenue, but as we saw with the Bush tax cuts, this claim is simply not based in reality. This argument is based on a pyramid scheme of assumptions on top of assumptions, and will be taken for a close look at the Congressional Budget Office’s projections—a range of both dynamic and conventional scores—this budget resolution eliminates the only existing mechanism that requires the Senate to have a CBO estimate in advance of a vote. Why might the majority want to rush a vote before examining the long-term economic impacts of these proposed tax cuts?

Our Tax Code is complex—very much, overly complex—and I share the view that it is in need of improvement and simplification. We can and should have a meaningful debate about tax reform, but any reforms must be certain to benefit middle-class Americans, not just the top 1 percent. We need to strengthen tax credits that promote community development and the construction of affordable housing. We should extend and make permanent tax credits that help those who are struggling to make ends meet. I am in favor of bipartisan tax reform that brings both parties together and results in balanced changes to the current system. That is in the best tradition of the Senate, and it is the path to enacting truly meaningful reforms that will benefit every single American.

The Senate should reject this partisan effort, just as it rejected last month the unsuccessful bipartisan efforts to roll back health coverage for millions of Americans. We should—and can—to craft a close and sustainable budget and tax reform package. No package will be perfect, but it should be bipartisan. It should be fair. The budget before us today fails to meet that test, which is why I will oppose it.

Mr. CARPER. Mr. President, last week, people across this country celebrated National Wildlife Refuge Week—and rightly so. National Wildlife Refuges are one of the crown jewels of our public lands network. These refuges provide essential habitat for some of our most imperiled species, including many impacted by climate change. Millions of refuge visitors also fuel local and regional economies by generating billions of dollars in sales and jobs.

This week, the Senate is considering a budget resolution that would open one of our refuges, the Arctic National Wildlife Refuge, to oil and gas drilling. Despite tremendous public support for our refuge system and the economic benefits that the refuges bring to our local economies, efforts to develop these special wild areas are ongoing and have been championed by the current administration. The budget resolution is another such effort to promote development in a refuge, an effort that should be rejected. In some cases, refuges are compatible with development and increased human activity. In other cases, such as the sifting of oil and gas drilling, could negatively impact the future of both human and animal inhabitants.

The Arctic National Wildlife Refuge, one of the most intact ecosystems in the world, is an example of the latter. The Refuge has been home to the Gwich’in people for more than 20,000 years. These Native people subsist primarily on caribou. Research shows that oil and gas development in the Refuge, even with a small footprint, could significantly alter Porcupine Caribou migration patterns and calving behavior. These changes would threaten the Gwich’in people’s way of life. The U.S. 30-year-old treaty with Canada to protect the Porcupine Caribou Herd could also be at risk.

According to the U.S. Fish and Wildlife Service, the Arctic Refuge is the only national conservation area where polar bears regularly den. It is the most consistent use polar bear denning area in Alaska. These iconic bears are increasingly vulnerable due to climate change, so the undisturbed Refuge land denning area is especially critical for their survival. The Refuge also supports hundreds of species of migratory birds, musk oxen, and wolves.

As the Senate contemplates the future of this spectacular natural area, I want to remind my colleagues that this body has said no to opening the Arctic National Wildlife Refuge dozens of times. With oil prices significantly lower than they were earlier this decade and oil supplies at historic highs, it is hard to understand why we would change course now. The risks far outweigh the benefits and the American public has consistently opposed drilling in the Arctic Refuge.

I also want to express my strong concerns with possible pending administrative action in the Santa Ana National Wildlife Refuge, another national treasure. This Refuge is located on the U.S.-Mexico border, along the southernmost stretch of the Rio Grande River at the confluence of the Central and Mississippi flyways. It is home to more than 400 bird species, more than 300 species of butterflies, and more than 450 varieties of plants.

The Santa Ana Refuge supports rare wildlife species, some found only deep in south Texas. The Refuge also provides habitat for at least eight species protected under the Endangered Species Act, including the ocelot. There are less than 50 ocelots left in the United States, so this Refuge is essential to the species’ recovery.

The Santa Ana Refuge is also a popular destination for millions of visitors each year. The booming ecotourism industry in the area is critical for local economies, which is another key reason why we need to ensure this Refuge and its inhabitants can thrive.

U.S. Customs and Border Protection and U.S. Army Corps of Engineers planning actions earlier this year suggest that the Trump administration might seek to fast track oil and gas development in the Santa Ana National Wildlife Refuge System even though that area is not a known problem area for border crossing. Furthermore, a wall through the Refuge would permanently damage critical habitat, block wildlife migration routes, and would likely trap wildlife in floods.

Again, a wall through the Refuge would not yield intended outcomes and would harm both wildlife and communities. I urge my colleagues on both sides of the aisle to question and oppose the construction of this wall segment.

From Alaska to Texas to Delaware, our National Wildlife Refuge System is well worth protecting and preserving for future generations. I look forward to continued work with my colleagues and constituents to this end.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NOS. 1178, 1139, 1205, 1228, 1422, 1234, AND 1249 TO AMENDMENT NO. 1116

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Flake No. 1178, Baldwin No. 1139, Rubio No. 1205, Heitkamp No. 1228, Portman No. 1422, Dean Byrd No. 1234, and Grassley No. 1249.

I further ask consent that at 3 p.m., all time on the resolution be yielded back and the Senate vote in relation to the amendments in the order listed; that there be no seconds-degree amendments in order to these seven amendments prior to the votes; finally, that the votes after the first in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senate from Wyoming (Mr. ENZI), for others, proposes amendments numbered 1178, 1139, 1205, 1228, 1422, 1234, and 1249 to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1178

(Purpose: To make the American tax system simpler and fairer)

At the end of title III, add the following:
The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provisions to make the American tax system simpler and fairer for all Americans, by the amounts provided in such legislation for those purposes, provided that such legislation was not increased in such legislation for those purposes, provided that such legislation would not increase the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1283

(Purpose: To prohibit reconciliation legislation that would increase the deficit or reduce a surplus.)

At the end of subtitle A of title IV, add the following:

SEC. 4 . POINT OF ORDER AGAINST RAISING TAXES ON TAXPAYERS WHOSE ANNUAL INCOME IS BELOW $250,000.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, motions, or conference report that raises taxes on taxpayers whose annual income is below $250,000.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 1282

(Purpose: To provide for an international tax system that provides or enhances incentives for businesses to invest in America, generate American jobs, retain American jobs, and return jobs to America)

At the end of title IV, add the following:

SEC. 3 . DEFICIT-NEUTRAL RESERVE FUND RELATING TO MAKING THE AMERICAN TAX SYSTEM SIMPLER AND FAIRER FOR ALL AMERICANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in federal tax laws, which may include international tax provisions that provide or enhance incentives for businesses to invest in America, generate American jobs, retain American jobs, and return jobs to America, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1281

(Purpose: To establish a deficit-neutral reserve fund relating to tax cuts for working American families.)

At the end of title III, add the following:

SEC. 3 . DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX CUTS FOR WORKING AMERICAN FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing per-child Federal tax relief, which may include amending the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the annual income is below $250,000.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, motions, or conference report that permits companies which have outsourced jobs to foreign countries to benefit from any tax breaks.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).
last 43 years—is losing the right to do the right thing. Let me say that again. We are losing the right to do the right thing.

Just a few weeks ago, we voted without batting an eye for $15 billion of allocated money to the victims of hurricanes in Florida, Texas, and other southern states, with every dime of that money in borrowed money. We have to go to China and other places and borrow that money so we can spend and do nothing. That is an embellishment or an exaggeration.

What about research for the rising, spiraling cost of our healthcare, driven by Alzheimer’s, cancer, and diabetes? We spend about the same amount of money on that as we spend on all foreign aid. Yet, if we were to do more, we could cure those heinous diseases and lower our medical costs. We can invest in our infrastructure. We can absolutely take care of victims of wildfires, and Puerto Rico.

Tonight we are going to be asked to vote yes or no on a supplemental bill for some $30 billion-plus for the needs of these catastrophes. We have lost the right to do the right thing, which is, of course, to meet those needs.

Here is the biggest one. You just heard my great colleague, Senator McCaIN from Arizona. He is the chairman of the Armed Services Committee, of which I am a member. He talked about how decimated our military is from a funding standpoint. He talked about readiness. He talked about capitalization. But today, we are borrowing every dime we spend on military, on our veterans, and on every domestic discretionary program in the United States. That is a fact. Where do we get the money when we run out of our own money? We spend every dime of our own. By the way, we collected over $3.5 trillion of Federal tax revenue last year. It is the largest amount America has ever collected in income taxes and total taxes for the Federal Government—the most we have ever collected—but all of that money goes to mandatory expenses.

As a matter of fact, since 2000, under one Republican President and one Democratic President, our government has grown from $2.4 trillion to $4 trillion. That is not the worst of it. The worst is yet to come. We have added in two Presidencies $14 trillion to our Federal debt. Of our $20 trillion, $14 trillion of it was added under these two Presidents.

In the next 10 years, the current budget under which we are working will add another $11 trillion to our debt.

Here is the problem. The blue line here is what you heard Senator McCaIN talk about earlier. That is our discretionary spending. It is flat. As a matter of fact, between 2009 and today, we have lowered discretionary spending by over one-third, by $400 billion. But what has happened is that our mandatory expenses have exploded.

On this chart, this line here, are our mandatory expenses; that is, Social Security, Medicare, pension and benefits for Federal employees, and the interest on our debt. This is a formula for financial disaster.

At this point, we already have $20 trillion of debt. Over the next 30 years, we are projected to have over $130 trillion of future commitments, liabilities coming at us like a freight train.

We are hamstrung because we have a budget process that doesn’t work. One problem is that, historically, this is a process that over the last 43 years, since the 1974 Budget Act was put in place, which created this budget process, the budget has worked only four times in 43 years. It has funded the Federal Government only four times. That is not a partisan comment; that is an indictment on this body and on the body across the hall.

In any other environment—sports, medicine, business, military—imagine if you had a process that worked only four times if you had a tank in World War II, and you are over there, and every 43 times you fired it, it worked only four times. Imagine what result would be.

What we have here is a system that doesn’t work. I am going to try to explain that very quickly.

First, we have committees in the U.S. Senate that involve themselves in appropriations and the funding of the Federal Government. Some are called authorizing committees. There are committees like the Foreign Relations Committee; we have Appropriations. We have all of these authorizing committees over here on the left. On the right here are Appropriations Committees. Today, these committees have to pass 12 bills in order to fund the Federal Government.

Over the last 43 years, out of the 12 bills we have to appropriate to fund the government, we have averaged only 2½ bills. But we can’t even say that it didn’t work. It doesn’t work here. So we end up with 179 continuing resolutions to get us past the end of our fiscal year to continue spending at last year’s rate, and then we go to an “omnibus”—another new term that I had never heard of—at the end of the calendar year. Basically, most times, six or eight people will get in a room and decide how to spend $1 trillion. This current budget deals with, primarily, issues that are not on the mandatory side.

There is a way forward. There are Members on the other side—and I am going to call out one—my good friend from the State of Rhode Island. Senator WHITEHOUSE and I and others have been working on this for quite some time. He has a great idea: Let’s pick a point in the future, make the debt a percentage of our GDP, and work backward from there with guardrails on what we can do every year.

There is a budget that we have been working on that creates a politically neutral platform that allows both sides, in a bipartisan way, to argue and fight over what we think the budget should include, because we believe the budget should be a law.

Today, the budget is only a resolution, which means it is nothing but a political statement by the majority party.

We then go to an authorizing process where the minority party, because they weren’t asked to play in the budget process—we have an authorizing process in which, today, we have over $300 billion of Federal expenditures a year that the Senate is not authorized, over $300 billion.

Then we are supposed to go to an appropriations process. As I have just said, we have appropriated, on average, over those 43 years, only 2½ bills a year instead of 12.

We can, it is so. It is not a partisan issue. We will absolutely fix this budget process in a bipartisan way. I am going to vote for this. I hope my colleagues will vote for this budget bill so we can go on and debate jobs.

The debt crisis is the No. 1 crisis we face in our country. It keeps us from doing the right thing—funding our national defense and taking care of our needs.

I will support this budget today, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

LIEUTENANT PATRICK L. RUTH

Mr. CASSIDY. Mr. President, this is not about the budget, but it is about something that all of us can, unfortunately, understand the importance of. On this day, October 3, 2013, a U.S. naval aviation instructor, LT Patrick L. Ruth, and student naval aviator, LTJG Wallace Burch, were both killed when their Goshawk training jet crashed in Tellico Plains, TN. Lieutenant Ruth was a native of Louisiana, growing up in Metairie, Lieutenant Ruth served in the Navy for 9 years, beginning his career in the Naval Reserve Officer Training Corps at Tulane University. He was commissioned in May of 2008. As a flight training Commander, Airborne Early Warning Squadron 126, based in Norfolk, VA, in 2012. Lieutenant Ruth flew the E-2C Hawkeye as part of the tactical air forces of the U.S. Navy. His primary mission was early warning defense of the carrier battle group, as well as air strike control, ocean surveillance, and search and rescue coordination.

In April 2015, he moved to Naval Training Squadron 7, based in Meridian, MS. As an instructor, Lieutenant Ruth trained the next generation of naval aviators in strike aviation, basic aircraft maneuvering, and landing skills.
Lieutenant Ruth was a dedicated naval aviator. As evidence, he earned two Navy and Marine Corps Achievement Medals during his distinguished career.

Our brave men and women in uniform take to the skies every day to defend our Nation. The risks are necessary, made to ensure that our military is fully prepared to face any threat. We are forever grateful for Lieutenant Ruth and those who answer the call of duty to keep us safe.

We must also think of the incredible sacrifices of Lieutenant Ruth’s family and all military families. They may not be wearing uniforms, but they, too, serve our country.

I had the privilege of speaking with Lieutenant Ruth’s family. I learned that his younger brother Shane is Active Duty Navy. His older brother is retired Navy. His sisters were, and are, so supportive.

Lieutenant Ruth’s parents, David and Mary Ann Ruth, still grieve. How could any parent not?

But to borrow from President Lincoln’s letter to a grieving mother:

I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have had so costly a sacrifice upon the altar of freedom.

Lieutenant Ruth is survived by his parents, David and Mary; his fiancé, Jessica; and his four siblings. We grieve with you. You are in our prayers.

Lieutenant Patrick Ruth will not be forgotten.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all time on the resolution is yielded back.

AMENDMENT NO. 1178

There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Flake amendment No. 1178.

Mr. FLAKE. Mr. President, this amendment would set up a deficit-neutral reserve fund relating to making the American tax system simpler and fairer for all Americans.

Not only do we need to do tax reform, but we need to do it urgently. It has been more than 30 years since we have reformed the Tax Code in any significant way. We have more preferences and loopholes and deductions out there than we used to do with. In fact, if we total all of them together, there are more expenditures in the Tax Code, or money avoiding coming to Washington—tax avoidance—than we spend on our entire discretionary budget. It is about $1.26 trillion annually.

So we have to have a code where we lower the rates and broaden the base. Broadening the base means going after some of these popular loopholes and deductions and preferences that make the Tax Code a lot bigger and scarier and more complicated than it should be.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). Who yields time in opposition?

Mr. BROWN. Mr. President, we yield back the time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1178.

Mr. FLAKE. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

ROTCAL Vote No. 229 Leg.]

YEAES—98

Alexander
Balzine
Baldwin
Bennet
Blumenental
Brown
Burr
Casewell
Capito
Cardin
Casey
Cassidy
Collins
Coons
Corker
Curnyn
Cortez Masto
Cotton
Crapo
Cruz
Daines
Donnelly
Duckworth
Durbin
Enzi
Ernst
Feinstein
Fischer
Flake

NOT VOTING—2

Nelson
Baird
Graham
Grassley
Harris
Hasean
Hatch
Heinrich
Hekstapm
Heller
Hikono
Hoven
Kopp
Lankford
Lee
Manchin
Marchand
McCaskill
McConnell
McCrory
Moran
Mukrawski
Machado
Murray

Nelson
Paul
Perdue
Peters
Portman
Reed
Risch
Roberts
Rounds
Rubio
Sanders
Sasse
Schatz
Shamar
Scott
Shaheen
Sherby
Stabenow
Strange
Sullivan
Tester
Thune
Tillis
Tooney
Udall
Van Hollen
Warmer
Warren
Whitehouse
Wyden
Young

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak to Baldwin amendment No. 1139. Wisconsin families need a tax break, and that is what I am working for. This budget will fast-track enormous tax breaks for the wealthiest few. It increases the deficit and puts Medicare and Medicaid on the chopping block.

I don’t think it is right to ask the middle class to pay for tax breaks for the top 1 percent with cuts to Medicare and Medicaid and rising deficits—deficits that will surely be used by my Republican colleagues to continue to justify an unwillingness to invest in the essential pillars of economic security for families.

The entire reason reconciliation was created was for deficit reduction, which the majority claims to care so much about. My amendment is very simple. It would reinstate a point of order, known as the Conrad rule, against reconciliation legislation that increases the deficit. Let’s not use reconciliation to add to our deficit.

I urge my colleagues to support my commonsense amendment that has been cosponsored by Senators WARNER, WHITEHOUSE, KAINE, COONS, KING, WYDEN, and VAN HOLLEN.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment, which would create an uneven playing field for the upcoming congressional reconciliation. If adopted, this amendment would reinstate a point of order from the fiscal year 2008 budget resolution, which Congress repealed 2 years ago, that was repealed to ensure equal treatment of all reconciliation bills by restoring the level playing field that had existed prior to the adoption of the point of order in 2008. That was used under the Byrd rule.

The Byrd rule specifically does not require such budget neutrality inside the budget window. Why? Because reconciliation was designed to be neutral in its orientation. The Budget Act states that reconciliation instructions must enumerate changes in spending and revenue amounts. It does not stipulate those changes must be increases or decreases.

The fiscal 2016 budget resolution restored the longstanding neutrality principle of the Byrd rule. It was the right thing to do then, and we should reaffirm that position today. I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The Senator’s time has expired.

The question is on agreeing to the amendment.

Mr. ENZI. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. WYDEN).

The PRESIDING OFFICER. Who yields time in opposition?
The amendment (No. 1139) was rejected.

AMENDMENT NO. 1235

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Rubio amendment No. 1235.

The Senator from Florida.

Mr. RUBIO. Mr. President, this amendment relates to the child tax credit. It is abundantly clear that perhaps one of the most effective ways to deliver tax relief—tax cuts—to working families is through the expansion of this credit, as it is our hope to achieve during tax reform.

I think it is important to point out that the U.S. Department of Agriculture can do no work to raise children in the 21st century. Today, it is expected that middle-income families are going to spend $230,000 to raise their children. By the way, that does not include the cost of their going to college.

Being able to deliver relief to hard-working families through the expansion of the child tax credit, which is applicable not just against income tax but payroll tax, is perhaps the single most effective ways to do that given the framework under which we will be working. That is what this amendment intends to reserve the opportunity to do.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I rise not in opposition to the amendment but to compliment the Senator for bringing this issue forward. I intend to support the amendment, but I just want to make the point that this is a broader issue in that we are going to have to address the child and dependent tax credit.

One of issues is making it refundable, so the tax credit is available and useful to lower income families, who are the hardest hit by high child care costs, and also making it available to those families who use these funds to care for perhaps an aged relative or an injured relative.

I agree with the amendment, and I support it, but I think we need to make the point that there is more work to be done. I have introduced a bill with Senator HELLER, Senator BURR, and Senator DOUGLS on this subject, and I look forward to bringing that forward for consideration at an appropriate moment.

I urge support for Senator RUBIO's amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to extend debate by 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEE. Mr. President, I rise in support of this amendment.

This would correct a great defect in our Tax Code—the parent tax penalty. We have been punishing parents for decades because of the way our Federal tax system and our senior entitlement programs—Social Security and Medicare—instruct. We have to end this tyranny and end this now. This amendment does that, and I urge my colleagues to support it.

The PRESIDING OFFICER. Is there any further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1205) was agreed to.

AMENDMENT NO. 1228

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Heitkamp amendment No. 1228.

The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, as we move forward on tax reform, I think the one great potential for absolute agreement is that we should lower the burden for middle-income taxpayers, and as we move forward, the one thing we absolutely should not do is in any way increase the tax burden for middle-income taxpayers. This amendment is about guaranteeing that no one who makes under $250,000 sees his taxes increase in any kind of legislation, including in any tax reform proposal.

I have heard from teachers, nurses, and veterans. They all want to know what this means for them. To guarantee people an absolute bright line that their taxes will not go up is absolutely essential as we move forward.

I urge a "yes" vote on this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, again, this is another attempt to do the Finance Committee's work as part of the budget. I urge my colleagues to oppose this amendment. The amendment would appropriately bind the Finance Committee's work on any tax legislation it writes.

This point of order is meant to be a poison pill in the process and would set a vote threshold on tax reform, effectively killing its efforts through reconciliation. This resolution's instructions to Finance do not specify the policy or the provisions that are going to be reported out of the committee, but the framework, as stated, will be just as aggressive as the current Tax Code. The chairman of the Finance Committee and members can assure you of that result.

This amendment is unnecessary, and I urge my colleagues to oppose it.

I raise a point of order against this amendment under the Budget Act, section 305(b)(2).

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The yeas and nays resulted—yeas 47, nays 51, as follows:

(Rollcall Vote No. 231 Leg.)
The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51. The amendment was rejected.

Mr. ENZI. Mr. President, I ask unanimous consent that the Donnelly amendment be modified with the text of his amendment No. 1234, which is as follows:

AMENDMENT NO. 1234, AS MODIFIED

(Purpose: To establish a deficit-neutral reserve fund relating to eliminating tax breaks for companies that ship jobs to foreign countries)

The amendment (No. 1234), as modified, is as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ELIMINATING TAX BREAKS FOR COMPANIES THAT SHIP JOBS TO FOREIGN COUNTRIES.

This amendment is common sense, Mr. President. I urge my colleagues to support this amendment.

Mr. DONNELLY. Mr. President, I rise in support of the Portman amendment. We can all agree that tax reform should help create more good jobs and protect the middle class as we already have. I support the Portman amendment, and I look forward to colleagues supporting my amendment that ensures that companies that ship American jobs to foreign countries are not eligible for tax breaks. I will now be 2 minutes of debate, equally divided, prior to voting in relation to the Portman amendment.

The PRESIDING OFFICER. The amendment (No. 1234) was agreed to.

Mr. BROWN. Mr. President, I ask unanimous consent that the reading of the amendment fall.

AMENDMENT NO. 1378, AS MODIFIED

The amendment (No. 1378) was agreed to.

Mr. BROWN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to providing tax benefits to patriot employers that invest in American jobs and provide fair pay and benefits to workers)

The amendment (No. 1378), as modified, was agreed to.

Mr. BROWN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to providing tax benefits to patriot employers that invest in American jobs and provide fair pay and benefits to workers)

The amendment (No. 1378), as modified, was agreed to.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise to speak on amendment No. 1422, which is a commonsense approach to international tax reform. It simply says that under this budget we would do international tax reform. It would create incentives to have more jobs here in this country. Those are incentives for both U.S. companies and foreign companies to create jobs here in America.

This is not a partisan issue; it has been bipartisan. It was part of the Simpson-Bowles provisions with regard to tax reform. Only a couple of years ago, I cochaired a working group on this issue with the now minority leader, Senator SCHUMER, where we came up with a proposal which said that the international system is broken and that we need to move to one like the one we are talking about in this amendment that brings back jobs. One of the problems is that the current tax code actually encourages companies to keep their money offshore. We think we could bring back a lot of that money. There is probably $2.5 to $3 trillion locked out offshore. But it is worse than that. It also leads to American jobs being taken over by foreign companies and these inversions we have heard so much about. In the last 24 hours, we had another major inversion. Companies that have household names are picking up and leaving our country and taking their jobs and investment with them.

This amendment is common sense, Mr. President. I urge my colleagues on both sides of the aisle to support it.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise in support of the Portman amendment. We can all agree that tax reform should help create more good jobs and protect the middle class as we already have. I support the Portman amendment, and I look forward to colleagues supporting my amendment that ensures that companies that ship American jobs to foreign countries are not eligible for tax breaks. I will now be 2 minutes of debate, equally divided, prior to voting in relation to the Portman amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DONNELLY. If no one yields time, the question is on agreeing to the amendment.

The amendment (No. 1422) was agreed to.

The PRESIDING OFFICER. The amendment (No. 1422) was agreed to.
Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. The budget resolution’s reconciliation instruction to the Finance Committee does not and should not specify the policies or provisions that are being reported out of the Budget Committee resolution. The Finance framework includes international tax reform that will incentivize companies to invest domestically and create jobs in the United States. But this amendment defines “patriot employers” with a long list of criteria, giving special tax breaks for these companies. “Patriot employers” should not be defined by the budget process or by politics but by those that honor our Social Security Act by paying their employees’ Social Security contributions in full.

American companies will be able to create additional jobs based on tax relief envisioned by the Finance Committee. As such, we should pass the resolution and reconciliation in a timely manner, and we should oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BROWN. I ask for the yea and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessary absent: the Senator from Mississippi (Mr. COCHRAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[Roll Call Vote No. 232 Leg.]

YEAS—47

Baldwin Gillibrand Nelson
Bennet Hirono Peters
Blumenthal Hassan Reed
Booker Heinrich Sanders
Brown Harkin Schatz
Cantwell Hirono Schumer
Cardin Kaine Shaheen
Carter King Stabenow
Casey Klobuchar Tester
Coons Leahy Udall
Cortez Masto Manchin Van Hollen
Donnelly Markey Warner
Duckworth McCaskill Warren
Durbin Menendez Whitehouse
Feinstein Murphy Wyden
Franken Murray Wyden

NAYS—51

Alexander Ernst McCain
Barrasso Fischer McConnell
Blunt Flake Moran
Boozman Gardner Murkowski
Burr Graham Paul
Capito Grassley Perdue
Cassidy Hatch Portman
Collins Holt Roberts
Corzine Inhofe Rounds
Cotton Johnson Rubio
Crapo Johnson Sasse
Cruz Kennedy Scott
Daines Lankford Shelby
Emi Lee Strange

Mr. ENZI. Mr. President, I ask unanimous consent that the amendment (No. 1378) be rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NO. 1296 AND 1375 TO AMENDMENT NO. 1116

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Paul No. 1296 and Cardin No. 1375.

I further ask unanimous consent that the Senate vote in relation to these amendments in the order listed; that there be no second-degree amendments in order to the amendments prior to the votes; finally, that there be 2 minutes, equally divided between the managers or their designees, prior to each vote, and that all votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for others, proposed amendments numbered 1296 and 1375 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1296 (Purpose: To modify reconciliation instructions to reduce the deficit) Strike section 2001 and insert the following:

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $4,800,000,000. (b) COMMITTEE ON ARMED SERVICES.—The Committee on Armed Services of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $460,000,000. (c) COMMITTEE ON EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $9,650,000,000. (d) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $12,970,000,000. (e) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction that—(1) reduce new budget authority for fiscal year 2018 by not less than $25,100,000,000; and (2) that increase the deficit by not more than $1,500,000,000,000 for the period of fiscal years 2018 through 2027. (f) COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.—The Committee on Banking, Housing, and Urban Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $6,760,000,000. (g) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Committee on Homeland Security and Governmental Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $16,900,000,000. (h) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $21,720,000,000. (i) COMMITTEE ON VETERANS’ AFFAIRS.—The Committee on Veterans’ Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $260,000,000. (j) SUBMISSIONS.—In the Senate, not later than November 13, 2017, the Committees named in subsections (a) through (i) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

AMENDMENT NO. 1375 (Purpose: To create a point of order against legislation that includes deficit-financed tax cuts)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT INCLUDES DEFICIT-FINANCED TAX CUTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, amendment between the Houses, or conference report that includes tax cuts and would cause or increase a deficit or reduce a surplus.

(b) WAFER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 1296

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to Paul amendment No. 1296.

The Senator from Kentucky.

Mr. PAUL. Mr. President, this amendment is about whether or not we are serious about the debt. In the current budget, there is a plan to reduce the debt by $96 billion in mandatory spending. I applaud that, but we need budget reconciliation instructions to allow it to happen. This amendment will allow instructions so we can really do what we say we are going to do, which is to cut spending.

I think, in light of the fact that we are for tax cuts, we ought to also be for reducing spending so we don’t explode the debt.

I recommend a “yes” vote on reconciliation instructions to allow for mandatory savings and spending.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in strong opposition to the Paul amendment. This amendment includes reconciliation instructions to cut nearly $100 billion in programs that are vital to working families in this country, including education, healthcare, nutrition, affordable housing, and many, many other programs.

This amendment paves the way to make it easier to cut Medicare by over
$400 billion and Medicaid by over $1 trillion over the next decade in order to provide almost $2 trillion in tax cuts to the top 1 percent.

This amendment should be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment. There are no further points of order. The clerk will call the roll.

Mr. PAUL. 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.

Mr. CORDEN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

Mr. DURBIN. The following Senator is necessarily absent: the Senator from Maryland (Mr. COCRYN).

Mr. DURBIN. The following Senator is necessarily absent: the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 4, nays 94, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—4

Flake  
Lankford  
Paul  

NAYS—94

Alexander  
Baldwin  
Barrasso  
Bennet  
Blumenthal  
Blunt  
Boozman  
Booker  
Brown  
Burke  
Cassidy  
Cochran  
Collins  
Corker  
Cardin  
Capito  
Cochran  
Cory Booker  
Cotton  
Crus  
Daines  
Durbin  
Donnelly  
Enzi  
Ernst  
Fischer  

NOT VOTING—2

Cochran  
Menendez

The amendment (No. 1296) was rejected.

AMENDMENT NO. 1297

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Cardin amendment No. 1297.

The Senator from Maryland.

Mr. CARDIN. Mr. President, this amendment is also non-germane. The Congressional Budget Act requires that amendments to a budget resolution be germane—a statutory regulation we can’t ignore.

So I raise a point of order against this amendment, under the Budget Act’s section 305(b)(2). The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, what the chairman is saying is, basically, the process will be used in order to add to the deficit. Therefore, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b) of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The yeas and nays resulted—yeas 47, nays 52, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—47

Benjamin  
Bennet  
Blumenthal  
Blunt  
Boozman  
Booker  
Brown  
Cassidy  
Cochran  
Collins  
Corker  
Cardin  
Cotton  
Cruz  
Daines  
Donnelly  
Enzi  
Ernst  
Fischer  
Moran  
Paul  

NAYS—52

Alexander  
Barrasso  
Blunt  
Boozman  
Booker  
Brown  
Casse y  
Cochran  
Collins  
Corker  
Cardin  
Cotton  
Cruz  
Daines  
Enzi  
Ernst  
Fischer  

NOT VOTING—1

Menendez

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The Senator from Wyoming.

AMENDMENTS Nos. 1298, 1439, and 1277 to the Senate bill (S. 295)

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Paul No. 1298, Lee No. 1430, and Paul No. 1277.

I further ask unanimous consent that the Senate now vote in relation to the Kaine amendment No. 1249 and that following disposition of the Kaine amendment, the Senate vote in relation to the above amendments in the order listed; finally, that there be 2 minutes equally divided between the managers or their designees prior to all further votes tonight and that they be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

With no objection, it is so ordered.

Mr. ENZI. The next four votes will be on the Kaine amendment No. 1249, the Paul amendment No. 1298, the Lee amendment No. 1430, and the Paul amendment No. 1277.

The PRESIDING OFFICER. The clerk will report the amendments en bloc by number.

The bill clerk read as follows:

The Senator from Wyoming (Mr. ENZI), for others, proposes amendments numbered 1298, 1439, and 1277 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1298

(Purpose: To reduce discretionary spending by $45,000,000,000.)

On page 4, line 25, decrease the amount by $3,000,000,000.

On page 5, line 13, decrease the amount by $35,000,000,000.

On page 5, line 14, increase the amount by $35,500,000,000.

On page 5, line 15, decrease the amount by $35,000,000,000.

On page 6, line 1, decrease the amount by $35,260,000,000.
On page 6, line 2, decrease the amount by $6,450,000,000.
On page 6, line 3, decrease the amount by $800,000,000.
On page 6, line 15, decrease the amount by $35,260,000,000.
On page 6, line 16, decrease the amount by $6,450,000,000.
On page 6, line 17, decrease the amount by $800,000,000.
On page 7, line 3, decrease the amount by $35,260,000,000.
On page 7, line 4, decrease the amount by $6,450,000,000.
On page 7, line 5, decrease the amount by $800,000,000.
On page 7, line 19, decrease the amount by $43,000,000,000.
On page 7, line 20, decrease the amount by $35,260,000,000.
On page 7, line 24, decrease the amount by $6,450,000,000.
On page 8, line 3, decrease the amount by $800,000,000.

AMENDMENT NO. 1490

(Purpose: To provide for reconciliation instructions to the relevant committees for the purpose of repealing and replacing the Patient Protection and Affordable Care Act)

On page 49, line 5, insert "(a) Congress shall report changes in laws with-"

In section 2001, strike subsection (c) and insert the following:

(c) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(d) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(e) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Committee on Homeland Security and Governmental Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(f) SUBMISSION.—In the Senate, not later than November 13, 2017, the Committees named in subsections (a) through (e) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision. The PRESIDING OFFICER, the Senator from Virginia.

AMENDMENT NO. 1209

Mr. Kaine. Mr. President, I call up amendment No. 1249.

The PRESIDING OFFICER. The amendment is pending.

Mr. Kaine. The amendment is a simple change to the reconciliation instructions. It is about transparency. Two years ago, the Senate passed a budget that added a laudatory requirement to have a Congressional Budget Office score for reconcili-

The amendment seeks to reduce discretionary appropriations this fiscal year by $43 billion. As Members are aware, the resolution's discretionary figures for this fiscal year are fully consistent with the Budget Control Act spending limits. If they weren’t, then the resolution would be subject to a 60-vote point of order.

This year’s resolution also includes Overseas Contingency Operations funding at $77 billion. This amount is equal to the President’s request and is allowable under the Budget Control Act. The
members of the Budget Committee worked hard to craft a resolution with levels that would put us on a better fiscal path, with $5.1 trillion in spending reductions over the next 10 years. The resolution already contains ample restraint to both discretionary and mandatory spending.

As the Appropriations Committee has reported many of its bills already, this amendment could be detrimental to the appropriations process as it stands today and the allocation this resolution will provide.

I urge my colleagues to oppose this amendment.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICIAL. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I agree with my colleague that there are no recommendations on where these cuts are coming from. Do they come from the programs that support our Nation’s veterans, from the National Institutes of Health—the cutting-edge cancer research it conducts? You can’t turn research on and off. Scientists don’t hit pause.

Does it come from our transportation and infrastructure? If we really want to make these cuts—and this, of course, would take us well below the postsequester budget caps that are already $43 billion. If we want to make cuts, have the courage to stand up and say, "This is the program I want to cut”—not do something like this, where we don’t know if the cut will be for veterans, education, cancer research, or anything else.

I oppose the amendment.

To oppose the Paul amendment and urge others to do the same. The Paul amendment appears to mandate a cut of $43 billion from non-defense discretionary programs in fiscal year 2018. This is an 8-percent cut to the postsequester budget caps, which are already $3 billion below last year’s levels. It could impact defense as well.

Of course, Senator PAUL provides no recommendations on who he wants to hurt. Should it come from programs that support our Nation’s veterans? Should it come from the National Institutes of Health and the cutting-edge cancer research it conducts? You cannot just turn research on and off. Scientists don’t hit pause. What if we take it from transportation and infrastructure programs that help repair our Nation’s failing roads and bridges?

If those are unacceptable, perhaps we should cut or eliminate programs that assist our Nation’s farmers or help promote economic growth in rural communities. I think we can all agree that is not going to happen. It should not happen. We should be investing in our communities to make sure they have the tools they need to grow and flourish, not deserting them.

Members on both sides of the aisle have been calling for months for a bipartisan budget deal. In speech after speech we have heard about the devastating consequences that sequester has on both defense and nondefense programs. If we are going to finish this year’s appropriations process, we need a bipartisan budget deal that puts an end to providing us relief from sequester.

This amendment takes us in the opposite direction. I urge a "no" vote.

The PRESIDING OFFICIAL. Time has expired.

The question is on agreeing to the amendment.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICIAL. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 5, nays 95, as follows:

[Rollcall Vote No. 236 Leg.]

YEAS—5

Paul

NAYS—95

Alexander

Franken

Baldwin

Gillibrand

Barrasso

Graham

Benner

Graunke

Blumenthal

Grauley

Blunt

Hannan

Boozman

Hart

Brown

Heinrich

Burr

Herrin

Cantwell

Heller

Capito

Hirono

Cardin

Hironen

Carper

Inhofe

Casey

Isakson

Cassidy

Johnson

Cooper

Kaine

Cornyn

Kane

Couto

Klobuchar

Carmen

Markay

Crapo

McCaIN

Cruz

McCaskill

Donnelly

McCARTHY

Duckworth

Menendez

Durbin

Menendez

Ezzi

Morgan

Enzi

Maza

Ernst

Murkowski

Ferrante

Murphy

Fischler

Murray


dent program. I am offering amendment No. 1430 to repeal ObamaCare regulations that are wreaking havoc on our health insurance market. Healthcare costs are rising dramatically, unsustainably, and unfortunately. Healthcare costs are rising as a result of ObamaCare’s despotic regime of aggressive healthcare regulations. Countless working families are treading water just to try to stay afloat.

A good chunk of these costs also can be pinned directly on the burdensome ObamaCare regulations.

According to one HHS study, ObamaCare regulations caused premiums in the individual market to spike an astounding 105 percent, and a study by Milliman showed that the guaranteed issue regulation alone caused health insurance premiums to rise by an average of 45 percent. This amounts to $100 per month. That is thousands of dollars per year for working families. That is money that they could be spending on groceries, on housing, on braces, or on their child’s education.

Congress has done very little in the last few years to alleviate the burdens faced by these working class families. I urge my colleagues to act now by supporting this amendment.

The PRESIDING OFFICIAL. The Senator from Washington.

Mrs. MURRAY. Mr. President, Republicans have now put forward proposal after proposal to rip protections away from Americans with preexisting conditions. This amendment is yet another example of Republican efforts to increase costs for people who need health care the most. It would put insurance companies back in charge. It would allow them to deny coverage to people with preexisting conditions or discriminate against them by charging higher premiums.

This repeals the essential health benefits, rips away access to critical services like maternity care, mental health, and substance use disorder treatment, and repeals the requirement that coverage be available to dependents under the age of 26.

Americans have rejected this crass partisan proposal. It is long past time to focus on bipartisan proposals like the one that Senator ALEXANDER and I announced today that actually protects people with preexisting conditions while bringing down premiums for patients and family.

I urge a "no" vote.

Mr. LEE. Mr. President, I ask unanimous consent to speak for 10 seconds.

Mrs. MURRAY. I object.

The PRESIDING OFFICIAL. Objection is heard.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICIAL. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The result was announced—yeas 32, nays 67, as follows:

[Rollcall Vote No. 237 Leg.]

YEAS—32

Barrasso

Crapo

Hatch

Boozman

Cruz

Daines

Cornyn

Flake

Cotm

Graham


S6624

October 19, 2017

CONGRESSIONAL RECORD — SENATE
Kennedy
Lankford
Lee
McConnell
Meran
Paul
Scott
Alexander
Baldwin
Bennet
Blumenthal
Blunt
Booher
Brown
Burr
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Cortez Masto
Donnelly
Durbin
Enzi
Murphy
NOT VOTING—1
NAYs—67

The amendment (No. 1430) was rejected.

AMENDMENT NO. 1277

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Paul amendment No. 1277.

The Senator from Kentucky.

Mr. PAUL. Mr. President, across the country, Republicans promised to repeal ObamaCare. They promised to repeal all of ObamaCare, root and branch. Not one Republican promised to keep and block grant ObamaCare. They promised to repeal ObamaCare.

Tonight I present another chance.

My amendment will provide budget reconciliation instructions so Republican Senators can fulfill their promise; so they can actually repeal ObamaCare, root and branch, as they promised.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, this amendment provides reconciliation instructions to three Senate committees for the purpose of repealing and replacing the Affordable Care Act; in effect, rerunning the same bad movie the Senate has now seen three times. By now, Americans understand what these partisan Republican healthcare bills have in store for the middle class: higher premiums, worse healthcare, and a safety net in tatters.

I will close by saying that there is now a desire on both sides of the aisle to set aside this my-way-or-the-highway approach to governing. Bipartisanship is about taking each other’s good ideas, and I believe the Senate can work together to lower people’s premiums.

This amendment is a vote to look for bipartisan ideological trophies when the Senate ought to be working together to find common ground.

I urge my colleagues to reject this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PAUL. 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. PAUL. Mr. President, I ask for unanimous consent that the amendment be called up en bloc and inserted.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing full, permanent, and mandatory funding for the pay-in lieu of taxes program that would be due to a State or local government if the State or local government owned the land.

On page 57, line 19, insert “including rewrite the formula for payments under the program” after “program”.

AMENDMENT NO. 1429

(Purpose: To establish a spending-neutral reserve fund relating to prohibiting Federal regulation of entirely intrastate species under the Endangered Species Act of 1973)
S6626

CONGRESSIONAL RECORD — SENATE

October 19, 2017

AMENDMENT NO. 1552

(Purpose: To provide tax relief to American workers, families, and job creators in a manner which maintains the progressivity of the tax system by maintaining or raising the share of taxes paid by high income taxpayers)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX REFORM WHICH MAINTAINS THE PROGRESSIVITY OF THE TAX SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include tax reform proposals to ensure that the revised tax code parallels the existing tax code with respect to relative burdens and does not shift the tax burden from high-income to lower- and middle-income taxpayers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1553

(Purpose: To strike the reconciliation instructions for the Committee on Energy and Natural Resources of the Senate to prevent oil and gas development within the Arctic National Wildlife Refuge)

In section 2001, strike subsection (b).

AMENDMENT NO. 1554

(Purpose: To provide other enforcement provisions related to the House of Representatives.)

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

AMENDMENT NO. 1555

(Purpose: To establish a deficit-neutral reserve fund relating to significantly improving the budget process)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SIGNIFICANTLY IMPROVING THE BUDGET PROCESS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to significantly improving the budget process by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of fiscal years 2018 through 2027.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 239 Leg.]

YEAS—58

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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 senior assistant legislative clerk called the roll.

Mr. UDALL. Mr. President, I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.
The Senator from Utah.

Mr. LEE. Mr. President, I am offering this amendment to pay back western communities for the loss that occurs to them as a result of the widespread ownership of Federal public land.

As I have long stressed, Federal land is often a bad bargain for State and local governments, like those in Utah, where almost two-thirds of the land is owned and controlled by the Federal Government, thus prohibiting local governments from taxing that land. Not only does Federal ownership reduce economic opportunity on that land, not only does it rob local residents of local control, but it also shrinks the property tax base that Utahns rely on to fund essential community services.

The Payments In Lieu of Taxes Program, or PILT, was designed to address this very inequity by paying States for the property tax revenue they lost as a result of Federal land ownership, but the current formula for PILT does not adequately compensate local governments for this loss. In fact, it doesn’t even come close. My amendment offers these predominantly rural communities a revisited, revised, and improved PILT formula to compensate them for these very losses. I encourage my colleagues to support it, and I request a voice vote.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, there is wide support for PILT from both Democrats and Republicans, as witnessed by this last vote. What we need to do now is to make sure that it works fairly for counties and is not done arbitrarily.

The CRS found that taking the approach in Senator Lee’s amendment would break the PILT Program. Not only would calculating each county’s payments be nearly impossible, the program would not be fair. In fact, the CRS cited a 2010 study that found that the approach in Senator Lee’s amendment would result in two-thirds of all the counties that receive PILT funding receiving lower payments than they do now.

I urge my colleagues to vote no.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 240 Leg.]

YEAS—50

Alexander  Collins  Menendez  Murray  Young

Barrasso  Grassley  Hatch  Reisch  Trump  Young

Blunt  Graham  Hoeven  Inhofe  Thune  Wicker

Boozman  Grassley  Johnson  Rounds  Thune  Young

Burr  Grassley  Johnson  Rounds  Toomey  Young

Capito  Grassley  Johnson  Rounds  Toomey  Young


The amendment (No. 1428) was rejected.

AMENDMENT NO. 1404

The PRESIDING OFFICER (Mr. KENNEDY). There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Lee amendment No. 1404.

The Senator from Kentucky.

Mr. PAUL. Mr. President, rather than bicker over raising taxes on some people and lowering taxes on other people, we should cut everyone’s taxes to make sure we get a middle-class tax cut. My amendment provides budget reconciliation instructions to increase the tax cut to $2.5 trillion. If we were to believe this budget, it claims to save over $8 trillion over 10 years—more than enough to go bigger, better, and bolder on cutting taxes.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in recognition of the Paul amendment. In the budget we are debating today, my Republican colleagues have required the Finance Committee to increase the deficit by $1.5 trillion over the next decade.

The PRESIDING OFFICER. The amendment (No. 1404) was rejected.

AMENDMENT NO. 1429

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Lee amendment No. 1429.

The Senator from Utah.

Mr. LEE. Mr. President, our constitutional structure places in place a Federal Government with powers that James Madison described as “few and defined” and those reserved to the States as “numerous and indefinite.” Among other things, the Constitution gives powers to the Congress to regulate interstate commerce, trade or commerce between the States, with foreign nations, and with Indian Tribes. It does not give the Congress the power to regulate any and every activity occurring intrastate. Yet, for the last few decades, under the Endangered Species Act, this very power has been abused to regulate species that exist only in one place, only within one State, never crossing State lines, never forming any part of any channel or instrumentality of interstate commerce. This is wrong, it is unconstitutional, and it eviscerates and circumvents the meaning of the 10th Amendment.

We need to liberate this country from the dictates of a few bureaucratic in Washington, DC, who have overextended their authority under the Endangered Species Act. My amendment fixes that, and I urge my colleagues to support amendment No. 1429.
The amendment (No. 1552) was agreed to.

**AMENDMENT NO. 1552**

The PRESIDING OFFICER. The amendment (No. 1552) was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Cantwell amendment No. 1301.

The Senator from Washington.

Ms. CANTWELL. Mr. President, the Arctic National Wildlife Refuge is one of the most pristine areas of the United States, and we have been protecting it for years. For a reason. The notion that, at that time, after 60-plus years, we would give up what is a biologically important area, that is a critical habitat for polar bears, a breeding ground for caribou, migratory birds, and over 200 species—for what? For oil that we don’t need.

We have had record oil production in the last 10 years—a 77-percent increase. The oil that we would get, we wouldn’t get until 10 years from now, and it would supply oil for only 1 year in the United States. It is not worth it.

As Representative Mo Udall said in 1980: “If we have to drill at the White House or Arlington Cemetery or the Capitol grounds for oil, we might have to drill in the Arctic Refuge. But let us go there last.”

We don’t need this oil. We have plenty of supply. The Interior Secretary is trying to open a billion acres, including on-shore and outer continental shelf waters. Vote no and protect a unique special place that has been protected for 60 years.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURkowski. Mr. President, I urge my colleagues to soundly reject this amendment. Those who support this amendment will deny us the opportunity to do something constructive in this country when it comes to our opportunities to produce energy, to produce wealth.

We need to be expanding our energy development in our Federal areas. This helps us reduce our deficit, build new wealth in this country, strengthen our national security and our competitiveness. We can and we must do more as a nation to responsibly develop our resources, our energy resources providing economic security, energy security, and national security.

The Energy Committee is prepared to meet this instruction to raise a billion dollars over the next decade.

I urge Senators to reject this amendment, which would deprive us of a substantial opportunity to benefit our country at the same time that we care for our environment.

Thank you.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. CANTWELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1301) was rejected.

**AMENDMENT NO. 1561**

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Enzi amendment No. 1561.

The Senator from Wyoming.

Mr. ENZi. Mr. President, first of all, I want to thank everybody who has been working together on this point. There is this vote, and I hope there will be one voice vote after it and then final passage.

I am urging my colleagues to support this amendment. This amendment offers technical and conforming changes that are needed for the House of Representatives to be able to enforce the budget resolution. This amendment will help maintain fiscal discipline in the House so both Chambers can continue to work and put America on a more sustainable footing. What is also important for my colleagues to know is that these provisions apply to the House only. The Senate enforcement remains unchanged.

I hope you will support me on this amendment.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, Chairman Enzi suggests that this is just a “technical corrections amendment.” Actually, that is not quite accurate.

At a time when the United States spends more on defense than the next 12 countries combined, amazingly, this...
amendment paves the way for a $91 billion increase in defense spending in fiscal year 2018.

This amendment would renew the Republican effort to repeal the Affordable Care Act and throw up to 32 million Americans off their health insurance—current premiums for older workers, and make even more harmful cuts to Medicaid.

This amendment includes a provision requiring the use of so-called dynamic scoring, or what President George H.W. Bush appropriately referred to as voodoo economics, allowing the Republicans to claim that their massive tax breaks for the rich will pay for themselves.

At a time when the cost of college education is skyrocketing, this amendment calls for dramatic cuts to students’ financial aid.

The amendment paves the way for a $91 billion increase in defense spending in fiscal year 2018.

This amendment would renew the Republican effort to repeal the Affordable Care Act and throw up to 32 million Americans off their health insurance—current premiums for older workers, and make even more harmful cuts to Medicaid.

This amendment includes a provision requiring the use of so-called dynamic scoring, or what President George H.W. Bush appropriately referred to as voodoo economics, allowing the Republicans to claim that their massive tax breaks for the rich will pay for themselves.

At a time when the cost of college education is skyrocketing, this amendment calls for dramatic cuts to students’ financial aid.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENZI. I ask for the yeas and nays.

The PRESIDING OFFICER. Are there any further amendments?

Mr. PERDUE. Mr. President, I have great news. This is the last amendment and the only bipartisan amendment tonight, and after this we will vote on the entire bill.

The purpose of this amendment is to declare this process—the vote-arama—utter nonsense. It is part of a budget process that both parties have perpetuated and persisted with for 43 years. It has only worked four times; to fund the Federal Government, according to the Budget Act of 1974, four times in our history. We are supposed to appropriate $2 billion a year to fund the Government. We have averaged 2%. I urge all of my colleagues to make clear to the American people that we recognize this budgeting process is broken and we are committed to fix it.

Thank you.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. PERDUE. Mr. President, I am pleased to urge all of my colleagues to give a strong bipartisan voice vote in support of the amendment by the Senator from Georgia. The current budget process does not produce a meaningful budget, does not control the debt or the deficit, and does not contribute to bipartisanship or compromise. What it does produce is a meaningless, partisan vote-arama. If you believe we can do better than a vote-arama, if you believe we can have an improved and meaningful budget process, voice vote aye.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1167) was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I know of no further amendments to the resolution.

AMENDMENT NO. 116, AS AMENDED

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 116, as amended.

Mr. ENZI. That is the substitute. I yield back time on that.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, this is not a bad budget bill. It is an horrific budget bill, an extremely cruel bill, and the most unfair budget ever presented in the modern history of our country.

At a time of massive income and wealth inequality, this budget provides $1.9 trillion in tax breaks for the top 1 percent. At a time when millions of working families are struggling to keep their heads above water, this budget cuts Medicaid by $1 trillion. Fifteen million Americans could lose their health insurance.

This is a budget that poll after poll shows the American people do not want. Let us defeat it.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I am tempted to debate that, but we will get to do that as we do the provisions of this after it is all voted on.

I hope everybody will adopt the substitute by voice, and then vote on adoption of the resolution.

The PRESIDING OFFICER. Are there any further amendments?

Seeing none, the question is on agreeing to amendment No. 1116, as amended.

The amendment (No. 1116) in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question occurs on adoption of H. Con. Res. 71, as amended.

Mr. ENZI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—51

Alexander Fischer
Barrasso Gardner Markowski
Blunt Portman Perdue
Boozman Roberts Perdue
Burr Risch Portman
Capito Rounds Risch
Cassidy Schulz Roberts
Coons Sasse Risch
Collins Scott Sasse
Corker Johnson Shelby
Cotton Kennedy Sullivan
Crapo Lee Sasse
Crus McCain Sullivan
Daines McConnell Tester
Ernst Young Tester
Fischer Pocan Young

NAYS—49

Baldwin Harris Paul
Bennet Hassan Peters
Blumenthal Heinrich Reed
Booker Hirono Sanders
Brown Kent Schatz
Cantwell King Schum
Cardin Kluchuchar Shahen
Carter Klobuchar Stabenow
Casey Leahy Tester
Conston Moran Tester
Cortez Masto Manchin Udall
Donnelly McCaskill Warner
Durbin Menendez Warren
Feinstein Merkley Warren
Franken Murphy Whitehouse
Gillibrand Wyden

The concurrent resolution (H. Con. Res. 71), as amended, was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, tonight we completed the first step toward replacing our broken Tax Code by passing a comprehensive, fiscally responsible budget that will help put the Federal Government on a path to balance. The budget also gives us the tools we need to strengthen our economy after years of stagnation under the previous administration.

We have a once-in-a-lifetime opportunity to replace a failing tax code that holds Americans back with one that actually works for them. To middle-class families across America, we have a very simple message. We want
to take more money out of Washington’s pockets and put more in yours.

With this budget, we are on a path to delivering much needed relief to American individuals and families who have borne the burdens of an unfair tax code for entirely too long. I want to particularly thank Chairman Mike Enzi and the members of the Budget Committee and the staff for their extraordinary work on this budget.

BANKRUPTCY JUDGESHIP ACT OF 2017

Mr. McConnell. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 2266.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2266) entitled “An Act to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.”, with an amendment.

AMENDMENT NO. 1568

Mr. McConnell. Mr. President, I move to concur in the Senate amendment to H.R. 2266.

I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

MOTION TO CONCUR

Mr. McConnell. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2266.

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The motion to recommit having been agreed to, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The motion to recommit having been agreed to, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

MOTION TO REFER WITH AMENDMENT NO. 1570

The amendment is as follows:

The Senator from Kentucky (Mr. McConnell) moves to refer the message on H.R. 2266 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1570.

The amendment is as follows:

The amendment is as follows:

AMENDMENT NO. 1571

Mr. McConnell. I have an amendment to the Senate amendment to H.R. 2266.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment is as follows:

AMENDMENT NO. 1572 TO AMENDMENT NO. 1571

Mr. McConnell. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The amendment is as follows:

The amendment is as follows:

AMENDMENT NO. 1573 TO AMENDMENT NO. 1572

Mr. Cornyn. Mr. President, I want to take a few minutes following the remarks of the majority leader to thank the Budget Committee, and the whole Budget Committee for the tremendous work that has been done on this budget resolution.

I also want to express my gratitude and our collective gratitude to the Budget Committee staff, who has done such heroic work to get us this far. This might well be the best and most well-run budget consideration process during my time in the Senate. Certain of the folks that Enzi has gotten us to this point at this time of night, when typically this ends in the wee hours of the morning, I think he is to be commended.

The resolution has gone through regular order from the start, working its way through the Budget Committee where amendments were considered and adopted from both sides. Chairman Enzi has been a very effective floor manager as we have been considering this budget resolution, obtaining consensus from both sides of the aisle to ensure that the Senate has considered a number of amendments in a timely fashion. That is something that is not always so common around here.

I want to take a moment to note the great job the chairman has done in getting us to this point. As we all know, without a budget resolution, there will be no tax reform. This is the first step to getting us to a place that’s tax reform, which will unshackle the sleeping giant of the American economy, something from which all Americans will benefit. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

THE BUDGET

Mr. Menendez. Mr. President, having been away for a while from the Senate, I am pretty amazed to come back today and see a budget that is passed that throws away years of rhetoric about fiscal conservatism. The Senate just passed a budget that adds $1.5 trillion to our national debt, a budget that slashes seniors’ healthcare by $479 billion. It decimates the Medicaid Program for parents and grandparents in nursing homes, those who are disabled, and those who are among the poorest, with cuts of over $1 trillion over the next decade.

In total, the Republican budget would cut more than $5 trillion over the next decade from education, healthcare, affordable housing, childcare, nutrition assistance, transportation, and other programs that all Americans rely on.

The question many New Jerseyans will be asking me is, Why? Why do Republicans in Congress add $1.5 trillion

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In total, the Republican budget would cut more than $5 trillion over the next decade from education, healthcare, affordable housing, childcare, nutrition assistance, transportation, and other programs that all Americans rely on.

The question many New Jerseyans will be asking me is, Why? Why do Republicans in Congress add $1.5 trillion
to our national debt while slashing the Medicare Program? The answer is simple. We are on a pathway to provide massive tax breaks to corporate interests, special interests, and the wealthiest 1 percent. This has been a Republican agenda for as long as I can remember.

What I find most galling is that this budget plan is meant to set up a special process that we know here as reconciliation to pass the Trump tax plan—a plan, which, by their own admission, benefits 10 percent of people on middle-class families. Think about that. The Republican Party is adding $1.5 billion to the debt to pay for massive tax breaks for the wealthiest among us—I should say trillion, $1.5 trillion to the debt to pay for massive tax breaks for the wealthiest among us. They aren’t even guaranteeing that middle-class taxes will not go up.

What the Republican budget fails to realize is that budgets are not just about numbers. Budgets are about people, their hopes, their dreams, their expectations for a better life for themselves and their children.

My view is that this budget sells America short. It is not what the American people believe our collective values would be. Hard-working families want us to work together and pass a budget that addresses their concerns. They want safe communities, not a budget that threatens to cut the fire-fighter grants and stretches local budgets even thinner. They want peace of mind when they reach their golden years, not a budget that raises their healthcare costs. They want a tax proposal that cuts taxes for the middle class and working people, not more tax breaks for the folks that have been rigging the system against us.

People are willing to do their part if everyone is sharing in the sacrifice. But this budget fails that test. It fails to recognize that we are all in this together and should benefit together and sacrifice together—each of us working for the betterment of all of us.

Mr. President, another area where it is critical that we come together, not as 50 separate States but as the United States of America, is to help the 3.5 million American citizens living in Puerto Rico. I have serious concerns that the current disaster relief package currently being considered by Congress fails far short of that.

For several days—in fact, for several weeks—I have been listening to the same rhetoric of what this budget will do. This budget is a special process. It
does outline a plan for what we can do over 10 years. That is a long time. I
don’t know that we ever make it past the first year. In fact, some budgets do
not last more than 40 days before we waive the budget, but we need to have a
blueprint. This is a blueprint that covers 10 years in spite of some of the
rhetoric that this bill will not do any of the things that have been claimed.
The reason that it will not do any of the things that have been claimed is
that everything in the budget requires action by a different committee before it
can be done. Maybe they will take what we have in the budget and do that.
Usually, they do not. If they were to, we could balance it, in this case, over a 10-year period. That is too long.
Interest is going to eat us alive before that time. We are going to have to do
something else.

I remember, when President Obama came into office, he had an idea. He
said that the economy was too sluggish, that they have to do a budget that
will increase just a very small amount that will cover what we have in the
current budget. I think he thought that we could use the stimulus and we
could use the stock market and some of the commodity prices because they felt that
those could be produced again.

We decided that we had to try a different approach, and the different app-
proach was to try to put the money in the hands of the people, and to do it
in a different way, we would have to change the way we do this. That is the
middle class that some of the people talk about, and it is the poor that some of the people talk
about. It is everybody. When we do tax reform, it will affect everybody. In fact,
there are even some studies that
to which show that when you do the corporate tax, it increases money for individuals
who are working because there will be more competition for people, and that
will drive up wages. Some economists have said that. Yet, really, I think we
argue with the Congressional Budget Office about how much the change is
going to be, we said: No. Go ahead. Do your static one just as though no change
had been made at all. We are
willing to bet that there will be a very slight increase that will cover what we
are talking about as a possible deficit and that that deficit will not develop if
we increase just a very small amount in productivity.

Just like every economist asked: How come you are picking such a low
number? Well, try to be conserva-
tive and hope that the number goes 4 or 5 or 6 points higher than that. If it
does, we will have money to start pay-
ning back some of the debt. If it just
stays at my estimated, conservative amount, at the end of 10 years, we will
have a surplus of $197 billion.

We have a chance to put America on a different route, one that will increase
jobs, one that will get the money into the hands of the people, realizing that
they probably know better what to do for themselves and their families than
we do. I do hear a lot when I go home about different government programs that
are not working. In my studies, I have found that we not only have programs
that are not working but that we have programs that nobody ever takes a
look at. We have programs that have a lot of duplication. We have 160 housing
programs. There are really only 5 things that those 160 programs do, so
shouldn’t we have just 5 of them and maybe have them specifically and all
under one agency and set some goals and see if they meet those goals?

I was visiting with a lady from Africa who happens to be in charge of finance
in her country. She said: You know, we have performance contracts in our
country, and a performance contract means that, instead of giving the
money to the towns, does a list of what they are going to get done during the year.

Because they are smaller than the United States, once a year they get ev-
everybody together who has a perform-
ance contract. Then they review his performance contract. If you do not
meet your performance contract, there is a little bit of
central. whereas we do not even check to see if they did anything. We do not even
check to see if they have plans. We
have to change that, and some of the things in this budget will allow that to
happen.

I appreciate the way that we finished up in committee. I allowed the other
side to see the bill early. Normally, they get to see it after opening state-
ments are done. Imagine that — do the opening statement about what you
think is going to be in the budget. Al-
though some of the speakers I have heard heard here act like they are
still thinking that something might be in
the budget that is not, they got to see it 5 days early in exchange for sub-
mitting their amendments, which is
what every other committee does. Sub-
mitting your amendments, but never
we can look through them and see how
much duplication there is and some
that can be accepted from both sides.
As a result, we started with over 150
amendments, and we voted on 25. We
took five from the other side, making
it a bipartisan budget.

Nevertheless, after the committee process, we brought it to the floor, and we
had an open amendment process today. In fact, as for the way the rules
are on this, after we voted on the last amendment — of course, before we voted
on final passage — somebody could have
said: Wait a minute, I have one more, and he could have gone on all night. Again, we had to think of a civil pro-
cess today that would result in our
being able to finish at what would be
considered an extremely early hour.
There was a little different tone to
the amendments than what I had been
hearing people with things that they
would not be focused on the actual items in the budg-
et, not on "gotcha" amendments. Usu-
ally, they say: Well, that person is up, and he has this little soft spot, so if I
throw in this amendment, he will be on record probably voting against it, or he will vote for it, and that
can be used against him. Either
way, they would be able to use it. I
didn’t see those amendments this time, and I appreciate that.

I appreciate my colleagues for their consideration, their cooperation, and a
lot of patience that has gotten us to
this point.

I thank Leader MITCH MCCONNELL for allowing the Senators to do their jobs,
to do them in committee, and to do them here on the Senate floor. This
commitment to an open, honest, and transparent legislative process is cru-
cial to helping Congress restore the
trust of the American people. I want to
thank the outstanding members of the Senate Budget Com-
mittee, who fought so hard and so tena-
ciously to outline a plan that could balance the budget over the next 10 years while providing the tools needed
to build a strong, competitive Tax Code and boost the
economy. The Presiding Officer was a part of that committee, and the Sen-
ator who just finished presiding was a part of that committee. I appreciate
the careful and calculated way they
looked at it, provided suggestions, then
asked good questions at hearings and
helped to come up with that budget.

Thanks are due, as well, to the many Members on this side who came and
spoke on the budget’s behalf, who of-
fered amendments to make it better—well, almost always to make it better—
and who worked with each of us and
each other to move through the resolu-
tion’s debate and the vote process
together. I would also like to focus on a moment on some of the staff who helped
to lead us here. I want to thank the Re-
publican staff of the Senate Budget
Committee. That is Betsy McDonnell, my
staff director, who is relatively new to
this position, but never let it be said she never
know that in the way she took a job
her knowledge and friendship among people, again, on both sides of the
aisle. She has been able to work
some wonders to where we had the least votes in a vote-arama that, I think,
we have ever had. That came
from her being able to combine some of them but also in helping them redraft
so that they were covering a different area than somebody else might be cov-
ering, which eliminated some of the rough work.

I want to thank my deputy staff di-
rector, Matt Giroux, and Paul Vinovich, Becky Cole, Thomas Fuller,
Elizabeth Keys, Joe Brencich, Jim Neill, Steve Robinson, Greg D'Angelo, Tom Borck, Richard Berger, Jeremy Dalrymple, David Ditch, Susan Eckerly, Alison McGuire, Will Morris, Steve Townsend, Kelsie Wendelberger, and my wife, Catherine Ryves. Essays by Jake Whitaker, and Matt Pfeiffer. They are quite a team that has been doing a lot of work, both daytime and night and while the Senate has been out of session.

So I would also like to offer a special thank-you to Eric Ueland, who previously served as my staff director. He has been nominated for a post within the administration, and he is still waiting for his vote here, which is being delayed a lot—not just on his but apparently on all of them.

Eric has played an important role on this committee and throughout his time in the Senate. Two years ago, Eric was instrumental in helping Congress approve its first balanced 10-year budget since 2001, which represented an important step toward putting our country on not just another course but a better course. He is careful, precise, and dogged in his work. He has a tremendous knowledge of the history of the Senate and particularly the budget process. I especially appreciate his understanding of the complex Senate rules and precedents, along with the Budget Act. I wish him Godspeed in his next position in service to our great Nation.

As well, thanks are due to my personal office staff who have to carry a load because I am not there when I am working on the budget stuff, but they keep me well informed so we are progressing on some of the State stuff at the same time. I particularly have to thank my chief of staff, Tara Shaw, who, because a new administration came in and liked the employees I had working for me, hired many of them away. So I had to find replacements, and she did an outstanding job with that. She has helped to kind of hold me together during this whole process and gives me outstanding advice so that I know not only what I am doing but why I am doing it, and, again, she has a tremendous history of what I have done before, which helps me as a good reminder. She is an outstanding chief of staff.

I also want to include my legislative director, Landon Stropko. When you are the budget chairman and you are worried about some of the numbers, you can give the legislative director a reminder. She is an outstanding chief of staff. We have also been supported by the great work of our leadership, the floor and cloak room staff. I thank them for their continued good work and dedication to this institution and the country as a whole.

In particular, I want to thank Sharon Soderstrom, Ed Hall, Jane Lee, and Brenda Dunn in the leader's office; Monica Popp, John chapuis, and Emily Kirlin in the whip's office; and very especially Laura Dove, who really runs this place. She has a history from when her dad was the Parliamentarian, and I am sure there was dinner table talk that has led her to know a lot of the precedents. I have seen when somebody disagreed with her, she was able to just go over and pull out a manual and turn almost instantly to the page and say: Here it is. She does an outstanding job of helping us stay on the right track. I also thank Robert Duncan, Chris Tuck, Megan Mercer, Tony Hanagan, Mike Smith, Katherine Kilroy, and Chloe Barz in the cloakroom.

I would really be remiss if I didn't thank the Senate Parliamentarian, Elizabeth MacDonough, and her team, along with our bill and amendment clerks who kept us on the straight and narrow, but I particularly want to thank our seals, the Parliamentarian who has to go through the technical details of every sentence of everything we do. When you talk about a filing cabinet of ideas all contained in one place, she does it. She knows precedent. She has been working at it for a long time. To be Parliamentarian, you have to be somebody who really likes detail work and pressure because when somebody comes in, they don't say: Take a look at this, and maybe I will see what you think next week. No, they want what you think, and fortunately she is able to, with a very great personality, say: Not yet, and then she does her research and comes up with some great explanations—not ones we always agree with—but great explanations for any decision she makes, and we really appreciate that.

So you can see that it takes a whole lot of people, and we have been working on, in some cases counting what we are doing and keeping their people informed, but that is the case; that is, there are these people behind the scenes who are helping to make it work and to do it right. That is important. We want to do it right.

Now, I think we could work together a lot better if we were able to work in smaller bites. I get a little upset when we do comprehensive stuff around here. I have watched so many times when we take a comprehensive bill and soundly defeat it or maybe narrowly defeat it, but we defeat it. I figured out, when we do something that we separate bites, that this piece loses 5 votes and this piece loses 10 votes and this piece loses 12 votes, and pretty quickly you don't have a majority anymore, but if you do it in smaller bites, you may lose 5 votes and it isn't a big deal. Getting it done would be the big deal. So if people would settle for working one issue and sticking to that issue and not say: No, I have this amendment that I know nobody will vote for but this is such an important bill, if I could get it in there, it will make it through and hardly anybody will know—that is not legislating, and we shouldn't be operating that way. We should be doing an item at a time, in bite sizes, so the American people can understand it, and we get it done.

I think a lot of people have done a great job here, including the pages. It is late, so rather than go on—I made it to after 10 p.m. so you don't have to have a class tomorrow morning. With that, I will close.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Ohio.

Mr. PORTMAN. Mr. President, as we have just seen, there is no more decent or honest Senator in the U.S. Senate than the Senator from Wyoming who just spoke, and that is why we were able to expedite the process tonight. It was slow, but this is an important bill, if I could get it in there, it will make it through and hardly anybody will know—that is not legislating, and we shouldn't be operating that way. We should be doing an item at a time, in bite sizes, so the American people can understand it, and we get it done.

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the full Senate and the House and signed into law by the President.

What it does do is it prepares this body to do something really important and really exciting, and that is the opportunity to reform our broken Tax Code. It is so important because we will give this country the arm, in terms of our economy, that it will get this economy moving again, and it is going to help people who have been left behind in this economy. Really, when we look over the past 15 years, so many people whom we represent and who are represented by the other Members in this Chamber have not seen their wages go up. In fact, they have been flat, and what has gone up are expenses—healthcare expenses more than any, frankly. It is the biggest single increase people see in their family budget but also food, medicine, and tuition. We have seen flat wages, not more take-home pay, and higher expenses.

What we have an opportunity to do in this Tax Reform Act—that is the framework for us to able to do this. It is work, not a mandate—that was made possible by the budget that was passed tonight is we have set the stage for commonsense tax reform that is essential to this effort to grow our economy and create more and better jobs and increased wages for middle-class Americans.

We heard a lot of discussion about it adding to the deficit. I will just add to what has been said already. If we do this tax reform right, it will not add to the deficit. In fact, I strongly believe it will reduce the deficit over the next 10 years. Why do I say that?

I am going to talk for a second about some of the things that are in good pro-growth tax reform that we are planning to implement that will actually grow the economy that will result in more economic activity and more revenue coming into the Treasury. If you assume, as the Congressional Budget Office does, that we are going to grow this economy 1.9 percent, which is a pretty paltry amount over the next 10 years—way below what the average has been for the past 30 years—then let’s say all this tax reform we are doing only grows the economy by a little bit more. Let’s say 4 percent. Instead of 1.9 percent, let’s grow the economy at 2.3 percent. That is a conservative estimate, I believe, based on the kinds of things we are talking about. That will mean we actually not only do not have the neutral tax proposal, but we begin paying back some of the national debt by having the deficit, once again, as it was in the years 2000 and 2001, be on a unified basis at a zero deficit.

This is an exciting opportunity to help people be able to seek their goals in life but also to actually help with regard to the budget deficit. I agree with the chairman on that. I think we have an opportunity, if we do the right tax reform, to really help to get the budget deficit down.

How does this comprehensive tax reform help the middle class? We talked a little bit about this today. Some offered amendments. I offered one with regard to the business tax side of things, but I think it does it in three ways. First, it immediately helps the family budget by cutting middle-class taxes. So everything that has been laid out here tonight on the tax side, we can talk about the fact that for families who are working families in this country who are making $30, $40, $50, $60,000 a year, those folks will see a reduction in their taxes which will help. That is a fact.

The Tax Code, of course, is very complicated, too burdensome. One thing we are proposing is to double the standard deduction. That means for people who take the deduction now—and about two-thirds of the people I represent do—they will be able to have a doubling of that, from $12,000 for a family to up to $24,000 for a family. That is a 0 tax bracket for the first $24,000 in income. That is significant middle-class tax relief.

Second, we are going to expand the child tax credit. That is really important, not just to provide relief but to help families with kids be able to afford childcare.

Finally, we will adjust the bracket so people who are beyond the standard deduction, double or nothing, and who don’t take advantage of the child tax credit also get tax relief.

So these are ways in which folks are going to see a reduction in their taxes on their business and improve wages. That is going to happen. I think, through the business tax relief that we have talked about. First, with regard to smaller companies, the so-called passthrough companies, about three-quarters of the companies in America pay their taxes as individuals. This is the corner drugstore; this is the small manufacturing business in your town. Those folks are going to see a reduction in their taxes on their business income so they can invest more in that business and create more jobs, and a lot of the growth is going to come from these smaller businesses. That is the 25-percent rate people are talking about as compared to, say, a 35-percent rate for higher rails. That is something that is fair, in part because we are also going to lower the rates for people who are in the larger businesses. These are the C corporations that are being talked about. That rate has to come down. If it does not, America will continue to lose jobs and investment overseas, and that is what is happening right now.

Just in the last 24 hours, another major American company announced that they are inverting; in other words, they are going overseas. Why? Because of the Tax Code. It is amazing that the Tax Code that this Congress is responsible for improving is so bad that people are actually voting with their feet and leaving the country and taking jobs and investment with them. We have done research on this, we have had investigations on this, and we know what is happening. We know, as an example, that because of our Tax Code, some 7,470 companies just in the last 13 years that have become foreign companies that otherwise would be American companies. Think about that. That is the Ernst & Young study we recently saw. That is astounding. That is that it is not just about these companies leaving America and going to other countries and doing these so-called inversions—becoming a foreign company—but it is also foreign companies coming here and taking over U.S. companies, and, again, what is happening here is that jobs and investment are going overseas.

Why is this? Well, it is for a couple of reasons. One is that American companies have the lowest rate in all of the industrialized world. So the 35-percent tax rate you hear about, that is a high rate compared to every other country in the world that we do business with. That is a negative, but it is also how we tax. We tax in a way that discourages us from bringing profits back to America to the point that, unbelievably, there is between $2.5 trillion and $3 trillion—and some say more—of earnings stuck overseas, locked out of America, which could come back here to help our plants, equipment, and jobs, to actually get this economy moving. This is a huge opportunity for us. We don’t want to see these companies go offshore. We want to see them come back.

Trade policy is important. Regulations are important. Worker retraining programs are important. Healthcare cost containment is important. But nothing is more important than fixing this broken Tax Code if we are going to see any kind of gains and improvement in wages that we all hope for.

There have been a lot of studies done on this, and they say that we haven’t changed our code since the mid-1980s, but every one of our competitors have. They have all lowered their rates, and they have all gone to a system of taxation that is more efficient to get this money back to their countries.

In 1986, Ronald Reagan was President. He made some great changes. That was 31 years ago. Things have changed a lot since then. By the way, back then Pete Rose was still playing for my Cincinnati Reds. That is how long ago it was.

It is time for us to update this Tax Code, to modernize it, and to bring back those jobs and that investment. We can do it. We can do it because of what happened tonight. This creates the framework for us to able to do this.

In a recent business roundtable survey of 150 American companies—these are the CEOs—82 percent said that tax
reform that we are talking about will prompt them to increase capital spending. Three-quarters of them—76 percent—said that it is going to increase hiring. And with this reduced tax burden, businesses are going to have the money they need to invest in workers and expand production. I will tell you, with the tighter job market that is out there now as the economy has begun to improve, this will increase competition for workers, and this will increase wages. We know that is going to happen.

Every economist agrees that this kind of tax reform is going to change behavior. Some might think it doesn’t improve the economy as much as others do, but everyone believes this will incentivize us to create more jobs and improve wages here in the United States of America.

There is a group called the Congressional Budget Office, a nonpartisan group up here that we work with. They have a rule that says that as much as 70 percent of the benefit from that lower corporate rate is going to go to the workers in terms of higher wages, better benefits. That is the way we are going to help the middle class also—not just with regard to the tax relief directly but with regard to helping us to improve job creation and increase wages. So I am excited about this. I think it can happen. I think it is something that is long overdue.

I think it is something we should do, that should be bipartisan. This was what the Simpson-Bowles proposal, which was a totally bipartisan proposal, said we ought to do. In fact, they took the top rate down to 28 percent—lower than anybody is talking about here. But they said that we should go to this kind of taxation we are talking about in terms of international businesses, in terms of corporations, in terms of creating jobs.

Two years ago, I worked with Chuck Schumer, who is now the Democratic leader here in the U.S. Senate, and we were asked to cochair a working group on taxation—particularly folks on the international side—and we came up with a consensus, which said that we have to fix this broken Tax Code. It is not working, and we need to bring this money back. We need to bring these jobs back by going through this kind of system we are talking about, a so-called territorial system. In the past, this was a bipartisan, and my hope is it can be again.

Yes, the budget provides the framework for us to get this done, not on a 60-vote basis but a 50-vote basis. But we should do it with more than 60 votes. We welcome input from our Democratic colleagues. I believe, in the end, this will be bipartisan because I do believe that the vast majority of Americans out there, as they understand this tax reform proposal will say: Yes, I think middle-class tax relief makes sense. I think we should be bringing back the jobs and the investment to this country. I think that is going to be something that Members will hear across this country and across this aisle. When they do, I believe we will have the opportunity to have the kind of commonsense, bipartisan tax reform we need in this country. We need to do it to be able to have a thriving American middle class, and we need to do it to have a stronger America.

I am excited about this opportunity. I look forward to working with my colleagues on both sides of the aisle.

Mr. President, I yield back my time on that. But, First, I want to say that I need to do, the closing business.

The PRESIDING OFFICER. The Senator from Ohio.

MORNING BUSINESS

Mr. PORTMAN. 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.

REMEMBERING WADE NELSON

Mr. DURBIN. Mr. President, Wade Nelson was a friend who began his professional life as a journalist and served at many levels in public service. He was regarded as an honest professional in all of his life’s work, a father and husband truly dedicated to his family, and a joy to count as a friend.

His colleagues and friends Bob Seker wrote a remembrance, which I include with this statement. It was given to those of us in attendance at Wade’s memorial service at the Unity Temple in Oak Park, IL, on October 7, 2017. The speakers at the service included his wife, Ellen Warren, a respected journalist in her own right, and his sons, Ted and Emmett. They each shared touching stories of Wade as a husband and father. Rick Kogan emceed the celebration with his own signature style and Wade’s friends Bern Colleran, Terry Kelleher, Hanke Gratteau, and musician Jon Webber each added great memories to the service.

As Bob Seker wrote:

Back in the rambunctious days of Chicago newspapers, Wade Nelson worked for the legendary columnist Mike Royko who sent his “legman” to check out a tip that Cook County judges were issued cuffed toilet paper when they presented their high court opinions. So Nelson was whisked to the chambers. He emerged to confront the startled judge with the incriminating evidence, and a great column was born.

Charmant-gate was hardly the highlight of Nelson’s days as a reporter. Yet it demonstrated the resourcefulness, spunk, and droll whimsy that guided him on a rich career path involving being press secretary for the late U.S. Senator Alan Dixon of Illinois, communications director for the federal military base closure commission, political consultant, and chief speech writer for former Chicago Mayor Richard M. Daley. Nelson surely has friends and admirers across the country. The family of Nelson, however, Friends remember him as someone with boundless curiosity and a tireless working knowledge about interests as varied as Midwestern architecture, jazz, the Cubs, anything Chicago related, the minutia of the small Southern Michigan town of Sturgis where his ancestors were early settlers in the 1800s, and the secret to the perfect martini.

Edward Wade Nelson Jr., grew up in west suburban River Forest, attended Fenwick High School in Oak Park and the University of Missouri where he graduated with a degree in journalism as a young adult and beyond, his greatest devotion was reserved for performers at Chicago’s varied night club, cabaret and piano bar scene where men and women who played and sang there came to embrace Nelson as an honored guest and friend. He became an audience fixture at venues, most now long gone, like The Acorn on Oak, Toulouse, The London House, the Green Mill, and Yvette. Nelson even came to name his family pets after 20th Century jazz legends.

Nelson climbed to the top of the rungs of journalism jobs, from City News to the suburban Wilmette Life and then the Chicago Daily News, his career tracked closely with another young reporter, Ellen Warren, who later became a White House correspondent for the old Knight-Ridder news service and then a columnist for the Chicago Tribune.

As a subsequent mayor, Nelson served as a spokesman for then-Cook County Circuit Court Clerk Aurelia Pucinski, now an appellate court judge, and the Illinois State Board of Education and became a program officer and grant manager at the W.K. Kellogg Foundation, a Michigan-based non-profit specializing in education grants. Wedged in between these jobs was his family life, brought to the role as the chief speechwriter for Richard Daley, a difficult task making Chicago’s notoriously ineloquent mayor sound eloquent.

Wade was survived by his wife and some son, Ted—and his wife, Sarah—and Emmett of Chicago; a sister, Karen Nelson of Chicago; and a brother, Ted—and his wife, Terry—of Spicewood, TX.

TRIBUTE TO ELAINE NEKRITZ

Mr. DURBIN. Mr. President, earlier this month, Elaine Nekritz retired after more than 14 years of service representing the 57th District in the Illinois House of Representatives. Along with being a good friend and dedicated public servant, Elaine was a real leader for her constituents in Northbrook, Arlington Heights, Wheeling, Buffalo Grove, and across her district.

Elaine’s legacy in Illinois will always be visible as people travel on high-speed rail from Chicago to St. Louis and throughout the State. As the chair of the Illinois House Railroad Industry Committee, Elaine was a leader in advocating for high-speed rail before it was popular.

During her service in the State House, Elaine championed women’s
right, the environment, and criminal justice reform as well. Because of Elaine’s efforts, kids who have had run-ins with the law have a better shot at staying out of adult courts and avoiding getting caught in an endless criminal cycle.

Elaine was always willing to listen to colleagues and friends on both sides of the aisle, even when partnership was challenging. She helped craft bold legislation to rescue Illinois from its dire economic circumstances. As House assistant majority leader, she was a leader in working reform pensions in our State. Fiscal responsibility was always her core value.

The people of the 57th District were lucky to have such a strong advocate. Her energy, creativity, and thoughtfulness will be missed.

I thank her for her service to Illinois and her friendship. I wish her the best of luck in her next adventures and salute her husband, Barry, for his strong partnership with his talented spouse.

**VOTE EXPLANATION**

Mr. MENENDEZ. Mr. President, I was unavailable for rolloc vote No. 229, on Wyden amendment No. 1392. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 226, on Capito amendment No. 1393. Had I been present, I would have voted “nay.”

Mr. President, I was unavailable for rolloc vote No. 227, on Cantwell amendment No. 1141. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 228, on Warner amendment No. 1138. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 229, on Flake amendment No. 1178. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 230, on Baldwin amendment No. 1139. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 231, on Heitkamp amendment No. 1228. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 232, on Brown amendment No. 1378. Had I been present, I would have voted “nay.”

Mr. President, I was unavailable for rolloc vote No. 233, on Paul amendment No. 1296. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 234, on Cardin amendment No. 1375. Had I been present, I would have voted “yea.”

Mr. President, I was unavailable for rolloc vote No. 235, on Kaine amendment No. 1249. Had I been present, I would have voted “yea.”

**GAO OPINION LETTER RELATED TO INTERAGENCY GUIDANCE ON LEVERAGED LENDING**

Mr. TOOMEY. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated October 19, 2017, related to the Interagency Guidance on Leveraged Lending of September 30, Federal Register citation 78 FR 17766.

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

**U.S. GOVERNMENT ACCOUNTABILITY OFFICE, Washington, D.C., October 19, 2017.**


Hon. PAT TOOMEY, U.S. Senate.

DEAR SENATOR TOOMEY: You asked whether the final Interagency Guidance on Leveraged Lending (Interagency Guidance or Guidance), issued by the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (the Board), and the Federal Deposit Insurance Corporation (FDIC), is a rule for purposes of the Congressional Review Act (CRA). CRA establishes a process for congressional review of agency rules and establishes special, expedited procedures under which Congress may pass a joint resolution of disapproval that, if enacted into law, overturns the rule. Congressional review is assisted by CRA’s requirement that all federal agencies, including independent regulatory agencies, submit each rule to both Houses of Congress and to the Government Accountability Office (GAO) before it can take effect. For the reasons discussed below, we conclude that the Interagency Guidance is a general statement of policy and is not a rule under the CRA.

**BACKGROUND**

Congressional Review Act

CRA, enacted in 1996 to strengthen congressional oversight of agency rulemaking, requires all federal agencies, including independent regulatory agencies, to submit a report on each new rule to both Houses of Congress and to the Comptroller General before it can take effect. The report must contain a copy of the final interagency statement relating to the rule,” and the rule’s proposed effective date. In addition, the agency must submit to the Comptroller General a complete copy of the cost-benefit analysis of the rule, if any, and information concerning the agency’s actions relevant to specific procedural rulemaking requirements set forth in the rule, as well as any information concerning the agency’s actions relevant to the organization, procedure, or practice requirements of an agency. CRA excludes three categories of rules from coverage: (1) rules of general applicability and future effect designed to implement, interpret, or prescribe law or policy concerning the organization, procedure, or practice requirements of an agency; (2) rules of general applicability and future effect designed to implement, interpret, or prescribe law or policy concerning the organization, procedure, or practice that do not substantially affect the rights or obligations of third parties. The Agencies did not send a report on the Interagency Guidance to Congress or the Comptroller General because, as they stated in their letters to our Office, in their opinion the Guidance is not a rule under the CRA.

Interagency Guidance on Leveraged Lending

On March 22, 2013, OCC, the Board, and FDIC (referred to collectively as AgencieS) issued the Interagency Guidance, which forms the basis of the Agencies’ review of the leveraged lending activities of supervised financial institutions. Leveraged lending generally encompasses large loans to corporate borrowers for the purposes of “mergers and acquisitions, business expansions, recapitalizations, and financings, equity buyouts, and businesses and businesses . . . expansions.” Leveraged loans raise risk concerns because of the size of the loans relative to the borrower’s cash flow, and are generally used to finance one-time business transactions rather than a company’s ordinary course of business activities. The Guidance outlines the Agencies’ minimum expectations on a wide range of topics related to leveraged lending, including underwriting standards, valuation standards, the risk rating of leveraged loans, and problem credit management.

The Interagency Guidance is “designed to assist financial institutions in providing leveraged lending to creditworthy borrowers in a safe and sound manner.” It does so by describing and pre-empting the risk management of leveraged lending activities and lists a number of considerations for financial institutions: (1) the ratio of a borrower’s current debt to the borrower’s cash flow before interest, taxes, amortization and depreciation; (2) the ability of the borrower to amortize its secured debt; and (3) the level of due diligence performed in evaluating the loan. The Guidance explains the types of actions that concern the Agencies and that might motivate them to initiate a supervisory action that would require an independent finding that an unsafe or unsound action has occurred.

**ANALYSIS**

As an initial matter, one argument raised by the Agencies is that since the Guidance explicitly states that it is not a rule or a rulemaking action, it should not be considered a rule under CRA. However, although an agency’s characterization should be considered in deciding whether its action is a rule under APA (and whether it is subject to notice and comment rulemaking requirements), “an agency’s own label . . . is not dispositive.” Similarly, an agency’s claim that its action is a “statement of policy” is not dispositive of whether it is a rule under CRA.

The focus of the arguments made by the Agencies is that the Interagency Guidance is a “general statement of policy” and is not subject to the CRA. They assert that the Guidance is a statement that explains how they will exercise their broad enforcement discretion. They maintain that it does not establish legally binding standards, is not certain or final, and does not substantively affect the rights or obligations of third parties. As a result, they claim, the Interagency Guidance is not a rule under CRA.

The Supreme Court has described “general statements of policy” as “statements issued by an agency to advise the public prospectively of the manner in which the agency proposes to exercise its discretionary power.” In other words, a statement of policy announces the agency’s tentative intentions for the future. “A general statement of policy . . . does not establish a ‘binding norm.’ It is not a final determination of the issues or rights to which it is addressed, and cannot apply or rely upon a general statement of policy as law because a general statement of policy only announces what the agency seeks to do as policy.”

The Interagency Guidance provides information on the manner in which the Agencies
In deciding that a general statement of policy is a rule for CRA purposes, our prior decisions cite to the legislative history of CRA, which confirms that rules subject to CRA include both general statements of policy and rulemaking activities. A principal sponsor of the legislation that became CRA made clear that general statements of policy are covered by CRA. The definition of "rule" contained in CRA ("to be interpreted broadly with regard to the type and scope of rules that are subject to congressional review") suggests that CRA includes "statements of general policy, interpretations of general applicability, and administrative staff manuals and instructions to implement practice or procedure, not in deciding whether the action falls substantially affects the rights or obligations of third parties in the action falls, a regulation is not a CRA requirement of CRA."

We concluded that, since CRA adopts the definition of "rule" from APA, it also covers both those requiring notice and comments and general statements of policy, which do not. We decided that the ROD fell squarely within the CRA definition of a "rule," which includes "...the whole or a part of an organization, practice or procedure, not in deciding whether the action substantially affects the rights or obligations of third parties, in the action falls, a regulation is not a CRA requirement of CRA."

We also noted that the CRA definition of a "rule" does not apply to certain types of rules subject to CRA, including agency general statements of policy. "Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may be subject to the notice and comment provisions of section 553(c) of title 5, and areTypes of CRA documents are covered under the congressional review provisions of the new chapter 8 of title 5.

"Under section 801(a) [CRA], covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to Congress. However, both interpretive rules, general statements of policy, and analogous policy guidelines are covered without qualification because they meet the definition of a 'rule' borrowed from section 551 of title 5, and are not excluded from the definition of a rule."

The Agencies assert that the ROD was a general statement of policy regarding water flow and ecosystems issues in both the Trinity and Sacramento Rivers. The ROD modified prior policy in an attempt, in part, to restore fish habitat.

We cited to the APA definition of "rule," which excludes "the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to organize, operate, or practice requirements of an agency." This definition includes three key components: (1) an agency statement, (2) of future effect designed to implement, interpret, or prescribe law or policy. We stated that this definition is broad, and includes both rules requiring notice and comment rulemaking requirements, and rules that do not, such as general statements of policy.

We noted that, since CRA adopts the definition of "rule" from APA, it also covers both those requiring notice and comment and general statements of policy, which do not. We decided that the ROD fell squarely within the CRA definition of a "rule," which includes "...the whole or a part of an organization, practice or procedure, not in deciding whether the action substantially affects the rights or obligations of third parties, in the action falls, a regulation is not a CRA requirement of CRA."

Additionally, in a floor statement during consideration of the bill that became CRA, another sponsor of the legislation pointed out that rules subject to CRA include agency general statements of policy. "Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may be subject to the notice and comment provisions of section 553(c) of title 5, and are not excluded from the definition of a rule."

We concluded that the Guidance expresses the regulators' expectations regarding the sound risk management practices that the Agencies intend to implement. The Agencies also assert that the Guidance is a "statement of general policy designed to provide an energetic, unyielding force for good." I have had the privilege of knowing Woody Williams, who served our Nation's veterans for 33 years as a veterans service representative in the Department of Veterans Affairs. At 94 years old, Woody continues to be a vital and indispensable force for good. I have had the privilege of knowing Woody Williams for many years, and the christening of this mobile sea base vessel is a testament to Woody's...
bravery, his dedication to our Nation's servicemembers, and his unwavering commitment to serving others. I am proud to rise today to recognize Mr. Williams and congratulate him on the christening of the USNS Hershel "Woody" Williams.


Mr. ALEXANDER. Mr. President, I am very pleased to draw attention today to the 200th anniversary of the birth of Bahá’u’lláh, the founder of the Bahá’í Faith.

The Bahá’í Faith has over 5 million followers around the world, including over 2,000 in Tennessee. Bahá’ís come from virtually every racial, ethnic, national, tribal, and linguistic background on the planet.

On October 22, 2017, Bahá’í communities across the United States and around the world will commemorate the 200th anniversary of the birth of Bahá’u’lláh—the founder of the Bahá’í Faith—and celebrate his life and his teachings.

Bahá’u’lláh was born to a noble family in 1817 in Persia, modern-day Iran. As a young man, he was known for his charity and service to others and was called the father of the poor. In 1844, he founded the Bahá’í Faith, a new and independent religion with its own scriptures, laws, teachings, and practices.

Bahá’u’lláh proclaimed a message of justice, unity, and peace. This message called for, among other things, the equality of women and men, an end to racial prejudice, universal education, interfaith harmony, and international cooperation. As a result of his teachings, Bahá’ís were imprisoned and exiled for over 40 years by the Persian and Ottoman empires.

Despite the injustice and oppression he faced throughout his life, Bahá’u’lláh continued to promote a message of peace and unity based upon harmony within the human race. In every place to which he was banished, he touched the lives of all those around him. Even some of his opponents, after meeting him, became his friends and admirers.

Today Bahá’ís in Iran are still persecuted for their faith, and human rights experts have called their situation one of the clearest and most severe cases of religious persecution in the world.

The Bahá’í Faith first arrived in the United States over 120 years ago. Bahá’ís now live in every State of the Union, including Tennessee, where the community includes over 2,000 members. Wherever they live, Bahá’ís champion the principles that Bahá’u’lláh proclaimed. They strive to build a better world by being good citizens, serving their communities, and working side by side with others to promote the common good.

On this important occasion, I congratulate the Bahá’í community of Tennessee and across the United States on the bicentennial of the birth of Bahá’u’lláh.

MEMORERING EVELYNE J. VILLINES

Mr. GRASSLEY. Mr. President, today I wish to recognize the passing of disability rights pioneer and my lifelong friend, Ms. Evelyne Villines. Ever since I first met Evelyne during my early years in the Iowa House of Representatives, I knew her to be a fierce advocate on behalf of those with disabilities. She had an outstanding work ethic and never stopped campaigning for those with disabilities to be recognized for their abilities and not by what others saw as their limitations.

Thanks to people like Evelyne, our society has made a lot of progress in this area. Evelyne’s tireless work earned her recognition on both the State and national levels as an inductee into the Iowa Women’s Hall of Fame and the national Hall of Fame for Persons with Disabilities. Evelyne’s efforts were recognized as paving the way for passage for the American with Disabilities Act of 1990.

She served on numerous commissions and joined the board of SourceAmerica in its infancy, leading the company to become one of the largest employers of people with disabilities in the Nation. Evelyne’s advocacy and resulting accomplishments have opened the doors of opportunity for people with disabilities.

I am honored to stand before you in recognition for her lifelong commitment to service. Evelyne’s legacy will live on for years to come through the countless individuals who will continue to benefit from her life’s work.

TRIBUTE TO ROBERT HIGDON, JR.

Mr. TILLIS. Mr. President, today I wish to recognize Robert Higdon, Jr., and congratulate him on his appointment as the U.S. Attorney for the Eastern District of North Carolina.

Bobby earned both his law degree and undergraduate degree from Wake Forest University and has a decorated career in public service and in private practice. Prior to law school, he worked for then-Secretary of Transportation Elizabeth Dole and for Senator John East. Upon graduating from law school, Bobby served as a law clerk to Judge Eugene H. Phillips on the North Carolina Court of Appeals. After working for several years in private practice, he began a successful career as a Federal prosecutor.

From 1991 until 2015, Bobby served in the U.S. Attorney’s Office and the U.S. Department of Justice in a number of roles, including chief of the criminal division in the Eastern District of North Carolina. He has vast experience investigating, prosecuting, and advising on cases involving violent crime and drug trafficking to white collar and public integrity crimes.

Aside from his sterling legal career, Bobby is an active member of his community, inspiring and helping others. He serves his church as a volunteer and a Sunday School teacher, and he has mentored the next generation of lawyers by coaching in various mock trial competitions. His example reminds us that our roles as public servants extend beyond the office.

It was an honor to recommend Bobby Higdon to President Trump. Anyone who works with him knows he is a dedicated professional who has extensive legal knowledge and expertise. In addition, he is widely respected in the law enforcement community, and these relationships will be incredibly valuable as he takes on this important role.

Bobby understands the challenges and issues facing North Carolina, and I know that he will continue to lead the U.S. Attorney’s Office with dignity and respect.

TRIBUTE TO NORMAN JOSEPH

Mr. COCHRAN. Mr. President, I am pleased to commend Norman Joseph of Jackson, a leader in Mississippi athletics, on his induction into the Belhaven University Sports Hall of Fame this month. Coach Joseph is a Vicksburg native who played quarterback and defensive back at Mississippi State University. As a coach in the nearly four decades since, he has delivered a tradition of excellence, success, and compassion to student-athletes in Mississippi and across the country.

Norman Joseph has coached on every level of 4-year college football. Starting and rebuilding teams became a hallmark of his career, and the Belhaven University football program from the ground up and served as its inaugural head coach. Coach Joseph launched Belhaven’s recruiting program, designed its uniforms, and consulted on the creation of practice facilities and a new athletic complex. Under his leadership, the football program experienced immediate success and achieved a Top 25 ranking for 6 consecutive weeks during its second season.

Coach Joseph has coached at three Jackson-area colleges. In addition to Belhaven, he served as quarterbacks coach at Millsaps College and head coach at Mississippi College in Clinton for nine seasons.

Belhaven College, Coach Joseph took a program in decline and established a winning culture. Under his guidance, the team had an eight-win season in only 3 years. Within 5 years, the team won the conference championship and went to the second round of the NCAA Division III playoffs. Coach Joseph took his team to NCAA Top 25 National Rankings in scoring offense, total offense, passing offense, rushing
TRIBUTE TO TODD DUNLAP

Mr. Daines. Mr. President, today I wish to recognize Todd Dunlap from East Helena, MT. Todd served in the U.S. Navy for 24 years as an electronic warfare and cryptology specialist, ultimately attaining the rank of master chief petty officer, the highest enlisted rank in the Navy. Todd’s service included deployments overseas in support of Operation Iraqi Freedom and other efforts. His work supported Special Operations Forces on the ground.

Todd’s service did not end when he left Active Duty. He now works for the Montana Department of Veterans Affairs and continues to support those who have also served our country. His peers view him as a highly skilled professional and subject matter expert, and he has earned a reputation for selfless outreach across the State to assist veterans and their family members navigate the VA.

As someone who continues to serve members of the Armed Forces community, Todd is a gift from a Montana organization that donates fully outfitted trips to military service members who have provided extraordinary service to our country and to those facing life-threatening illness. I sincerely thank Todd for his continued service to our great Nation. He is well deserving of this recognition. As an avid outdoorsman myself, I hope he tags a wonderful elk during his time away with family.

TRIBUTE TO CHRIS HINDOJEN

Mr. Daines. Mr. President, this week, I have the distinct honor of recognizing an exceptional volunteer named Chris Hindoen. Chris has helped inform and educate Montanans serving in the National Guard or Reserve component, as well as their employers, about the rights and responsibilities associated with a military mobilization.

In August, Chris was recognized by the Office of the Secretary of Defense for nearly 4 years of service as the State chairman of the Montana Employer Support of the Guard and Reserve, ESGR. For his efforts, Chris received the Exceptional Public Service Award. During his stretch as chairman, he worked tirelessly to make sure that the relationship between military service members and their employers remained strong across Big Sky Country.

Chris is the son of the late Brig. Gen. Gary Hindoen, a former commander of the Montana Air National Guard and the Guard and Reserve, ESGR. For his efforts, Chris received the Exceptional Public Service Award. During his stretch as chairman, he worked tirelessly to make sure that the relationship between military service members and their employers remained strong across Big Sky Country.

Montana has a longstanding tradition of producing successful student-athletes who could not be accomplished without outstanding leadership from coaches and staff. I know Norman Joseph provides leadership and character, and I am pleased he will be honored as a member of the Belhaven University Sports Hall of Fame.

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–3135. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Remedial Action Scheme Reliability Standard” ([18 CFR No. 920–Docket No. RM15–20–000]) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Energy and Natural Resources.

EC–3136. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Balancing Authority Control, Inadvertent Interchange, and Facility Interconnection Reliability Standards” ([Docket No. RM16–13–000]) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Energy and Natural Resources.

EC–3137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Interim Final Determination to Defer Sanctions; California; Los Angeles- San Fernando, Region 9) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC–3138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Deferral of Approval of State Underground Storage Tank Program Revisions; Infrastructure Requirements for the 2010 S02 and 2010 PM2.5 National Ambient Air Quality Standards; North Dakota” ([FRL No. 9966–84–OCSP/F)] received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC–3139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Final Approval of State Underground Storage Tank Program Revisions” ([FRL No. 9966–89–Region 9) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC–3140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Interim Final Determination to Defer Sanctions; California; Los Angeles-South Coast Air Basin” ([FRL No. 9969–03–Region 9) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC–3141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Nebraska Air Quality Implementation Plans; Adoption of a New Clean Air Interstate Rule” ([FRL No. 9968–76–Region 7) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC–3142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Nebraska’s Air Quality
EC-3143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968-80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968-80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968-80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968-80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promotion of Air Quality Implementation Plans; Pennsylvanıa; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds in Surface Coating of Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boats (FRL No. 9969-32–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promotion of Air Quality Implementation Plans; Pennsylvanıa; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds in Surface Coating of Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boats (FRL No. 9969-32–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promotion of Air Quality Implementation Plans; Pennsylvanıa; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds in Surface Coating of Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boats (FRL No. 9969-32–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3147. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promotion of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds in Surface Coating of Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boats (FRL No. 9969-32–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.
EC–3167. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Ohio; Recharacterization of the Fulton County Area to Attainment of the 2008 Lead Standard’’ (FRL No. 9969–67–Region 5) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3168. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Michigan; Regional Haze Progress Report’’ (FRL No. 9969–26–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3169. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Michigan; Revisions Imposed on Archaeological and Ethnological Materials from the Republic of Mali’’ (FRL No. 9969–65–Region 5) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Georgia; Cross State Air Pollution Rule’’ (FRL No. 9969–30–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3171. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Georgia; Cross State Air Pollution Rule; Georgia Source Review Updates’’ (FRL No. 9969–43–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3172. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Florida; Stationary Sources Emissions Monitoring’’ (FRL No. 9969–38–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Florida; Interstate Transport (Proms 1 and 2 for the 2010 1-hour NO2 Standard)’’ (FRL No. 9969–20–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3174. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Connecticut; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard’’ (FRL No. 9969–54–Region 1) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3178. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; AL; VOC Definitions and Particulate Emissions’’ (FRL No. 9969–34–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3177. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; AL; VOC Definitions and Particulate Emissions’’ (FRL No. 9969–22–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3179. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; South Carolina; Standards for Volatile Organic Compounds and Oxides of Nitrogen’’ (FRL No. 9969–41–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3180. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; North Carolina; Transportation Conformity’’ (FRL No. 9969–28–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3181. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Alabama; Transportation Conformity’’ (FRL No. 9969–25–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3182. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Plan Approval; Alabama; Transportation Conformity’’ (FRL No. 9969–28–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC–3183. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ‘‘Extension of Import Restrictions Imposed on Archaeological and Ethnological Materials from the Republic of Mali’’ (RIN1515–AES2) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2017; to the Committee on Finance.

EC–3184. A communication from the Acting Assistant Secretary for Legislation, Department of Labor, transmitting, pursuant to law, a report entitled ‘‘Health, United States, 2016’’; to the Committee on Health, Education, Labor, and Pensions.

EC–3185. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second semi-annual report of fiscal year 2016 of the Department of Justice’s Office of Privacy and Civil Liberties; to the Committees on the Judiciary; Homeland Security and Governmental Affairs; and Select Committee on Intelligence.

EC–3186. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the first semi-annual report of fiscal year 2016 of the Department of Justice’s Office of Privacy and Civil Liberties; to the Committees on the Judiciary; Homeland Security and Governmental Affairs; and Select Committee on Intelligence.

EC–3187. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ‘‘Small Business Size Standards; Adoption of 2017 North American Industry Classification System for Size Standards’’ (FRD No. 9969–45–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Small Business and Entrepreneurship.

EC–3188. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2017; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 194. A bill to ensure the effective processing of mail by Federal agencies, and for other purposes (Rept. No. 115–115).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry.

*Gregory Ibach, of Nebraska, to be Under Secretary of Agriculture for Marketing and Regulatory Programs.

*William Northey, of Iowa, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

By Mr. GRASSLEY, for the Committee on the Judiciary.

Annenarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama.

Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia.

Laurie E. Bland, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

William M. Ray II, of Georgia, to be United States District Judge for the Northern District of Georgia.

John C. Demers, of Virginia, to be an Assistant Attorney General.

Thomas Alvin Farr, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.
John R. Lausch, Jr., of Illinois, to be United States Attorney for the Northern District of Illinois for the term of four years.

J. Douglas Overby, of Tennessee, to be United States Attorney for the Eastern District of Tennessee for the term of four years.

Mark A. Klaassen, of Wyoming, to be United States Attorney for the District of Wyoming for the term of four years.

William C. Lamar, of Mississippi, to be United States Attorney for the Northern District of Mississippi for the term of four years.

*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.*

(Names without an asterisk were reported with the recommendation that they be confirmed.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. BALDWIN (for herself, Mr. KLOBUCHAR):

S. 236. A bill to amend the Internal Revenue Code of 1986 to increase the limitations for deductible new business expenditures and to consolidate provisions for start-up and organizational expenditures; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. WHITEHOUSE):

S. 497. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KING (for himself and Mrs. UDALL):

S. 479. A bill to reduce recidivism and increase public safety, and for other purposes; to the Committee on the Judiciary.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (on aotp), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 298. A resolution supporting the designation of September 2017 as “National Alcohol and Drug Addiction Recovery Month”;

By Mr. KING (for himself and Mrs. MURRAY):

S. Res. 299. A resolution expressing support for the designation of October 20, 2017, as the “National Day on Writing”;

By Mr. CASEY (for himself, Mr. ROBERTS, and Mr. WICKER):


By Mr. KING (for himself and Mrs. MURRAY):
At the request of Ms. Warren, the names of the Senator from New Hampshire (Ms. Hassan) and the Senator from Connecticut (Mr. Murphy) were added as cosponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1503

At the request of Mr. Rubio, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of S. 1580, a bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 1580

At the request of Mr. Roberts, the names of the Senator from Indiana (Mr. Donnelly) and the Senator from Iowa (Mrs. Ernst) were added as cosponsors of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1589

At the request of Mr. Moran, the names of the Senator from Kansas (Mr. Roberts) and the Senator from New Hampshire (Ms. Hassan) were added as cosponsors of S. 1622, a bill to establish an additional fund in the Treasury to meet existing statutory obligations to reimburse costs reasonably incurred as a result of the reorganization of broadcast television spectrum, and for other purposes.

S. 1622

At the request of Ms. Duckworth, the names of the Senator from Oregon (Mr. Merkley) and the Senator from Ohio (Mr. Brown) were added as cosponsors of S. 1690, a bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes.

S. 1690

At the request of Mr. Schatz, his name was added as a cosponsor of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1706

At the request of Mr. Menendez, the Senator from the New Senator from Connecticut (Mr. Quinones) was added as a cosponsor of S. 1706, supra.

S. 1719

At the request of Mr. Blunt, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of S. 1719, a bill to eliminate duties on imports of recreational performance outerwear, to establish the Sustainable Textile and Apparel Research Fund, and for other purposes.

S. 1722

At the request of Mr. Whitehouse, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of S. 1732, a bill to amend title XI of the Social Security Act to promote testing for behavioral health providers for adoption and use of certified electronic health record technology.

S. 1732

At the request of Mr. Wyden, the name of the Senator from Indiana (Mr. Donnelly) was added as a cosponsor of S. 1827, a bill to extend funding for the Children’s Health Insurance Program, and for other purposes.

S. 1827

At the request of Mrs. Capito, the name of the Senator from Mississippi (Mr. Wicker) was added as a cosponsor of S. 1857, a bill to establish a compliance deadline of May 15, 2023, for Step 2 emissions standards for new residential wood heaters, new residential hydronic heaters, and forced-air furnaces.

S. 1857

At the request of Mrs. Feinstein, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of S. 1916, a bill to prohibit the possession or transfer of certain firearm accessories, and for other purposes.

S. 1916

At the request of Mr. Menendez, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 1945, a bill to regulate large capacity ammunition feeding devices.

S. 1945

At the request of Mrs. McCaskill, the names of the Senator from New Hampshire (Mrs. Shaheen), the Senator from Pennsylvania (Mr. Casey) and the Senator from Illinois (Mr. Durbin) were added as cosponsors of S. 1960, a bill to repeal the amendments made to the Controlled Substances Act by the Ensuring Patient Access and Effective Drug Enforcement Act of 2016.

S. 1960

At the request of Mr. Cotton, the name of the Senator from Georgia (Mr. Isakson) was added as a cosponsor of S. 1967, a bill to amend the Internal Revenue Code of 1986 to provide additional exemptions to the individual mandate, and for other purposes.

S. 1967

At the request of Mr. Bennet, the names of the Senator from Nevada (Ms. Cortez Masto) and the Senator from California (Ms. Harris) were added as cosponsors of S. 1970, a bill to establish a public health plan.

S. CON. RES. 7

At the request of Mr. Roberts, the name of the Senator from Wisconsin (Ms. Baldwin) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have voluntarily provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 211

At the request of Mr. Toomey, the name of the Senator from Maryland (Mr. Cardin) was added as a cosponsor of S. Res. 211, a resolution condemning the violence and persecution in Chechnya.

S. RES. 250

At the request of Mr. Durbin, the name of the Senator from New Hampshire (Ms. Hassan) 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.

AMENDMENT NO. 1141

At the request of Ms. Cantwell, the names of the Senator from Connecticut (Mr. Blumenthal), the Senator from California (Ms. Harris) and the Senator from Minnesota (Ms. Klobuchar) were added as cosponsors of amendment No. 1141 proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1197

At the request of Mr. Wyden, the name of the Senator from California (Ms. Feinstein) was added as a cosponsor of amendment No. 1197 introduced to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1228

At the request of Ms. Heitkamp, the names of the Senator from New Mexico (Mr. Heinrich) and the Senator from Washington (Mrs. Murray) were added as cosponsors of amendment No. 1228 proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1247

At the request of Mr. Booker, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of amendment No. 1247 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1248

At the request of Mr. Booker, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of amendment No. 1248 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018
and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1271**

At the request of Mr. Wyden, the names of the Senator from Connecticut (Mr. Blumenthal), the Senator from Pennsylvania (Mr. Casey), the Senator from Vermont (Mr. Sanders), the Senator from Hawaii (Ms. Hirono) and the Senator from Massachusetts (Ms. Warren) were added as cosponsors of amendment No. 1271 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1273**

At the request of Mr. Wyden, the name of the Senator from North Carolina (Mr. Burr) was added as a cosponsor of amendment No. 1273 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1306**

At the request of Mr. Lankford, the name of the Senator from Utah (Mr. Lee) was added as a cosponsor of amendment No. 1306 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1314**

At the request of Mr. Blumenthal, his name was added as a cosponsor of amendment No. 1314 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1319**

At the request of Mr. Reed, his name was added as a cosponsor of amendment No. 1319 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1320**

At the request of Mrs. Feinstein, her name was added as a cosponsor of amendment No. 1320 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1321**

At the request of Mrs. Murray, the names of the Senator from Connecticut (Mr. Blumenthal), the Senator from Rhode Island (Mr. Whitehouse), the Senator from Wisconsin (Ms. Baldwin) and the Senator from Maryland (Mr. Cardin) were added as cosponsors of amendment No. 1321 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1322**

At the request of Mrs. Feinstein, the name of the Senator from New Mexico (Mr. Udall), the Senator from Massachusetts (Mr. Markey), the Senator from Colorado (Mr. Bennett), the Senator from Minnesota (Ms. Klobuchar), the Senator from Washington (Ms. Murray), the Senator from Connecticut (Mr. Blumenthal), the Senator from Rhode Island (Ms. Warren), the Senator from California (Ms. Feinstein) and the Senator from Wisconsin (Mr. Reed) were added as cosponsors of amendment No. 1322 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1323**

At the request of Ms. Scallen, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of amendment No. 1323 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1324**

At the request of Mr. Murray, the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 1324 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1326**

At the request of Mr. Wyden, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 1326 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1327**

At the request of Ms. Hirono, the name of the Senator from New Jersey (Mr. Menendez) and the Senator from California (Ms. Feinstein) were added as cosponsors of amendment No. 1327 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1328**

At the request of Mr. Brown, the name of the Senator from Illinois (Mr. Durbin) was added as a cosponsor of amendment No. 1328 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1332**

At the request of Ms. Warren, the names of the Senator from California (Mrs. Feinstein) and the Senator from Ohio (Mr. Brown) were added as cosponsors of amendment No. 1332 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1333**

At the request of Ms. Warren, the name of the Senator from New Jersey (Mrs. Gillibrand) was added as a cosponsor of amendment No. 1333 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1334**

At the request of Ms. Warren, the name of the Senator from Connecticut (Mr. Blumenthal) was added as a cosponsor of amendment No. 1334 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1335**

At the request of Ms. Warren, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of amendment No. 1335 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.
71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1398

At the request of Ms. WARREN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 1398 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1391

At the request of Mr. REED, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1391 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1388

At the request of Ms. DUCKWORTH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 1388 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Ms. WARREN, Mr. CASEY, Mrs. GILLIBRAND, and Ms. DUCKWORTH):

S. 1992. A bill to amend title 18, United States Code, to require federally licensed firearms importers, manufacturers, and dealers to meet certain requirements with respect to securing their firearms inventory, business records, and business premises; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

SEC. 2. SECURITY REQUIREMENTS FOR FEDERALLY LICENSED FIREARMS IMPORTERS, MANUFACTURERS, AND DEALERS.

(a) In General.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

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(1) in subsection (a), in the second sentence, by striking ‘‘be in such form and contain only that’’ and inserting ‘‘describe how the applicant plans to comply with subsection (m) and shall be in such form and contain only such other’’;
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(b) Paper Record Storage.—When the premises covered by the license are not open for business, the licensee shall store each paper record of the business inventory and firearm transactions of, and other dispossession of firearms by, the licensee at the premises in a secure location such as a locked fireproof safe or locked vault.

(1) In General.—Section 923(m)(3) of title 18, United States Code, as added by subsection (a), shall apply—

(II) in the case of a violation on the same date—

(I) shall revoke the license issued to the licensee under this chapter; and

(II) may subject the licensee to a civil penalty in an amount provided in clause (i); or

(III) in the case of the third violation or related series of violations on the same date—

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(2) Administrative Remedies.—The imposition of a civil penalty or suspension or revocation of a license under paragraph (1) shall not preclude any administrative remedy that is otherwise available to the Attorney General.
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(c) Enforcement.—Section 923(m)(4) of title 18, United States Code, is amended by adding at the end the following:

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(5) the Attorney General determines that the description in the application of how the proposed plans to comply with subsection (m) would, if implemented, comply.
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(d) Effective Dates.—

(1) Initial Firearm Storage Requirements.—Section 923(m)(5) of title 18, United States Code, as added by subsection (a), shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) Paper Record Storage Requirements.—Section 923(m)(5) of title 18, United States Code, as added by subsection (a), shall take effect on the date that is 90 days after the date of enactment of this Act.

By Mrs. FEINSTEIN:

S. 1993. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the bill. This proposed expansion comes at the recommendation of the National Park Service after a six-year special resource study of the area. The study was directed by Congress in the Rim of the Valley Corridor Study Act, passed in 2000. The National Park Service recommendation takes into account over 2,000 comments received from the public, elected officials, local organizations, and other stakeholders.
This legislation will significantly expand outdoor recreational opportunities for residents of Los Angeles County, one of the most densely populated and park-poor areas in California.

In fact, 47% of Californians—that’s six percent of the U.S. population—live within half a mile of the proposed expansion area. Enlarging the Santa Monica Mountains National Recreation Area will provide these communities with increased access to public lands and a boost to the local economy.

The proposed expansion will also protect valuable habitat for endangered wildlife, such as the California red-legged frog. Other species protected include mountain lions, bobcats, foxes, badgers, coyotes, and deer.

Notably, the Rim of the Valley Corridor Preservation Act would only allow the Department of the Interior to acquire non-Federal land within the new boundaries through exchange, donation, or purchase from willing sellers. The legislation will not create any additional liability or restrictions for private property owners.

This bill enjoys the support of more than 50 local municipalities, community groups, and elected officials. It is the product of a public engagement in the legislative process.

I would like to thank my colleague, Representative ADAM SCHIFF, for introducing this legislation in the House.

I look forward to working with my colleagues to pass the Rim of the Valley Corridor Preservation Act.

Thank you, Mr. President, I yield the floor.

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, and Mr. LEE):

S. 1994. A bill to reduce recidivism and increase public safety, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD. There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the “Corrections Oversight, Recidivism Reduction, and Eliminating Costs for Taxpayers In Our National System Act of 2017” or the “CORRECTIONS Act.”

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CORRECTIONS ACT

Sec. 101. Recidivism Reduction Program.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall—

(1) conduct a review of recidivism reduction programming and productive activities, including prison jobs, offered in correctional institutions, including programming and activities offered in State correctional institutions, which shall include a review of research on the effectiveness of such programs;

(2) conduct a survey to identify products, including products purchased by Federal agencies, that are currently manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States; and

(3) submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a strategic plan for the expansion of recidivism reduction programming and productive activities, including prison jobs, in Bureau of Prisons facilities required by section 3621(h)(1) of title 18, United States Code, as added by section (b).

(b) AMENDMENT.—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

“(c) Reentry Coordination Programming and Productive Activities.—

“(1) IN GENERAL.—The Director of the Bureau of Prisons, shall, subject to the availability of recidivism reduction programming and productive activities, including prison jobs, are available for all eligible prisoners appropriate recidivism reduction programming and productive activities, including prison jobs, in accordance with paragraph (1) of section 3621(h)(1) of title 18, United States Code, is amended by adding at the end the following:

“(b) Reentry Coordination Programming and Productive Activities.—

“(1) IN GENERAL.—The Director of the Bureau of Prisons shall, not later than 5 years after the date of enactment of this subsection, ensure appropriate recidivism reduction programming and productive activities, including prison jobs, are available for all eligible prisoners.

“(b) CERTIFICATION.—

“(2) IN GENERAL.—The National Institute of Corrections shall evaluate all recidivism reduction programming or productive activities, including prison jobs, are available for all eligible prisoners.

“(2) CONSIDERATIONS.—In determining whether such programming or productive activities are eligible for certification under clause (i), the National Institute of Corrections shall consult with internal or external program evaluation experts, including the Office of Juvenile Justice and Delinquency Prevention and the Comptroller General of the United States to identify appropriate evaluation methodolog-
 completed a recidivism reduction program or productive activity that has been certified after the date on which the prisoner's sentence commences under section 3585(a).

(iii) EXCLUSIONS.—No credit shall be awarded under this subparagraph to any prisoner with 13 or more criminal history points, as determined under the sentencing guidelines, or to any prisoner serving a sentence of less than 13 months. No credit shall be awarded under this subparagraph to any prisoner classified as having a lower risk of recidivism when offered to such prisoners; and

(vi) in subsection (a)(3), as so redesignated, by striking "subsection (c)" and inserting "subsection (d)".

SEC. 102. POST-SENTENCING RISK AND NEEDS ASSESSMENT SYSTEM.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this subsection, the Attorney General shall develop a system for use by the Bureau of Prisons an offender risk and needs assessment system, to be known as the ‘Post-Sentencing Risk and Needs Assessment System’ or the ‘Assessment System’, which shall—

(1) assess and determine the recidivism risk and needs of all prisoners and classify each prisoner as having a low, moderate, or high risk of recidivism;

(2) to the extent practicable, assess and determine the risk of violence of all prisoners;

(3) ensure that, to the extent practicable, low-risk prisoners are grouped together in housing and assigned to programs;

(4) assign each prisoner to appropriate recidivism reduction programs or productive

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activities based on the prisoner’s risk level and the specific criminogenic needs of the prisoner, and in accordance with section 3621(h)(4);

(5) assess and update the recidivism risk level and programmatic needs of each prisoner pursuant to the schedule set forth in subsection (c)(2), and assess changes in the prisoner’s recidivism risk within a particular risk level; and

(6) provide information on best practices concerning the tailoring of recidivism reduction programs to the specific criminogenic needs of each prisoner so as to effectively lower the prisoner’s risk of recidivating.

(3) DEVELOPMENT OF SYSTEM.—

(1) IN GENERAL.—In designing the Assessment System, the Attorney General shall—

(A) use available research and best practices to consult with academic and other criminal justice experts as appropriate;

(B) ensure that the Assessment System measures indicators of progress and improvement, and of regression, including newly acquired skills, attitude, and behavior changes over time, through meaningful consideration of dynamic factors, such that—

(i) all prisoners at each risk level other than low risk have a meaningful opportunity to progress to a lower risk classification during the period of the incarceration of the prisoner through changes in dynamic risk factors; and

(ii) all prisoners on prerelease custody, other than prisoners classified as low risk, have a meaningful opportunity to progress to a lower risk classification during such custody through changes in dynamic risk factors;

(C) ensure that the Assessment System is adjusted on a regular basis, but not less frequently than every 3 years, to take account of the best statistical evidence of effectiveness in reducing recidivism rates; and

(D) ensure that the Assessment System does not result in unwarranted disparities, including by—

(i) regularly evaluating rates of recidivism among similarly classified prisoners to identify any unwarranted disparities in such rates, including disparities among similarly classified prisoners of different racial groups; and

(ii) adjusting the Assessment System to reduce such disparities to the greatest extent possible.

(2) THROUGH USE OF EXISTING RISK AND NEEDS ASSESSMENT TOOLS.—In carrying out this subsection, the Attorney General shall—

(A) develop a suitable intake assessment tool to perform the initial assessments and determinations described in subsection (a)(1), and to make the assignments described in paragraphs (3) and (4) of subsection (a);

(B) develop a suitable reassessment tool to perform the reassessments and updates described in subsection (a)(5); and

(C) develop a suitable tool to assess the recidivism risk level of prisoners in prerelease custody.

(3) USE OF EXISTING RISK AND NEEDS ASSESSMENT TOOLS PERMITTED.—In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate, for the assessment tools required under paragraphs (2).

(4) USE OF PRESENTENCE REPORT.—In carrying out this subsection, the Attorney General shall coordinate with the United States Probation and Pretrial Services to ensure that the findings of the Presentence Report of each offender are available and considered in the Assessment System.

(5) DETERMINATIONS AND CLASSIFICATIONS UNBOUND BY ANY CONSTITUTIONAL LIMITATIONS.—The terms ‘recidivism reduction program’, ‘productive activity’, and ‘recovery programming’ shall have the meaning given such terms in section 3621(h)(4).

(6) RECIDIVISM REDUCTION PROGRAM; PRODUCTIVE ACTIVITY; RECOVERY PROGRAMMING.—

The terms ‘recidivism reduction program’, ‘productive activity’, and ‘recovery programming’ mean the following:

(a) The prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(b) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(7) TYPES OF PRERELEASE CUSTODY.—A prisoner eligible to serve a portion of the prisoner’s sentence in prerelease custody pursuant to paragraph (2) may serve such portion in a residential reentry center, on home confinement, or, subject to paragraph (5), on community supervision, in accordance with the following guidelines:

(A) LOWER-RISK, LOWER-NEED PRISONERS.—Lower-risk, lower-need prisoners shall be placed directly into home confinement or subject to paragraph (2), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(i) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(ii) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(B) OTHER PRISONERS.—Any prisoner serving a sentence in home confinement pursuant to paragraph (2), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(i) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(ii) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(8) RESIDENTIAL REENTRY CENTER PLACEMENTS.—In determining the appropriateness of placement in a residential reentry center, the Attorney General may consider the following:

(A) LOWER-RISK, LOWER-NEED PRISONERS.—Lower-risk, lower-need prisoners shall be placed directly into home confinement for purposes of this section.

(B) OTHER PRISONERS.—Any prisoner serving a sentence in home confinement pursuant to paragraph (2), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(i) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(ii) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(9) REVIEW OF PROGRAMS OR PRODUCTIVE ACTIVITIES.—The Bureau of Prisons shall ensure that the Assessment System is available for such purpose, for purposes of this section,

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SEC. 102. PRERELEASE CUSTODY.

(a) IN GENERAL.—Section 3621(c) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking the period at the end of the second sentence and inserting “or home confinement, subject to the limitation that no prisoner shall serve more than 10 percent of the prisoner’s imposed sentence in home confinement pursuant to this paragraph;”;

(2) by striking paragraphs (2) and (3) and inserting the following:

(2) CREDIT FOR RECIDIVISM REDUCTION.—Notwithstanding the 10 percent limit described in paragraph (1) and in addition to any time spent in prerelease custody pursuant to paragraph (1), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(A) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(B) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(3) TYPES OF PRERELEASE CUSTODY.—A prisoner eligible to serve a portion of the prisoner’s sentence in prerelease custody pursuant to paragraph (2) may serve such portion in a residential reentry center, on home confinement, or, subject to paragraph (5), on community supervision, in accordance with the following guidelines:

(A) LOWER-RISK, LOWER-NEED PRISONERS.—Lower-risk, lower-need prisoners shall be placed directly into home confinement or subject to paragraph (2), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(i) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(ii) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(B) OTHER PRISONERS.—Any prisoner serving a sentence in home confinement pursuant to paragraph (2), a prisoner shall spend an additional portion of the final months of the prisoner’s sentence, equivalent to the amount of time credit the prisoner has earned pursuant to section 3621(h)(6)(A), in prerelease custody, if—

(i) the prisoner’s most recent risk and needs assessment, conducted within 1 year of the date on which the prisoner would first be eligible for transfer to prerelease custody pursuant to paragraph (1) and this paragraph, reflects that the prisoner is classified as low or moderate risk; and

(ii) for a prisoner classified as moderate risk, the prisoner’s most recent risk and needs assessment reflects that the prisoner’s risk of recidivism has declined during the period of the prisoner’s most recent risk and needs assessment.

(C) REVIEW OF PROGRAMS OR PRODUCTIVE ACTIVITIES.—The Bureau of Prisons shall ensure that the Assessment System is available for such purpose, for purposes of this section,
(I) participation in a job, job-seeking activities, or job-related activities, including an apprenticeship;

(II) participation in recidivism reduction programs or other productive activities as signed by the Post-Sentencing Risk and Needs Assessment System, or similar activities approved in advance by the Director of the Bureau of Prisons;

(III) participation in community service;

(IV) victim restitution activities;

(V) medical treatment; or

(VI) home detention and

(III) comply with such other conditions as the Director of the Bureau of Prisons deems appropriate.

(B) ALTERNATIVE MEANS OF MONITORING.—If compliance with subparagraph (A)(ii) is infeasible due to technical limitations or religious considerations, the Director of the Bureau of Prisons may employ alternative means of monitoring that are determined to be as effective or more effective than electronic monitoring.

(C) MODIFICATIONS.—The Director of the Bureau of Prisons may modify the conditions of the prisoner’s home confinement for compelling reasons, if the prisoner’s record demonstrates exemplary compliance with such conditions.

(G) COMMUNITY SUPERVISION.—

(1) TIME CREDIT LESS THAN 36 MONTHS.—Any prisoner described in subparagraph (D) who has earned time credit of less than 36 months pursuant to section 3621(b)(6)(A) shall be eligible to serve a term of one-half of the amount of such credit on community supervision, if the prisoner satisfies the conditions set forth in subparagraph (C).

(2) TIME CREDIT OF 36 MONTHS OR MORE.—Any prisoner described in subparagraph (D) who has earned time credit of 36 months or more pursuant to section 3621(b)(6)(A) shall be eligible to serve the amount of such credit exceeding 18 months on community supervision, if the prisoner satisfies the conditions set forth in subparagraph (C).

(C) CONDITIONS OF COMMUNITY SUPERVISION.—A prisoner placed on community supervision shall be subject to such conditions as the Director of the Bureau of Prisons deems appropriate. A prisoner on community supervision may remain on community supervision until the conclusion of the prisoner’s sentence of incarceration if the prisoner—

(i) complies with all conditions of community supervision;

(ii) remains current on any financial obligations imposed as part of the prisoner’s sentence, including payments of court-ordered restitution arising from the offense of conviction; and

(iii) refrains from committing any State, local, or Federal offenses.

(D) PRERELEASE CUSTODY.—A prisoner described in this subparagraph is a prisoner who—

(i) is classified as low risk by the Post-Sentencing Risk and Needs Assessment System in the assessment conducted for purposes of paragraph (2); or

(ii) is subsequently classified as low risk by the Post-Sentencing Risk and Needs Assessment System.

(E) VIOLATIONS.—If a prisoner violates a condition of the prisoner’s prerelease custody, the Director of the Bureau of Prisons may revoke the prisoner’s prerelease custody and require the prisoner to serve the remainder of the prisoner’s term of incarceration, or any term of home detention, in prison, or impose additional conditions on the prisoner’s prerelease custody as the Director of the Bureau of Prisons deems appropriate. If the violation is of a technical nature, the Director of the Bureau of Prisons shall revoke the prisoner’s prerelease custody.

(F) CREDIT FOR PRERELEASE CUSTODY.—Upon completion of a prisoner’s sentence, any term of supervised release imposed on the prisoner shall be reduced by the amount of the time the prisoner served in prerelease custody pursuant to paragraph (2).

(G) AGREEMENTS WITH UNITED STATES PROBATION AND PRETIAL SERVICES.—The Director of the Bureau of Prisons shall, to the greatest extent practicable, enter into agreements with the United States Probation and Pretrial Services to supervise prisoners placed in community supervision under this subsection. Such agreements shall authorize United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons inmates to prerelease custody and shall provide for the transfer of monetary sums necessary to comply with such requirements. United States Probation and Pretrial Services shall, to the greatest extent practicable, offer prisoners not under its supervision during prerelease custody under this subsection, and

(i) by inserting at the end the following:

(ii) REMOVAL OF PERSONS CONVICTED OF絲吃 crime victim restoration activities; and

(iii) the nature of the prisoner’s planned participation in community service; and

(iv) the prisoner’s behavioral record.

(L) PRISONER’S PRESENCE.—The prisoner’s presence in the district in which the prisoner was sentenced.

(M) DETERMINATION OF THE COURT.—The court may deny the transfer of the prisoner to prerelease custody or modify the terms of such transfer, if, after conducting a hearing pursuant to subparagraph (D), the court finds in writing, by a preponderance of the evidence, that the transfer of the prisoner is inconsistent with the requirements of paragraph (5). The Amendments made by this section shall take effect 1 year after the date of enactment of this Act.

SEC. 104. REPORTS.

(A) ANNUAL REPORTS.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Attorney General, in coordination with the Comptroller General of the United States, shall submit to the appropriate committees of Congress a report that contains the following:

(1) a summary of the activities and accomplishments of the Attorney General in carrying out this title and the amendments made by this title.

(2) An assessment of the status and use of the Post-Sentencing Risk and Needs AssessmentSystem by the Bureau of Prisons, including the number of prisoners classified at each risk level under the Post-Sentencing Risk and Needs Assessment System at each facility of the Bureau of Prisons.

(B) A summary and assessment of the types and effectiveness of the recidivism reduction programs and productive activities in facilities operated by the Bureau of Prisons, including—

(i) evidence about which programs and activities have been shown to reduce recidivism;

(ii) the capacity of each program and activity at each facility, including the number of prisoners along with the risk level of each prisoner enrolled in each program and activity; and

(iii) identification of any problems or shortages in capacity of such programs and activities, and how these should be remedied.

(C) An assessment of budgetary savings resulting from this title and the amendments made by this title.

(1) a summary of the amount of savings resulting from the transfer of prisoners into
prerelease custody under this title and the amendments made by this title, including savings resulting from the avoidance or deferral of future construction, acquisition, or operation costs;

(ii) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the Prison and Savings and Accountability System or the increase in recidivism reduction programs and productive activities required by this title and the amendments made by this title;

(iii) a strategy to reinvest such savings into other Federal, State, and local law enforcement activities and expansions of reentry programs and productive activities in the Bureau of Prisons; and

(iv) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this title, and the amendments made by this title, are currently being used and will be used to—

(I) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas program and other task forces;

(II) hire, train, and equip law enforcement officers and prosecutors; and

(III) promote crime reduction programs using evidence-based practices and strategic planning to help reduce crime and criminal recidivism.

(2) REINVESTMENT OF SAVINGS TO FUND PUBLIC SAFETY PROGRAMS.—

(A) IN GENERAL.—Beginning in the first fiscal year after the first report is submitted under paragraph (1), and every fiscal year thereafter, the Attorney General shall—

(i) determine the covered amount for the previous fiscal year in accordance with subparagraph (B); and

(ii) use an amount of funds appropriated to the Department of Justice that is not less than 90 percent of the covered amount for the purposes described in subparagraph (C).

(B) COVERED AMOUNT.—For purposes of this paragraph, the term ‘‘covered amount’’ means, using the most recent report submitted under paragraph (1), the amount equal to the amount described in paragraph (1)(D)(i) for the fiscal year and the amount described in paragraph (1)(D)(ii) for the fiscal year ending before the current fiscal year.

(C) USE OF FUNDS.—The funds described in subparagraph (A)(ii) shall be used, consistent with paragraph (1)(D)(iii), to achieve each of the following objectives:

(i) ensure that, not later than 6 years after the date of enactment of this Act, recidivism reduction programs or productive activities are available to all eligible prisoners.

(ii) Ensure compliance with the resource needs of United States Probation and Pretrial Services resulting from an agreement under section 3621(c)(B) of title 18, United States Code, as added by this title.

(III) Supplement funding for programs that increase public safety by providing resources to State and local law enforcement officials, including for the adoption of innovative technologies and information sharing capabilities.

(b) PRISON WORK PROGRAMS REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the appropriate committees of Congress a report on the status of prison work programs and facilities operated by the Bureau of Prisons, including—

(i) a strategy to expand the availability of such programs without reducing job opportunities for prisoners in the United States who are not in the custody of the Bureau of Prisons;

(ii) the rate of participation in such programs among eligible prisoners, as determined by the applicable sentencing range under the sentencing guidelines, as determined by the probation officer, includes a sentence of imprisonment or a sentence of probation.

‘‘(i) reduce the likelihood the defendant will abuse drugs or alcohol if the defendant has a history of substance abuse;

‘‘(ii) reduce the defendant’s likelihood of recidivism by addressing the defendant’s specific recidivism risk factors; and

‘‘(iii) assist the defendant preparing for reentry into the community.

‘‘(2) EXCEPTIONS.—The information described in paragraph (1)(C)(iii) shall not be required to be included under paragraph (1), if the applicable sentencing range under the sentencing guidelines, as determined by the probation officer, includes a sentence of imprisonment or a sentence of probation.

‘‘(C) IN GENERAL.—Beginning 1 year after the date of enactment of this Act, the Attorney General shall submit to the appropriate committees of Congress a report on the effectiveness of the Post-Sentencing Risk and Needs Assessment System or the increase in recidivism rates of recidivism among former Federal prisoners based on the findings required under paragraph (1)(C).

‘‘(ii) A detailed discussion of legal authorizations; and

‘‘(2) C ONTENTS.—The report required under paragraph (1)(B) shall—

(A) include a detailed discussion of the administrative actions taken to ensure the implementation of the recidivism reduction programs and productive activities required by this title and the amendments made by this title;

(B) include data on the number of former Federal prisoners, including Federal prisoners, including on the number of Federal prisoners, including in the United States Court of Appeals for the Armed Forces, sentenced to the Bureau of Prisons, including—

(i) the types of offenses committed by such Federal prisoners;

(ii) the rates of recidivism among former Federal prisoners in each of the States described in section 211(a) of this title, as determined by the applicable sentencing range under the sentencing guidelines, as determined by the probation officer, includes a sentence of imprisonment or a sentence of probation.

‘‘(iii) compare the rates of recidivism at regular annual intervals during the 10-year period after release from prison.

‘‘(C) USE OF FUNDS.—The funds described in paragraph (1)(C)(iii) shall not be required to be included under paragraph (1), if the applicable sentencing range under the sentencing guidelines, as determined by the probation officer, includes a sentence of imprisonment or a sentence of probation.

‘‘(C) IN GENERAL.—Beginning 1 year after the date of enactment of this Act, the Attorney General shall—

(i) determine the covered amount for the previous fiscal year in accordance with subparagraph (B); and

(ii) use an amount of funds appropriated to the Department of Justice that is not less than 90 percent of the covered amount for the purposes described in subparagraph (C).

(B) COVERED AMOUNT.—For purposes of this paragraph, the term ‘‘covered amount’’ means, using the most recent report submitted under paragraph (1), the amount equal to the amount described in paragraph (1)(D)(i) for the fiscal year and the amount described in paragraph (1)(D)(ii) for the fiscal year ending before the current fiscal year.

(C) USE OF FUNDS.—The funds described in subparagraph (A)(ii) shall be used, consistent with paragraph (1)(D)(iii), to achieve each of the following objectives:

(i) ensure that, not later than 6 years after the date of enactment of this Act, recidivism reduction programs or productive activities are available to all eligible prisoners.

(ii) Ensure compliance with the resource needs of United States Probation and Pretrial Services resulting from an agreement under section 3621(c)(B) of title 18, United States Code, as added by this title.

(iii) Supplement funding for programs that increase public safety by providing resources to State and local law enforcement officials, including for the adoption of innovative technologies and information sharing capabilities.

(b) PRISON WORK PROGRAMS REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the appropriate committees of Congress a report on the status of prison work programs and facilities operated by the Bureau of Prisons, including—

(i) a strategy to expand the availability of such programs without reducing job opportunities for prisoners in the United States who are not in the custody of the Bureau of Prisons;
paragraph (1) shall be subject to the following requirements:—

(A) Upon entry into the pilot program, the court shall notify program participants of the program and consequences for violating such rules, including the penalties to be imposed as a result of such violations pursuant to subparagraph (E);

(B) Probation officers shall conduct regular drug testing of all pilot program participants with a history of substance abuse.

(C) In the event that a probation officer determines that a participant has violated a term of supervised release, the officer shall notify the court within 24 hours of such determination.

(D) As soon as is practicable, and in no case more than 1 week after the violation was reported by the probation officer, absent good cause, the officer shall conduct a hearing on the alleged violation.

(E) If the court determines that a program participant has violated a term of supervised release, it shall impose an appropriate sanction, which may include the following, if appropriate:

(i) Modification of the terms of such participation in the program, including the inclusion of a condition that the participant shall be subject to a term of supervised release that is no longer than necessary for violations of such rules, including the penalty to be imposed as a result of such violations pursuant to subparagraph (E);

(ii) Referral to appropriate substance abuse treatment programs.

(iii) Revocation of the defendant’s supervised release and the imposition of a sentence of incarceration that is no longer than necessary for violations of such rules, including the penalty to be imposed as a result of such violations pursuant to subparagraph (E).

(iv) For participants who habitually fail to abide by program rules or pose a threat to public safety, termination from the program.

(4) ADVISORY SENTENCING POLICIES.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrative Office of the United States Courts shall conduct an evaluation of the pilot programs and submit to Congress a report on the results of the evaluation.

(B) CONTENTS.—The report required under subparagraph (A) shall include—

(i) the rates of violations of the terms of supervised release by program participants, and sanctions imposed;

(ii) information about employment of program participants;

(iii) a comparison of outcomes among program participants, and similarly situated individuals under the supervision of United States Probation and Pretrial Services not participating in the program; and

(iv) an assessment of the effectiveness of each of the relevant features of the program.

(5) R EVIEW OF PROJECT OUTCOMES.—Not later than 3 years after the date of enactment of this Act, the Administrative Office of the United States Courts, in consultation with the Attorney General, shall—

(A) evaluate the results from each Federal judicial district selected under paragraph (2), including the extent to which participating prisoners released from the custody of the Bureau of Prisons were successfully re-integrated into their communities, including whether the participating prisoners maintained employment, and refrained from committing further offenses; and

(B) submit to the Committee on the Judiciary of the House of Representatives a report that contains—

(i) an assessment of the best practices identified in the report required under paragraph (1); and

(ii) the results of the demonstration projects required under paragraph (2).

(b) STUDY ON THE IMPACT OF REENTRY ON CERTAIN COMMUNITIES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Attorney General, in consultation with the Administrative Office of the United States Courts, shall submit to the Committee on the Judiciary of the House of Representatives a report that contains—

(A) an assessment of the burden placed on such communities by the incarceration of individuals released from both State and Federal correctional systems as well as State and Federal juvenile justice systems, and shall include

(i) an assessment of the reentry burdens borne by local communities and local law enforcement agencies, including the availability of resources and opportunities available in such communities to support successful reentry, including resources provided by State, local, and Federal governments, the extent to which such resources are used effectively; and

(ii) recommendations to strengthen the resources in such communities available to support successful reentry and to lessen the burden placed on such communities by the need to support reentry.

(B) a review of the resources available in such communities to support successful reentry, including resources provided by State, local, and Federal governments, the extent to which such resources are used effectively; and

(C) recommendations to strengthen the resources in such communities available to support successful reentry and to lessen the burden placed on such communities by the need to support reentry.

(C) FACILITATING REENTRY ASSISTANCE TO VETERANS.—

(1) IN GENERAL.—Not later than 2 months after the date of the commencement of a

(2) STUDY.—Not later than 2 years after the date of enactment of this Act, the Attorney General, in consultation with the Bureau of Prisons, shall conduct a study of the extent to which prisoners released from the custody of the Bureau of Prisons who have served in the Armed Forces participate in programs to promote reintegration into the community.
prisoner’s sentence pursuant to section 3585(a) of title 18, United States Code, the Director of the Bureau of Prisons shall notify the Secretary of Veterans Affairs and the Secretary of Labor of the prisoner’s sentence. The Director shall notify the Secretary of Veterans Affairs and the Secretary of Labor not later than 2 months after the date on which the prisoner provides such notice.

(2) POST-CONSENTMENT NOTICE.—If the prisoner informs the Bureau of Prisons of a violation of the prisoner’s prior sentence in the Armed Forces of the United States after the commencement of the prisoner’s sentence, the Director of the Bureau of Prisons shall notify the Secretary of Veterans Affairs and the Secretary of Labor not later than 2 months after the date on which the prisoner provides such notice.

(3) CONTENTS OF NOTICE.—The notice provided by the Director of the Bureau of Prisons to the Secretary of Veterans Affairs and the Secretary of Labor in subsection (a) shall include the identity of the prisoner, the facility in which the prisoner is located, the prisoner’s offense of conviction, and the length of the sentence.

(4) ACCESS TO VA AND DOL.—The Bureau of Prisons shall provide the Department of Veterans Affairs and the Department of Labor with access to any prisoner who has previously served in the Armed Forces of the United States for purposes of facilitating that prisoner’s reentry.

SEC. 107. TABLE FOR JUVENILES.

(a) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by inserting after section 5032 the following:

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(b) by adding at the end the following:

"[3] ELIGIBLE TERMINALLY ILL OFFENDER.—The term ‘eligible terminally ill offender’ means an offender in the custody of the Bureau of Prisons who—

(i) is serving a term of imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16 of title 18, United States Code), sex offense (as defined in section 111(a)(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)), offense described in section 37 of title 18, United States Code; or

(ii) satisfies the criteria specified in clause (ii) of subparagraph (A); and

(iii) has been determined by a medical doctor approved by the Bureau of Prisons to be—

(a) in need of care at a nursing home, intermediate care facility, or assisted living facility, as those terms are defined in section 1915 of the National Health Act (12 U.S.C. 1715w); or

(b) diagnosed with a terminal illness.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

SEC. 201. SHORT TITLE. This title may be cited as the ‘‘Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2017’’.

SEC. 202. FINDINGS. Congress finds that—

(A) the Law Enforcement Officers Safety Act of 2004 (Public Law 108–277; 118 Stat. 865) gives certain law enforcement officers, including certain correctional officers of the Bureau of Prisons, the right to carry a concealed firearm in all 50 States for self-protection;

(B) the purpose of that Act is to allow certain law enforcement officers to protect themselves while on duty;

(C) correctional officers of the Bureau of Prisons have been the targets of assaults and murders while on duty; and

(D) while that Act allows certain law enforcement officers to protect themselves while on duty, the Director of the Bureau of Prisons allows correctional officers of the Bureau of Prisons to secure store personal firearms at only 33 Federal penal and correctional institutions while at work.

SEC. 203. SECURE FIREARMS STORAGE. (a) Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

'Sec. 4050. Secure firearms storage

''(a) DEFINITIONS.—In this section—

(1) the term ‘employee’ means a qualified law enforcement officer employed by the Bureau of Prisons; and

(2) the terms ‘firearm’ and ‘qualified law enforcement officer’ have the meanings given in section 6402 of title 18, United States Code.

(b) SECURE FIREARMS STORAGE.—The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

(A) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

(B) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

(2) in any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

‘‘§ 4050. Secure firearms storage.’’

TITLE III—NATIONAL CRIMINAL JUSTICE COMMISSION

SEC. 301. SHORT TITLE. This title may be cited as the ‘‘National Criminal Justice Commission Act of 2017’’.

SEC. 302. FINDINGS. Congress finds that—

(1) it is in the interest of the Nation to establish a commission to undertake a comprehensive review of the criminal justice system;

(2) there has not been a comprehensive study since the President’s Commission on Law Enforcement and Administration of Justice was established in 1965;

(3) that commission, in a span of 18 months, produced a comprehensive report entitled ‘‘The Challenge of Crime in a Free Society’’, which contained 200 specific recommendations on all aspects of the criminal justice system involving Federal, State, tribal, and local governments, civic organizations, religious institutions, business groups, and individual citizens; and

(4) developments over the intervening 50 years require once again that Federal, State, tribal, and local governments, law enforcement agencies, rank and file officers, civil rights organizations, community-based organization leaders, civic organizations, religious institutions, business groups, and individual citizens come together to review evidence and consider how to improve the criminal justice system.

SEC. 303. ESTABLISHMENT OF COMMISSION. There is established a commission to be known as the ‘‘National Criminal Justice Commission’’ (referred to in this title as the ‘‘Commission’’).

SEC. 304. PURPOSE OF THE COMMISSION. The Commission shall—

(1) undertake a comprehensive review of the criminal justice system;

(2) make recommendations for Federal criminal justice reform to the President and Congress; and

(3) disseminate findings and supplemental guidance to the Federal Government, as well as to State, local, and tribal governments.

SEC. 305. REVIEW, RECOMMENDATIONS, AND REPORT.

(a) GENERAL REVIEW.—The Commission shall undertake a comprehensive review of all areas of the criminal justice system, including Federal, State, local, and tribal governments’ criminal justice costs, practices, and policies.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the President and Congress recommendations for changes in Federal oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system.

(2) UNANIMOUS CONSENT REQUIRED.—A recommendation of the Commission may be adopted and submitted under paragraph (1) if the recommendation is approved by a unanimous vote of the Commissioners at a meeting where a quorum is present pursuant to section 306(d).

(c) REQUIREMENT.—The recommendations submitted under this subsection shall be made available to the public.

(d) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall also disseminate to the Federal Government, as well as to State, local, and tribal governments, a report that details the findings and supplemental guidance of the Commission regarding the criminal justice system at all levels of government.

(2) MAJORITY VOTE REQUIRED.—Commission findings and supplemental guidance may be adopted and included in the report required under paragraph (1) if the finding or guid-
the Democratic Party, in consultation with the Democratic leadership of the Committee on the Judiciary.

(4) Two members shall be appointed by the senior member of the Senate leadership of the Republican Party, in consultation with the Republican leadership of the Committee on the Judiciary.

(5) Two members shall be appointed by the senior member of the leadership of the House of Representatives, in consultation with the Democratic leadership of the Committee on the Judiciary.

(6) Two members shall be appointed by the senior member of the leadership of the House of Representatives, in consultation with the Republican leadership of the Committee on the Judiciary, in consultation with the Democratic leadership of the Committee on the Judiciary.

(7) Two members, who shall be State and local representatives, shall be appointed by the President in agreement with leader of the Senate (majority or minority leader, as the case may be) of the Republican Party and the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party.

(8) Two members, who shall be State and local representatives, shall be appointed by the President in agreement with leader of the Senate (majority or minority leader, as the case may be) of the Democratic Party and the leader of the House of Representatives (majority or minority leader, as the case may be) of the Republican Party.

(b) MEMBERSHIP.—

(1) QUALIFICATIONS.—The individuals appointed from private life as members of the Commission shall be individuals with distinguished reputations for integrity and non-partisanship who are nationally recognized for expertise, knowledge, or experience in such relevant areas as—

(A) law enforcement;

(B) criminal justice;

(C) national security;

(D) prison and jail administration;

(E) prisoner reentry;

(F) public health, including physical and sexual victimization, drug addiction and mental health;

(G) victims’ rights;

(H) civil rights;

(I) state, local, and tribal government.

(2) DISQUALIFICATION.—An individual shall not be appointed as a member of the Commission if the individual possesses any personal financial interest in the discharge of any of the duties of the Commission.

(3) TERMS.—Members shall be appointed for the life of the Commission.

(c) APPOINTMENT; FIRST MEETING.—

(1) APPOINTMENT.—Members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold its first meeting on the date that is 60 days after the date of enactment of this Act, or not later than 30 days after the date on which funds are made available for the Commission, whichever is later.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall draft appropriate ethics guidelines for commissioners and staff, including guidelines relating to conflict of interest and financial disclosure. The Commission shall consult with the Senate and House Committees on the Judiciary regarding the guidelines and furnish the committees with a copy of the completed guidelines.

(d) MEETINGS; QUORUM; VACANCIES.—

(1) MEETINGS.—The meetings of the Commission shall meet at the call of the co-chairs or a majority of its members.

(2) QUORUM.—Eight members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made. If vacancies in the Commission occur on any day after 45 days after the date of the enactment of this Act, the vacancies shall consist of a majority of the members of the Commission as of such day, so long as not less than 1 Commission member chosen by a member of each party, Republican and Democratic, is present.

(e) ACTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission—

(A) shall, subject to the requirements of section 305, act by resolution agreed to by a majority of the members of the Commission voting and present; and

(B) may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this title—

(i) which shall be subject to the review and control of the Commission;

(ii) any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission;

(2) DELEGATION.—Any member, agent, or staff of the Commission may, if authorized by the co-chairs of the Commission, take any action which the Commission is authorized to take pursuant to this title.

SEC. 307. ADMINISTRATION.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall have a staff headed by an Executive Director. The Executive Director shall be paid at a rate established for the Certified Plan pay level for the Senior Executive Service under section 5382 of title 5, United States Code.

(2) APPOINTMENT AND COMPENSATION.—The co-chairs of the Commission shall designate and fix the compensation of the Executive Director and, in accordance with rules agreed upon by the Commission, may appoint and fix the terms and conditions of employment of such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, relating to competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 33 of title 5, relating to classification and pay schedules, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) OTHER RESOURCES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(c) MEETS AND TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 700(b) of title 5, United States Code.

(d) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services of any person under section 3106(b) of title 5, United States Code.

(e) DEPARTMENTAL APPOINTMENTS.—Under such regulations as the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(f) VOLUNTEER SERVICES.—The Commission shall have reasonable access to materials, resources, statistical data, and other information such Commission determines to be necessary to carry out its work. The Commission may use the Library of Congress, the Department of Justice, the Office of National Drug Control Policy, the Department of Commerce, and the appropriate branches of the Federal Government, to the extent that such services are necessary to the performance of services for the Commission. The head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission.

(g) MAIL.—The Commission may use the postal services of the United States Post Office, without charge, in carrying out its work.

(h) OTHER RESOURCES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(i) CONTRACTS.—The Commission is authorized to accept and utilize the services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5705 of title 5, United States Code. A person providing volunteer services to the Commission shall be considered an employee of the Federal Government in performance of services for the Commission, and the Commission is authorized to accept and utilize services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5705 of title 5, United States Code. A person providing volunteer services to the Commission shall be considered an employee of the Federal Government in performance of services for the Commission, and the Commission is authorized to accept and utilize services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5705 of title 5, United States Code. A person providing volunteer services to the Commission shall be considered an employee of the Federal Government in performance of services for the Commission, and the Commission is authorized to accept and utilize services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5705 of title 5, United States Code.

(j) TECHNICAL AND OTHER INFORMATION.—The Commission may use the postal services of the United States Post Office, without charge, in carrying out its work.

(k) OFFICIAL DUTIES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(l) OFFICIAL DUTIES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(m) TECHNICAL AND OTHER INFORMATION.—The Commission may use the postal services of the United States Post Office, without charge, in carrying out its work.

(n) OFFICIAL DUTIES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(o) TECHNICAL AND OTHER INFORMATION.—The Commission may use the postal services of the United States Post Office, without charge, in carrying out its work.

(p) OFFICIAL DUTIES.—The Commission may secure directly from any agency of the United States information necessary to the discharge of any of the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.
(j) Gifts.—Subject to existing law, the Commission may accept, use, and dispose of gifts or donations of services or property.

(k) Administrative Assistance.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this title. The administrative services may include human resource management, budget, leasing, accounting, and payroll services.

(l) Nonapplicability of FACA and Public Access to Meetings and Minutes.—

(1) In General.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(2) Meetings and Minutes.—

(A) M EETINGS.—

(i) ADMINISTRATION.—All meetings of the Commission shall be open to the public, except that a meeting or any portion of it may be closed to the public if it concerns matters or information described in section 552b(c) of title 5, United States Code. Interested persons shall be permitted to appear at open meetings and present oral or written statements on the subject matter of the meeting. The Administrator of General Services shall make written affirmative reports to any person appearing before it.

(ii) Notice.—All open meetings of the Commission shall be preceded by timely public notice that shall include the time, place, and subject of the meeting.

(B) M INUTES AND PUBLIC AVAILABILITY.—Minutes of each open meeting shall be kept and shall contain a record of the personnel present, a description of the discussion that occurred, and copies of all statements filed. The minutes and records of all open meetings shall be available for public inspection and copying at a single location in the offices of the Commission.

(m) Archiving.—Not later than the date of termination of the Commission, all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.

SEC. 308. AUTHORIZATION FOR USE OF FUNDS.

For each of fiscal years 2018 and 2019, the Attorney General may use, from any unobligated balances made available under the heading “General Administration” to the Department of Justice in an appropriations Act, such sums as may be necessary, not to exceed $7,000,000 per fiscal year and not to exceed $14,000,000 total for both fiscal years, to carry out this title, except that none of the funds authorized to be used to carry out this title may be used for international travel.

SEC. 309. SUNSET.

The Commission shall terminate 60 days after the Commission submits the report required under section 305(c) to Congress.

SUBMITTED RESOLUTIONS

S. RES. 294

Resolutions—Senator Franken submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

Whereas employee-owners feel better prepared to cover the expenses of life and retire with a greater sense of financial security;

Whereas employee-owned companies have a rich history in communities across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2017 as “National Employee Ownership Month”; and

(2) supports employee-owned businesses; and

(3) acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.

S. RES. 296

Resolved, That the Senate—

(1) recognizes that employee-owned companies face lower staff turnover, and workers experience greater job security at those companies;

(2) supports employee-owned businesses; and

(3) acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.

S. RES. 295

Whereas employee-owned companies provide workers a voice in corporate governance, and that voice helps the long-term well-being of the company;

Whereas employee-owned companies often outperform non-employee-owned companies and show greater resiliency during challenging economic conditions;

Whereas employee-owned companies face lower staff turnover, and workers experience greater job security at those companies;

The Senate—

(1) designates October 2017 as “National Employee Ownership Month';

(2) supports employee-owned businesses;

(3) acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.

S. RES. 297

WHEREAS carbon monoxide is an odorless, colorless gas that is poisonous to life; when ever any fuel, such as natural gas, propane, gasoline, oil, kerosene, wood, or charcoal, is burned;

WHEREAS devices that produce carbon monoxide include cars, heavy-duty power generators, gasoline engines, stoves, and heating systems, and carbon monoxide produced from these sources can build up in enclosed or semi-enclosed spaces;

WHEREAS carbon monoxide is often referred to as the “silent killer” because it is colorless, odorless, tasteless, and non-irritating, and ignoring early stages of carbon monoxide poisoning may cause unconsciousness and continual exposure to danger;

WHEREAS according to the Centers for Disease Control and Prevention, each year in the United States, carbon monoxide poisoning kills more than 150 individuals and sends approximately 20,000 individuals to emergency rooms;

WHEREAS when people breathe in carbon monoxide, the poisonous gas enters the bloodstream and prevents adequate intake of oxygen, which can damage tissues and result in death;

WHEREAS, given their common preexisting medical conditions, individuals older than age 65 are particularly vulnerable to carbon monoxide poisoning;

WHEREAS for most individuals who suffer from carbon monoxide poisoning, the early signs of exposure to low concentrations of carbon monoxide include mild headaches and breathlessness upon moderate exercise;

WHEREAS sustained or increased exposure to carbon monoxide can lead to flu-like symptoms, including severe headaches, dizziness, tiredness, nausea, confusion, irritability, and impaired judgment, memory, and coordination;

WHEREAS breathing in low concentrations of carbon monoxide can cause long-term health damage, even after exposure to the gas ends;

WHEREAS most cases of carbon monoxide exposure occur during the colder months of December, January, and February, when oil, gas, or electric heaters are most likely in use;

WHEREAS on January 5, 1996, the Burt family of Kimball, Minnesota, was poisoned by carbon monoxide from a malfunctioning furnace in the home of the Burt family, resulting in—

(1) the deaths of 15-month-old Zachary Todd Burt and 4-year-old Nicholas Todd Burt; and

(2) the hospitalization of Ryan Todd Burt; and

WHEREAS the National Commission on Women’s National Basketball Association has referred to the Subcommittee on Women, Family and Youth of the Senate Committee on Commerce, Science, and Transportation:

WHEREAS the Minnesota Lynx feature 4 world champion and gold medal athletes, including Lindsay Whalen, Lindsay Whalen, Monica Wright, Maya Moore, Seimone Augustus, and Sylvia Fowles, as well as highly talented professional athletes, including Rebekkah Brunson, Renee Montgomery, Temi Fagbenle, Natasha Howard, Alexis Jones, Jia Perkins, Plenette Pierson, and Cecilia Zandalasini;

WHEREAS Sylvia Fowles received the 2017 WNBA Finals Most Valuable Player Award; and

WHEREAS Rebekkah Brunson is the first WNBA player to win 5 championships, all under the coaching of Coach Cheryl Reeve; Now, therefore, be it

Resolved, That the Senate—

(1) Designates October 2017 as “Women’s National Basketball Association Recognition Week”;

(2) Acknowledges that employee-owned companies face lower staff turnover, and workers experience greater job security at those companies; and

(3) Acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.
Resolved, That the Senate supports Lights on Afterschool, a national celebration of afterschool programs held on October 26, 2017.

SENATE RESOLUTION 298—SUPPORTING THE DESIGNATION OF OCTOBER 26, 2017, AS "NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH"

Mr. KING (for himself and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

Whereas September has been declared "National Alcohol and Drug Addiction Recovery Month"; Whereas the theme for National Alcohol and Drug Addiction Recovery Month in 2017 is "Join the Voices for Recovery: Strengthen Families and Communities"; Whereas drug overdose is the leading cause of accidental death in the United States, with more than 63,000 lethal drug overdoses in 2016 or approximately 170 lethal drug overdoses per day in 2016; Whereas drug overdose is now the leading cause of death in individuals in the United States under age 50; and

Resolved, That the Senate designates the week of November 5 through 12, 2017, as "National Carbon Monoxide Poisoning Awareness Week".

SENATE RESOLUTION 297—SUPPORTING LIGHTS ON AFTER-SCHOOL, A NATIONAL CELEBRATION OF AFTERSCHOOL PROGRAMS HELD ON OCTOBER 26, 2017

Mr. FRANKEN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas more than 28,000,000 children in the United States have parents who work outside the home;

Whereas high-quality programs that expand learning opportunities for children, such as afterschool, before-school, summer, and expanded learning opportunities, provide safe, challenging, engaging, and fun learning experiences, including experiences that encourage science, technology, engineering, and math, that help children and youth develop social, emotional, physical, cultural, and academic skills;

Whereas high-quality afterschool programs and high-quality expanded learning opportunities provide students with hands-on, engaging lessons that are aligned with the school day;

Whereas high-quality afterschool programs complement regular and expanded school days and support working families by ensuring that the children of those families are safe and productive during the hours parents are working;

Whereas high-quality afterschool programs engage families, schools, and diverse community partners in advancing the well-being of children and youth in the United States;

Whereas high-quality afterschool programs that partner with high-quality community-based organizations build stronger communities by integrating schools with the larger community; and

Whereas Lights On Afterschool, a national celebration of afterschool, before-school, summer, and expanded learning opportunities programs, held on October 26, 2017, highlights the critical importance of those high-quality programs into the larger communities and the families and communities of those children; Now, therefore, be it

Resolved, That the Senate supports Lights on Afterschool, a national celebration of afterschool programs held on October 26, 2017.

SENATE RESOLUTION 299—EXpressING SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2017, AS THE "NATIONAL DAY ON WRITING"

Mr. CASEY (for himself, Mr. ROBBINS, and Mr. WEINER) submitted the following resolution; which was considered and agreed to:

Whereas people in the 21st century are writing more than ever before for personal, professional, and artistic purposes; Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing; Whereas more and more people in every occupation consider writing to be essential and influential in their work; Whereas people who write continue to learn how to write for different purposes, audiences, and occasions throughout their lives; Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before; Whereas young people are leading the way in developing new forms of composing by using different forms of digital media; Whereas effective communication contributes to building a global economy and a global community; Whereas the National Council of Teachers of English encourages its members to participate in the National Day on Writing; and

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the "National Day on Writing";

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

Whereas the National Council of Teachers of English encourages all people of the United States to tell others #WhyIWrite through print, social media, or other means; Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the "National Day on Writing";

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

Whereas the National Council of Teachers of English encourages all people of the United States to tell others #WhyIWrite through print, social media, or other means; Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the "National Day on Writing";

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;
Whereas the first academic year of the College began on September 4, 1867, with 5 teachers and 37 male and female students enrolled in 8 areas of study;

Whereas the State of Maryland approved the charter of the College on March 30, 1868;

Whereas the first graduating class of the College graduated 7 men and women on June 15, 1871;

Whereas, in 1919, the Department of War authorized the Reserve Officers’ Training Corps at the College, which continues as one of the three Officers’ Training Corps programs in the United States;

Whereas, in 1923, the first earned master’s degree was offered at the College for Master of Arts;

Whereas, in January 1975, the College formally dissociated from the United Methodist Church and established an identity as an independent private college of the liberal arts and sciences;

Whereas, in 1980, the College received a Phi Beta Kappa charter, making it only the fourth college in Maryland to house a chapter of that prestigious national collegiate honor society;

 Whereas, in 1994, the College opened its first branch campus in Budapest, Hungary, which has awarded more than 200 students from over 20 countries baccalaureate degrees and has more than 100 students from the Westminster campus who have studied abroad there;

 Whereas, in 1998, the College was among 40 institutions included in the seminal guide books That Change Lives, and has continued to be included in each subsequent edition of that book;

 Whereas, on July 1, 2002, Western Maryland College changed its name to McDaniel College, honoring William Roberts McDaniel, alumnus of 1860, professor, Secretary of the Faculty, Vice President, Treasurer, Acting President, and member of the Board of Trustees of the College;

 Whereas, as of October 2017, the College serves approximately 1,600 undergraduate students and 1,400 graduate students in more than 70 undergraduate programs of study (including dual and student-designed majors) and 25 highly regarded graduate programs, and prepares those students with the skills needed to compete and succeed in a changing world;

 Whereas, in 2017, the College features 72 buildings on a 160-acre campus;

 Whereas, McDaniel College continues to rank among the top liberal arts colleges in the United States and to be recognized for a commitment to access;

 Whereas the College awards greater than 90 percent of students some type of financial assistance, including institutional grants and scholarships and Federal and State aid;

 Whereas more than 29,000 alumni of the College reside in all 50 States, the District of Columbia, and 75 countries;

 Whereas the College has a tradition of producing students with 3 alumni of the College being named Maryland Teachers of the Year since 2010; and

 Whereas the College continues to be committed to enhancing academic and experiential learning opportunities for students at the College, many of whom are the first in their families to attend an institution of higher education, and producing empowered critical thinkers who are well-prepared for jobs and service that strengthen the State of Maryland and the United States: Now, therefore:

Resolved, That the Senate—

(1) congratulates McDaniel College on the 150th anniversary of the founding of the College; and

(2) recognizes the achievements of the administrators, professors, students, and various staff who have contributed to the success of McDaniel College; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the president of McDaniel College; and

(B) the provost and vice president for academic affairs of McDaniel College.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1399. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal years 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table.

SA 1401. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1402. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1403. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1404. Mr. ENZI (for Mr. PAUL) proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1405. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1406. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1407. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1408. Mr. WARNER (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1409. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1410. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1411. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1412. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1414. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1415. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1416. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1418. Mr. FRANKEN (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1419. Ms. COLLINS (for herself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1420. Mrs. MCCASKILL (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1421. Mr. BROWN (for himself, Ms. WARREN, Ms. BALDWIN, Mr. REED, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1422. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1423. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1424. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1425. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1426. Mr. KURIHO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1429. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1430. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1433. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1434. Mr. MANCHIN (for himself, Mr. CASEY, and Mr. WARRINER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1435. Mr. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1436. Mr. DURBIN (for himself, Mr. REED, Ms. BALDWIN, Ms. DUCKWORTH, Mr. VAN HOLLIN, Mr. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1437. Mr. DURBIN (for himself, Mr. REED, Ms. BALDWIN, Ms. DUCKWORTH, Mr. VAN HOLLIN, Mr. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1438. Mr. DURBIN (for himself, Mr. REED, Ms. BALDWIN, Ms. DUCKWORTH, Mr. VAN HOLLIN, Mr. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1439. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1440. Mr. DURBIN (for himself, Mr. REED, Mr. VAN HOLLIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1441. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1442. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1443. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1444. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1445. Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. BROWN, Mr. BOOKER, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1446. Mr. BLUMENTHAL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1447. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1448. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1449. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1450. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1451. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1452. Mr. REED (for himself, Mr. BLUMENTHAL, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1453. Mr. REED (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1454. Mr. REED (for himself, Mr. WHITEHOUSE, Mr. HIRONO, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1455. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1456. Mr. REED (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1457. Mr. REED (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1458. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1459. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1476. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1477. Mr. BLUMENTHAL (for himself and Ms. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1478. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1479. Mr. BLUMENTHAL (for himself, Mr. HEINRICH, Mr. MURPHY, Mrs. FEINSTEIN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1497. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1498. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1499. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1500. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1501. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1502. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1503. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1504. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1505. Mr. BOOKER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1506. Mr. ELSER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1507. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, Mr. WARNER, and Mr. VAN HOLLIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1508. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1509. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1510. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1511. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1512. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1513. Ms. HIRONO (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1514. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1515. Ms. HIRONO (for herself and Mr. MARKKAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1516. Mr. REED (for himself, Ms. MURRAY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1517. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1518. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1519. Ms. HIRONO (for herself, Mrs. MURRAY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1520. Mr. REED (for himself, Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1521. Mr. REED (for himself, Mr. WHITBRIDGE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1522. Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNETT, Mr. WYDEN, and Mr. MARKKAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1523. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1524. Mr. COONS (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1525. Mr. BROWN (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BENNETT, Mrs. MURRAY, Mr. BOOKER, Mr. WARNER, Mr. KING, Mr. MENENDEZ, Mr. VAN HOLLIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
SA 1536. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1537. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1538. Mr. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1399. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table;
At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX SIMPLIFICATION.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming Federal tax laws, which would simplify existing tax laws and providing other job-creating relief, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1400. Mr. UDALL (for himself, Mr. HEINRICH, Ms. B. BALDWIN, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING CLIMATE CHANGE.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening national security and promoting economic growth and public health by addressing human-induced climate change through increased use of clean energy and energy efficiency technologies to stabilize and reduce United States greenhouse gas emissions while providing adequate resources to support existing coal communities by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1403. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING THE BASIC HEALTH PROGRAM AS A PUBLIC OPTION THAT COVERS MORE AMERICANS AT LOWER COST.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding the basic health program under section 1331 of the Patient Protection and Affordable Care Act (42 U.S.C. 18051) as a public option to lower health care costs for Americans in the individual health insurance market, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1404. Mr. PAUL proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years through 2027, as follows:

On page 47, line 6, strike "$1,500,000,000,000" and insert "$2,500,000,000,000".

SA 1405. Mr. MURRAY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years through 2027, as follows:

On page 4, line 6, strike "$1,500,000,000,000" and insert "$2,500,000,000,000".

On page 5, line 1, increase the amount by $17,413,000,000.

On page 5, line 2, increase the amount by $19,224,000,000.

On page 5, line 3, increase the amount by $21,137,000,000.

On page 5, line 4, increase the amount by $24,058,000,000.

On page 5, line 5, increase the amount by $25,233,000,000.

On page 5, line 6, increase the amount by $26,381,000,000.

On page 5, line 7, increase the amount by $27,500,000,000.

On page 5, line 8, increase the amount by $29,152,000,000.

On page 5, line 9, increase the amount by $30,588,000,000.

On page 5, line 10, increase the amount by $3,196,000,000.

On page 5, line 11, increase the amount by $9,920,000,000.

On page 5, line 12, increase the amount by $13,596,000,000.

On page 5, line 13, increase the amount by $30,588,000,000.

On page 5, line 14, increase the amount by $3,584,000,000.

On page 5, line 15, increase the amount by $19,224,000,000.

On page 5, line 16, increase the amount by $16,586,000,000.

On page 5, line 17, increase the amount by $19,224,000,000.

On page 5, line 18, increase the amount by $21,137,000,000.

On page 5, line 19, increase the amount by $25,233,000,000.

On page 5, line 20, increase the amount by $25,084,000,000.

On page 5, line 21, increase the amount by $25,581,000,000.

On page 5, line 22, increase the amount by $26,071,000,000.

On page 6, line 1, increase the amount by $5,196,000,000.

On page 6, line 2, increase the amount by $9,920,000,000.

On page 6, line 3, increase the amount by $13,596,000,000.

On page 6, line 4, increase the amount by $19,224,000,000.

On page 6, line 5, increase the amount by $19,543,000,000.

On page 6, line 6, increase the amount by $23,494,000,000.

On page 6, line 7, increase the amount by $25,581,000,000.

On page 6, line 8, increase the amount by $25,859,000,000.

On page 6, line 9, increase the amount by $25,581,000,000.
On page 6, line 10, increase the amount by $207,000,000.

On page 6, line 15, increase the amount by $5,196,000,000.

On page 6, line 16, increase the amount by $15,116,000,000.

On page 6, line 17, increase the amount by $23,453,000,000.

On page 6, line 18, increase the amount by $45,298,000,000.

On page 6, line 19, increase the amount by $59,840,000,000.

On page 6, line 20, increase the amount by $64,701,000,000.

On page 6, line 21, increase the amount by $15,555,000,000.

On page 6, line 22, increase the amount by $13,042,000,000.

On page 6, line 23, increase the amount by $9,713,000,000.

On page 6, line 24, increase the amount by $5,165,000,000.

On page 6, line 25, increase the amount by $17,206,000,000.

On page 6, line 26, increase the amount by $9,713,000,000.

On page 6, line 27, increase the amount by $18,670,000,000.

On page 6, line 28, increase the amount by $15,092,000,000.

On page 6, line 29, increase the amount by $20,106,000,000.

On page 6, line 30, increase the amount by $13,555,000,000.

On page 6, line 31, increase the amount by $22,449,000,000.

On page 6, line 32, increase the amount by $17,795,000,000.

On page 6, line 33, increase the amount by $28,712,000,000.

On page 6, line 34, increase the amount by $21,909,000,000.

On page 6, line 35, increase the amount by $21,090,000,000.

On page 6, line 36, increase the amount by $22,024,000,000.

On page 6, line 37, increase the amount by $22,504,000,000.

On page 6, line 38, increase the amount by $30,000,000.

On page 6, line 39, increase the amount by $30,000,000.

On page 6, line 40, increase the amount by $207,000,000.

On page 36, line 7, increase the amount by $207,000,000.

On page 36, line 10, increase the amount by $554,000,000.

On page 36, line 11, increase the amount by $554,000,000.

On page 36, line 14, increase the amount by $1,031,000,000.

On page 36, line 15, increase the amount by $1,031,000,000.

On page 36, line 18, increase the amount by $1,090,000,000.

On page 36, line 19, increase the amount by $1,090,000,000.

On page 36, line 22, increase the amount by $2,280,000,000.

On page 36, line 23, increase the amount by $2,280,000,000.

On page 37, line 2, increase the amount by $3,028,000,000.

On page 37, line 3, increase the amount by $3,028,000,000.

On page 37, line 6, increase the amount by $3,827,000,000.

On page 37, line 7, increase the amount by $3,827,000,000.

On page 37, line 10, increase the amount by $4,672,000,000.

On page 37, line 11, increase the amount by $4,672,000,000.

On page 37, line 14, increase the amount by $5,564,000,000.

On page 37, line 15, increase the amount by $5,564,000,000.

SA 1406. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DIRECTING THE BUREAU OF LABOR STATISTICS TO CONDUCT THE WORK SCHEDULES AND WORK AT HOME SUPPLEMENT TO THE CURRENT POPULATION SURVEY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding the tax credit for increasing research activities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1409. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REBUILD THE CRITICAL INFRASTRUCTURE OF PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuiding the critical infrastructure of Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.
2022 or the period of the total of fiscal years 2018 through 2027.

SA 1410. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING CLEAN DRINKING WATER FOR PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, and conference reports relating to ensuring clean drinking water for Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1411. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REBUILDING AND RESTORING HOSPITALS IN PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, and conference reports relating to rebuilding and restoring hospitals in Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1414. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO REBUILD AND RESTORE TELE-COMMUNICATIONS IN PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, and conference reports relating to rebuilding and restoring telecommunications in Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
effective, robust layered missile defense system, and to increasing the capability, capacity, and reliability of the United States homeland and theater ballistic missile defense programs. The amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1417. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING RETIREMENT SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuilding infrastructure in Puerto Rico and the United States Virgin Islands destroyed or damaged by Hurricanes Irma and Maria in a resilient and sustainable way that reduces the threat from future disasters, including rebuilding the electric grid and investing in distributed clean energy technology, solar, wind, energy efficiency, and battery storage as targeted in local clean energy legislation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1418. Mr. FRANKEN (for himself and Mr. UDBALL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO NATIONAL RENEWABLE ENERGY AND ENERGY EFFICIENCY TARGETS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuilding infrastructure in Puerto Rico and the United States Virgin Islands destroyed or damaged by Hurricanes Irma and Maria in a resilient and sustainable way that reduces the threat from future disasters, including rebuilding the electric grid and investing in distributed clean energy technology, solar, wind, energy efficiency, and battery storage as targeted in local clean energy legislation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1420. Mrs. McCASKILL (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST PROVIDING A TAX CUT TO THE TOP 1 PERCENT OR CREATING A LOOP-HOLE FOR WEALTHY TAX DODGERS THROUGH LOWERING THE PASS-THROUGH TAX RATE.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report relating to a reconciliation bill that would—

(1) provide a tax cut on business income to individuals in the top 1 percent of income; or
(2) increase the incentive for workers to receive compensation from their current employer through pass-through business rather than in the form of higher-taxed wages.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1421. Mr. BROWN (for himself, Ms. WARREN, Ms. BALDWIN, Mr. REED, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 3, line 12, increase the amount by $470,000,000.
On page 3, line 13, increase the amount by $1,190,000,000.
On page 4, line 1, increase the amount by $1,700,000,000.
On page 4, line 2, increase the amount by $2,020,000,000.
On page 4, line 3, increase the amount by $2,320,000,000.
On page 4, line 4, increase the amount by $2,690,000,000.
On page 4, line 5, increase the amount by $3,015,000,000.
On page 4, line 6, increase the amount by $3,200,000,000.
On page 4, line 7, increase the amount by $3,325,000,000.
On page 4, line 8, increase the amount by $3,450,000,000.
On page 4, line 12, increase the amount by $470,000,000.
On page 4, line 13, increase the amount by $1,190,000,000.
On page 4, line 14, increase the amount by $1,700,000,000.
On page 4, line 15, increase the amount by $2,020,000,000.
On page 4, line 16, increase the amount by $2,320,000,000.
On page 4, line 17, increase the amount by $2,690,000,000.
On page 4, line 18, increase the amount by $3,015,000,000.
On page 4, line 19, increase the amount by $3,200,000,000.
On page 4, line 20, increase the amount by $3,325,000,000.
On page 4, line 21, increase the amount by $3,450,000,000.
On page 4, line 23, increase the amount by $470,000,000.
On page 5, line 1, increase the amount by $1,190,000,000.
On page 5, line 2, increase the amount by $1,700,000,000.
On page 5, line 3, increase the amount by $2,020,000,000.
On page 5, line 4, increase the amount by $2,320,000,000.
On page 5, line 5, increase the amount by $2,690,000,000.
On page 5, line 6, increase the amount by $3,015,000,000.
On page 5, line 7, increase the amount by $3,200,000,000.
On page 5, line 8, increase the amount by $3,325,000,000.
On page 5, line 9, increase the amount by $3,450,000,000.
On page 5, line 13, increase the amount by $470,000,000.
On page 5, line 14, increase the amount by $1,190,000,000.
On page 5, line 15, increase the amount by $1,700,000,000.
On page 5, line 16, increase the amount by $2,020,000,000.
On page 5, line 17, increase the amount by $2,320,000,000.
On page 5, line 18, increase the amount by $2,690,000,000.
On page 5, line 19, increase the amount by $3,015,000,000.
On page 5, line 20, increase the amount by $3,200,000,000.
On page 5, line 21, increase the amount by $3,325,000,000.
On page 9, line 22, increase the amount by $3,450,000,000.
On page 24, line 20, increase the amount by $470,000,000.
On page 22, line 21, increase the amount by $470,000,000.
On page 22, line 24, increase the amount by $1,190,000,000.
On page 22, line 25, increase the amount by $1,190,000,000.
On page 23, line 3, increase the amount by $1,700,000,000.
On page 23, line 4, increase the amount by $1,700,000,000.
On page 23, line 7, increase the amount by $2,020,000,000.
On page 23, line 8, increase the amount by $2,020,000,000.
On page 23, line 11, increase the amount by $2,320,000,000.
On page 23, line 12, increase the amount by $2,320,000,000.
On page 23, line 15, increase the amount by $2,690,000,000.
On page 23, line 16, increase the amount by $2,690,000,000.
On page 23, line 19, increase the amount by $3,015,000,000.
On page 23, line 20, increase the amount by $3,015,000,000.
On page 23, line 23, increase the amount by $3,200,000,000.
On page 23, line 24, increase the amount by $3,200,000,000.
On page 24, line 2, increase the amount by $3,325,000,000.
On page 24, line 3, increase the amount by $3,325,000,000.
On page 24, line 6, increase the amount by $3,450,000,000.
On page 24, line 7, increase the amount by $3,450,000,000.
On page 47, line 6, decrease the amount by $25,380,000,000.
At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ELIMINATING TAX BREAKS FOR COMPANIES THAT SHIP JOBS TO FOREIGN COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating tax breaks for companies that ship jobs to foreign countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1423. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. POINT OF ORDER AGAINST REPEALING OIL MORATORIUM THAT PROTECTS MILITARY READINESS.

It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would allow for new oil drilling east of the Military Mission Line in the Gulf of Mexico.

SA 1426. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE COLOMBIAN PEACE AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing additional support to the Government of Colombia for the implementation of a Colombian peace agreement which may include the Revolutionary Armed Forces of Colombia, which may in some conditions relating to counter-narcotics programs aerial eradication or extradition requests, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING OUTSOURCING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing additional support to the Government of Colombia for the implementation of a Colombian peace agreement which may include the Revolutionary Armed Forces of Colombia, which may in some conditions relating to counter-narcotics programs aerial eradication or extradition requests, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATED TO EXPANDING THE CHILD TAX CREDIT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to tax rates, working families, which may include an expansion of the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1428. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 57, line 19, insert "... including re-writing the formula for payments under the program" after "program".

SA 1429. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRATEGIC ENERGY INFRASTRUCTURE PROJECTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to tax rates, working families, which may include an expansion of the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1430. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 49, line 5, insert "... which may include nullification of any regulations promulgated under title I of the Patient Protection and Affordable Care Act (including any amendment made by such title)" before "by the".

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 56, between lines 8 and 9, insert the following:

(5) assessing nuclear deterrent effectiveness;

(6) encouraging the submission of an overall national security strategy;

(7) limiting United States military engagements abroad that are not explicitly authorized by an Act of Congress;

(8) prohibiting the Armed Forces from participating in a humanitarian operation, assisting in a civil war, ethnic conflict, tribal or territorial dispute, without an explicit authorization by an Act of Congress; or

(9) placing limitations on United States military engagements and foreign military sales to either party or side (whether rebel, opposition group, or established government) in an internal civil war or dispute within a country or relating to activities in pursuit of autonomy or independence.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. . DEFICIT-NEUTRAL RESERVE FUND RELATING TO ECONOMIC REVITALIZATION FOR COAL COUNTRY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through theclamation and restoration of land and water resources adversely affected by coal mining in a region in which the project is located, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1434. Mr. MANCHIN (for himself, Mr. CASEY, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. . DEFICIT-NEUTRAL RESERVE FUND RELATING TO INTRASTATE SPECIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the disposal of excess Federal land to reduce the Federal deficit by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1435. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:
resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the business deductions under the Internal Revenue Code of 1986 or preventing earnings stripping, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1436. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING CERTAIN CORPORATIONS FROM AVOIDING UNITED STATES TAXES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the business deductions under the Internal Revenue Code of 1986 and preventing earnings stripping, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1439. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING TAX INCENTIVES TO BUSINESSES TO HIRE YOUTH FROM ECONOMICALLY DISADVANTAGED AREAS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the business deductions under the Internal Revenue Code of 1986 and preventing earnings stripping, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1440. Mr. DURBIN (for himself, Mr. REED, Mr. VAN HOLLEN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PAYING THE SHARE OF UNITED STATES TAXES OF INVERTED CORPORATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the business deductions under the Internal Revenue Code of 1986 and preventing earnings stripping, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1441. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX DEDUCTIONS FOR PUNITIVE DAMAGES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the business deductions under the Internal Revenue Code of 1986 and preventing earnings stripping, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING WORKERS FROM WAGE THEFT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing the gender wage gap through an update of the Employer Information Report (EEO-1) that includes gathering data from employers about compensation by race, ethnicity, gender, and job category, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

SA 1443. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ACHIEVING ECONOMY AND EFFICIENCY IN FEDERAL PROGRAMS AND PROJECTS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting workers from wage theft, which may include (1) creating new civil penalties for employers who engage in wage theft; (2) giving workers the right to receive full compensation for all of the work that they perform; (3) giving workers the right to receive their final paychecks in a timely manner; (4) requiring employers to provide regular pay stubs to workers; (5) increasing the amount of damages workers receive when they experience wage theft or overwork; filling a gap about wage theft; (6) increasing the number of years that workers have to bring a wage theft claim in court and suspending that time limit while the Department of Labor is conducting an investigation; or (7) directing the Department of Labor to refer employers responsible for egregious and comprehensive violations to the Department of Justice for criminal prosecution, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1444. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE SHORTFALLS OF THE RADIATION EXPOSURE COMPENSATION ACT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that compensation provided to people in the United States who were sickened by radiation exposure by above ground nuclear weapons testing throughout the western United States and Pacific islands, and to those who were sickened by radiation exposure in the uranium mining industry during the Cold War, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1447. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HOUSING FOR ALL NATIVE AMERICANS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that funding under the Native American Housing Assistance and Self-Determination Act of 1996 provides funding to all Native American communities, including Alaska Natives and Native Hawaiians, to address the critical housing needs throughout Indian Country, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1448. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
As follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRUST ACQUISITIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to trust acquisitions, which may include prohibiting regulations that re- vise the joint and several debt held by a depository institution or trust acquisition, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1449. Mr. Reed submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REDUCING THE GEOGRAPHIC IMBALANCE IN FEDERAL RESOURCES, FUNDING AND IMPROVING RESEARCH INFRASTRUCTURE AND CAPACITY THROUGHOUT THE STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the geo- graphic imbalance in federal resources, funding and improving research infrastructure and capacity throughout the States.

As follows:

SEC. 41. POINT OF ORDER AGAINST LIMITING ACCESS TO HEALTH CARE FOR CHILDREN.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce health insurance coverage for children, including cuts to Medicaid, the Children’s Health Insurance Program (CHIP), through the Patient Protection and Affordable Care Act, such as restricting Federal requirements that private insurance provide coverage for preventive services.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1452. Mr. Reed (for himself, Mr. Blumenthal, and Ms. Warren) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST CUTTING LONG-TERM SERVICES AND SUPPORT FOR SENIORS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cut long term services and supports for seniors, including nursing home care and home and community-based care, under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) by reducing Federal funding of State Medicaid programs, including by instituting a block grant model for Federal funding of State Medicaid programs or imposing per capita caps on Federal funding of State Medicaid programs.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1453. Mr. Reed (for himself and Mr. Coons) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING NATIONAL SERVICE OPPORTUNITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening and expanding national service programs offered through the Corporation for National and Community Service, which may include increasing the value of the education awards earned by national service program volunteers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1454. Mr. Reed (for himself, Mr. Whitehouse, Ms. Hirono, and Ms. Warren) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING THE MAXIMUM FEDERAL PELL GRANT AMOUNT AND ADJUSTING THE AWARD FOR INFLATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing the maximum Federal Pell Grant award and ensuring that the award is adjusted for inflation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1455. Mr. Reed (for himself and Mr. Brown) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the
SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SCHOOL INFRASTRUCTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming the Federal student loan programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) to eliminate negative subsidies and reduce costs for borrowers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1456. Mr. REED (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST INCREASING THE COSTS TO BORROWERS IN THE FEDERAL STUDENT LOAN PROGRAMS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would increase the cost to borrowing students of Federal education loans made to students or on behalf of students, including a switch to fair value accounting rules.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1457. Mr. REED (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REFORMING FOR FIVE YEARS OF FEDERAL FUNDING FOR SHORT-TIME COMPENSATION PROGRAMS, LAYOFFS, AND KEEP AMERICANS EMPLOYED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to programs for short-term compensation programs, which prevent layoffs and keep Americans employed, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1459. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SECURING THE LONG-TERM INTEGRITY OF THE AMERICAN WORKFORCE BY MODERNIZING UNEMPLOYMENT COMPENSATION TO HELP AVOID UNACCEPTABLE JOB LOSS DUE TO AUTOMATION, ECONOMIC DOWNTURNS, AND DISASTERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include reducing the roughly 45% top marginal rate applicable to small business owners, in a manner that will prevent re-characterization of personal income as business income, and further reform the pass-through area, including loophole closers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1460. Mr. REED (for himself, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REFORMING STUDENT LOAN PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to programs for student loan reform, which may include establishing a policy of risk sharing to require institutions of higher education to assume some of the risk for student loans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1461. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX RELIEF FOR NON-CORPORATE SMALL BUSINESS OWNERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include reducing the roughly 45% top marginal rate applicable to small business owners, in a manner that will prevent re-characterization of personal income as business income, and further reform the pass-through area, including loophole closers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1462. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr.
enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO REPEALING THE PAYAS-YOU-GO ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding health savings accounts by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027 or the period of the total of fiscal years 2018 through 2027.

SA 1465. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO WORK REQUIREMENT MODIFICATIONS TO THE SUPPLEMENTAL MENTAL NUTRITION ASSISTANCE PROGRAM AND ESTABLISHING A STATE INSTITUTE MEDICAID WORK REQUIREMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to modifying work requirements for participation in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), and establishing a State option to institute Medicaid work requirements, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1466. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING HEALTH SAVINGS ACCOUNTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding health savings accounts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1468. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCENTIVIZING PRICE TRANSPARENCY IN OUR HEALTH CARE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to allowing States to combine waivers under section 1115 of the Social Security Act and waivers under section 1332 of the Patient Protection and Affordable Care Act to better serve the unique needs of States that have already determined that the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1469. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPLEMENTING THE PREVENTION AND CURE ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding access to, and expanding the use of, health savings accounts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
between the Houses, motions, or conference reports relating to legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1470. Mr. CASSIDY (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO GIVING STATES THE ABILITY TO IMPLEMENT ALTERNATIVES TO THE PAY-AS-YOU-GO LEDGER.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the ability of States to apply for and receive, and incentivizing States to apply for, a waiver under section 1322 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) to act as pass-through entities for funding, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1473. Mr. MANCHIN (for himself, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCENTIVIZING PRICE TRANSPARENCY IN OUR HEALTH CARE DELIVERY SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to incentivizing States to apply for and receive, and incentivizing States to apply for, a waiver under section 1322 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) to act as pass-through entities for funding, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

On page 4, line 14, increase the amount by $7,748,000,000.
On page 4, line 18, increase the amount by $7,874,000,000.
On page 4, line 19, increase the amount by $7,954,000,000.
On page 4, line 20, increase the amount by $8,071,000,000.
On page 4, line 21, increase the amount by $8,212,000,000.
On page 4, line 23, increase the amount by $8,499,000,000.
On page 5, line 1, increase the amount by $7,614,000,000.
On page 5, line 2, increase the amount by $7,730,000,000.
On page 5, line 3, increase the amount by $7,630,000,000.
On page 5, line 4, increase the amount by $7,720,000,000.
On page 5, line 5, increase the amount by $7,820,000,000.
On page 5, line 6, increase the amount by $7,925,000,000.
On page 5, line 7, increase the amount by $8,035,000,000.
On page 5, line 8, increase the amount by $8,172,000,000.
On page 5, line 9, increase the amount by $8,323,000,000.
On page 5, line 13, increase the amount by $7,255,000,000.
On page 5, line 14, increase the amount by $7,506,000,000.
On page 5, line 15, increase the amount by $7,666,000,000.
On page 5, line 16, increase the amount by $7,785,000,000.
On page 5, line 17, increase the amount by $7,657,000,000.
On page 5, line 18, increase the amount by $7,748,000,000.
On page 5, line 19, increase the amount by $7,847,000,000.
On page 5, line 20, increase the amount by $7,954,000,000.
On page 5, line 21, increase the amount by $8,071,000,000.
On page 5, line 22, increase the amount by $8,212,000,000.
On page 5, line 20, increase the amount by $7,657,000,000.
On page 5, line 15, increase the amount by $7,255,000,000.
On page 5, line 16, increase the amount by $7,785,000,000.
On page 5, line 17, increase the amount by $7,657,000,000.
On page 5, line 18, increase the amount by $7,748,000,000.
On page 5, line 19, increase the amount by $7,847,000,000.
On page 5, line 20, increase the amount by $7,954,000,000.
On page 5, line 21, increase the amount by $8,071,000,000.
On page 5, line 22, increase the amount by $8,212,000,000.
On page 5, line 20, increase the amount by $7,657,000,000.
On page 5, line 15, increase the amount by $7,255,000,000.
On page 5, line 16, increase the amount by $7,785,000,000.
On page 5, line 17, increase the amount by $7,657,000,000.
On page 5, line 18, increase the amount by $7,748,000,000.
On page 5, line 19, increase the amount by $7,847,000,000.
On page 5, line 20, increase the amount by $7,954,000,000.
On page 5, line 21, increase the amount by $8,071,000,000.
On page 5, line 22, increase the amount by $8,212,000,000.
On page 5, line 20, increase the amount by $7,657,000,000.
On page 5, line 15, increase the amount by $7,255,000,000.
On page 5, line 16, increase the amount by $7,785,000,000.
On page 5, line 17, increase the amount by $7,657,000,000.
On page 5, line 18, increase the amount by $7,748,000,000.
On page 5, line 19, increase the amount by $7,847,000,000.
On page 5, line 20, increase the amount by $7,954,000,000.
On page 5, line 21, increase the amount by $8,071,000,000.
On page 5, line 22, increase the amount by $8,212,000,000.
On page 5, line 20, increase the amount by $7,657,000,000.
On page 24, line 7, increase the amount by $8,212,000,000.

On page 47, line 6, reduce the amount by $77,659,000,000.

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE THE FUNDING FOR MEDICARE OR MEDICAID.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would decrease the funding for Medicare or Medicaid.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING DRUG PRICING TRANSPARENCY FOR CONSUMERS.

The Chairman of the Committee on the Budget of the Senate may reserve the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting consumers, including the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1474. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2019 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 41. POINT OF ORDER AGAINST REDUCING FUNDING FOR DISEASE PREVENTION EFFORTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce funding for Disease Prevention efforts.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1477. Mr. BLUMENTHAL (for himself and Mr. Wyden) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2019 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING ACCESS TO HIGH-QUALITY MENTORING AND OTHER HIGH-QUALITY PROGRAMS AND SERVICES AIMED AT IMPROVING SOCIAL CAPITAl FOR PROFESSIONALS AND YOUTH.

The Chairman of the Committee on the Budget of the Senate may reserve the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding access to high-quality mentoring and other policies and high-quality programs and services aimed at improving social capital for foster youth by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1478. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST REDUCING FUNDING FOR DISEASE PREVENTION EFFORTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction or elimination of funding for the Patient Protection and Affordable Care Act (42 U.S.C. 300j);

(2) reduce the Federal resources provided to communities to invest in effective, proven prevention efforts; or

(3) increase the prevalence of disease rates amongst children.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1479. Mr. BLUMENTHAL (for himself, Mr. Heinrich, Mr. Murphy, Mrs. Feinstein, and Mrs. Murray) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 51, line 14, strike “or”. On page 52, line 15, strike the comma and insert “;”.

On page 52, insert the following after line 15:

(8) paying for successful outcomes in social programs,
SA 1481. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 52, between lines 15 and 16, insert the following:

(8) increasing organ donation and improving the organ donation system.

SA 1482. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 52, between lines 15 and 16, insert the following:

(8) addressing medical errors and patient safety.

SA 1483. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the “Vessel Incidental Discharge Act”.

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

TITLE V—VESSEL INCIDENTAL DISCHARGE ACT

Sec. 5001. Short title; table of contents.
Sec. 5002. Definitions.
Sec. 5003. Treatment of existing ballast water, and other discharge arrangements.
Sec. 5004. National Ballast Information Clearinghouse.
Sec. 5005. Approval of ballast water management systems.
Sec. 5006. Review and raising of ballast water discharge standards.
Sec. 5007. National Ballast Information Clearinghouse.
Sec. 5008. Requirements for discharges incidental to the normal operation of a commercial vessel.
Sec. 5009. Best management practices for Great Lakes vessels.
Sec. 5010. Judicial review.
Sec. 5011. State enforcement.
Sec. 5012. Enforcement of other laws.
Sec. 5013. Quagga mussel.
Sec. 5014. Coastal aquatic invasive species mitigation grant program and mitigation fund.
Sec. 5015. Rules of construction.

SEC. 5002. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term “aquatic nuisance species” means a non-indigenous species (including a pathogen, microbe, or virus) that threatens the diversity or abundance of native species or the ecological stability of waters of the United States, or commercial, agricultural, aquacultural, or recreational activities depending on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term “ballast water” means any water and suspended matter taken on board a commercial vessel—

(i) to control or maintain trim, draft, stability, or stresses of the commercial vessel, regardless of how such water and matter is carried; or

(ii) during the cleaning, maintenance, or other operation of a ballast tank or ballast water management system of the commercial vessel.

(B) EXCLUSIONS.—The term “ballast water” does not include any substance that is added to water described in subparagraph (A) that is directly related to the operation of a properly functioning ballast water management system.

(4) BALLAST WATER DISCHARGE STANDARD.—

The term “ballast water discharge standard” means—

(A) the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations, or section 151.1511 of such title (as in effect on the date of the enactment of this Act); or

(B) if a standard described in subparagraph (A) has been revised as of the enactment of this Act; or

(ii) a discharge of a pollutant into navigable waters of the United States from a commercial vessel, motor driven equipment, or incinerator in a capacity other than as a means of transportation on water; or

(iii) any discharge that results from an activity other than the normal operation of a commercial vessel.

(11) E X P E N D I T U R E B A L L A S T T A N K .—The term “empty ballast tank” means a tank—

(A) intended to hold ballast water that has been drained to the limit of the functional or operational capabilities of such tank, such as those of suction, and hence recorded as empty on a vessel log; and

(B) that contains unpumpable residual ballast water and sediments.

(12) E X C H A N G E .—The term “exchange” means, with respect to ballast water, to replace the water in a ballast water tank using one of the following methods:

(A) Flow-through exchange, in which ballast water is flushed out by pumping in mid-ocean water at the bottom of the tank and continuously overloading the tank from the top until the water in the tank has been changed to minimize the number of original organisms remaining in the tank.

(B) Empty and refill exchange, in which ballast water taken on board, estuarine waters, or territorial waters is pumped out and the tank is refilled with water that is allowed to remain in the tank long enough that the organisms that were introduced into the tank have been replaced by indigenous organisms from the waters from which the exchange water was taken.
ballast tank is refilled with mid-ocean water.


(14) GREAT LAKES STATES.—The term “Great Lakes States” means Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

(15) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 2101(14a) of title 46, United States Code.

(16) MAJOR CONVERSION.—The term “major conversion” means the meaning given that term in section 2101(14a) of title 46, United States Code.

(17) MARINE POLLUTION CONTROL DEVICE.—The term “marine pollution control device” means any equipment for installation or use on board a commercial vessel that is—

(A) designed to receive, retain, treat, control, and discharge a discharge incidental to the normal operation of a commercial vessel; and

(B) determined by the Secretary, in consultation with the Administrator, to be the most effective equipment or management practice to reduce the environmental impact of the discharge, consistent with the considerations set forth in section 5000(a)(2).

(18) MID-OCEAN WATER.—The term “mid-ocean water” means water greater than 200 nautical miles from any shore.

(19) NAVIGABLE WATERS OF THE UNITED STATES.—The term “navigable waters of the United States” has the meaning given that term in section 2101(17a) of title 46, United States Code.

(20) ORGANISM.—The term “organism” means any organism and includes pathogens, microbes, viruses, bacteria, and fungi.

(21) OWNER OR OPERATOR.—The term “owner or operator” means a person owning, operating, or chartering by demise a commercial vessel.

(22) PACIFIC COAST REGION.—The term “Pacific Coast Region” means Federal and State waters adjacent to Alaska, Washington, Oregon, and California, including from shore and out to the entire exclusive economic zone as defined in section 131(8) of the Oil Pollution Act of 1990 (33 U.S.C. 2701(8)) adjacent to each such State.

(23) POLLUTANT.—The term “pollutant” has the meaning given that term in section 502(6) of the Federal Water Pollution Control Act (33 U.S.C. 1326(6)).

(24) PORT OR PLACE OF DESTINATION.—The term “port or place of destination” means any port or place to which a vessel is bound to anchor or moor.

(25) RECREATIONAL VESSEL.—The term “recreational vessel” has the meaning given that term in section 2101(25) of title 46, United States Code.

(26) RENDER NONViable.—The term “render nonviable” means, with respect to organisms in ballast water, the action of a ballast water management system that leaves such organisms permanently incapable of reproduction following treatment.

(27) SALTWATER FLUSH.—The term “saltwater flush” means—

(A) means—

(i) the addition of as much mid-ocean water to the ballast tank of a commercial vessel as is safe for such vessel and crew and the mixing of the flushwater with residual water and sediment through the motion of the vessel;

(ii) the discharge of the mixed water, such that the resultant residual water remaining in the tank has the highest salinity possible, and is at least 30 parts per thousand; and

(B) may require more than one fill—mix—empty sequence, particularly if only small amounts of water can be safely taken on board the commercial vessel at one time.

(28) SECRETARY.—Except as otherwise specified, the term “Secretary” means the Secretary of Commerce in which the Coast Guard is operating.

SEC. 5003. TREATMENT OF EXISTING BALLAST WATER MANAGEMENT SYSTEMS.

(a) EFFECTIVE ON EXISTING REGULATIONS.—Any regulation issued pursuant to the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) that is in effect on the date of the enactment of this Act, and that relates to a subject matter subject to regulation under this title, shall remain in full force and effect unless or until superseded by a new regulation issued under this title relating to such matter.

(b) APPLICATION OF OTHER REGULATIONS.—

(1) in general.—The regulations issued under paragraph (a) shall in no way—

(A) by applying the best available technology economically achievable, the discharge does not meet the discharge standard; and

(B) the owner or operator discharges the ballast water in accordance with other requirements established by the Secretary.

(2) COMMERCIAL VESSELS ENTERING THE GREAT LAKES SYSTEM.—If a commercial vessel enters the Great Lakes through the Saint Lawrence River or the Great Lakes, the owner or operator shall—

(A) comply with the applicable requirements of—

(i) subpart C of part 151 of title 33, Code of Federal Regulations (or similar successor regulations); and

(ii) sections 430.30 of such title (or similar successor regulations); and

(B) after operating—

(i) outside the exclusive economic zone of the United States or Canada conduct a complete ballast water exchange in an area that is 200 nautical miles or more from any shore before the owner or operator may discharge ballast water while operating in the Saint Lawrence River or the Great Lakes, subject to any requirements the Secretary determines necessary with regard to such exchange or any ballast water management system that is to be used in conjunction with such exchange, to ensure that any discharge of ballast water complies with the requirements under paragraph (1); or

(ii) exclusively within the territorial waters or exclusive economic zone of the United States or Canada, conduct a complete ballast water exchange outside the Saint Lawrence River and the Great Lakes in an area that is 50 nautical miles or more from any shore before the owner or operator may discharge ballast water while operating in the Saint Lawrence River or the Great Lakes, subject to any requirements the Secretary determines necessary with regard to such exchange or any ballast water management system that is to be used in conjunction with such exchange, to ensure that any discharge of ballast water complies with the requirements under paragraph (1).

(c) REQUIREMENTS.—Except as provided in subparagraph (C) of section 401.30 of such title (or similar successor regulations), an owner or operator of a commercial vessel described in subparagraph (B) shall conduct a complete ballast water exchange in waters more than 50 nautical miles from shore.

(3) COMMERCIAL VESSELS OPERATING WITHIN THE PACIFIC COAST REGION.—

(A) in general.—Except as provided in subparagraph (C) and paragraph (6), the owner or operator of a vessel described in subparagraph (B) shall conduct a complete ballast water exchange in waters more than 50 nautical miles from shore.

(B) COMMERCIAL VESSELS DESCRIBED.—A commercial vessel described in this subparagraph is a commercial vessel—

(i) operating between two ports or places of destination within the Pacific Coast Region; or

(ii) operating between a port or place of destination within the Pacific Coast Region and a port or place of destination on the Pacific Coast of Canada or Mexico north of 20 degrees north latitude, inclusive of the Gulf of California.

(C) EXCEPTIONS.—Subparagraph (A) shall not apply to the following:

A commercial vessel voyaging between or to a port or place of destination in the States of Washington and Oregon if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 3 degrees, 32 minutes north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Strait of Georgia and the Strait of Juan de Fuca.

(ii) a commercial vessel voyaging between or to a port or place of destination in the State of Washington if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 3 degrees, 32 minutes north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Strait of Georgia and the Strait of Juan de Fuca.

(iii) a commercial vessel voyaging between or to a port or place of destination in the State of Oregon if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 40 degrees west latitude and the parallel 50 degrees west longitude.

(iv) a commercial vessel voyaging between or to a port or place of destination in the State of Oregon if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 40 degrees west latitude and the parallel 50 degrees west longitude.

(i) a commercial vessel voyaging between or to a port or place of destination in the State of California if the ballast water to be discharged from such vessel originated solely from ports or places within such area.

(iii) a commercial vessel voyaging between or to a port or place of destination in the State of California if the ballast water to be discharged from such vessel originated solely from ports or places within such area.

(v) a commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal if any ballast water to be discharged from such vessel originated solely from ports or places within such area.

(iv) a commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal if any ballast water to be discharged from such vessel originated solely from ports or places within such area.

(vii) a commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal.

(vi) a commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal.

(4) EMPTY BALLAST TANKS.—

(A) REQUIREMENTS.—Except as provided in subparagraph (B) and paragraph (6), the owner or operator of a commercial vessel with empty ballast tanks shall conduct a saltwater flush—

(i) at least 200 nautical miles from any shore for voyages on or outside the United States or Canadian exclusive economic zone; or

(ii) at least 50 nautical miles from any shore for voyages within the Pacific Coast Region.

(B) EXCEPTION.—The requirements of subparagraph (A) shall not apply—
(i) if a ballast tank’s unpumpable residual waters and sediments were subject to a saltwater flush, ballast water exchange, or treatment through a ballast water management system;

(ii) unless otherwise required under this title, if the ballast tank’s unpumpable residual waters and sediments were sourced within the Pacific Coast Region port or place of destination, or Captain of the Port Zone;

(5) LOW SALINITY BALLAST WATER.

(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (6), an owner or operator of a vessel shall take reasonable precautions to prevent or minimize the discharge of ballast water into navigable waters of the United States if the ballast water was sourced from a Pacific Coast Region port or place of destination; or

(ii) more than 200 nautical miles from shore if the ballast water was sourced from a Pacific Coast Region port or place of destination.

(B) EXCEPTION.—The requirements of subparagraph (A) shall not apply to a commercial vessel if the ballast water management system approved for treating freshwater at concentrations prescribed in section 5006(a)(1)(A) or that retains all of its ballast water at concentrations prescribed in section 5006(a)(1)(B), the ballast water management system meets the practical benefits criteria described in section 5006(b)(2) with respect to such class of vessels complying with the ballast water discharge standard; and

(C) TIMING OF DETERMINATIONS.—(i) IN GENERAL.—Not later than one year after the approval and determinations described in clauses (i), (ii), and (iii) of subparagraph (B) are made by the Secretary, in consultation with the Administrator, shall determine whether the benefits described in clause (iv) of such subparagraph exceed the costs described in such subparagraph, resulting from such exemption.

(ii) RECONSIDERATION.—If the benefits described in subparagraph (B)(iv) do not exceed the costs described in such subparagraph for a class of vessels described in subparagraph (A), the Secretary, in consultation with the Administrator, shall reconsider the determination of the Secretary under clause (i).

(6) EXEMPTED VESSELS.—The requirements of paragraphs (3), (4), and (5) shall not apply to a commercial vessel if:

(A) complies with all reasonable precautions to prevent or minimize the discharge of ballast water into navigable waters of the United States that have ballast water management systems as applicable and pursuant to regulations promulgated and issued by the Secretary which are designed to minimize or prevent discharge of ballast water management requirements due to an allowed safety exemption, a statement about the failure to comply and the circumstances under which the failure occurred, made immediately after when practicable to do so.

(B) LIMITATION OF REQUIREMENTS.—In establishing requirements under this subsection, the Secretary may not require the installation of a ballast water management system on commercial vessels described in subparagraph (A) that continuously takes on and discharges ballast water in a flow-through system, if such not detract from an aquatic nuisance species into navigable waters of the United States, as determined by the Secretary.

(C) EXEMPTION FOR GREAT LAKES AND SAINT LAWRENCE RIVER.—(i) covers all of its permanent ballast water in sealed tanks that are not subject to discharge; or

(ii) uses other liquid or material as ballast water in sealed tanks that are not subject to discharge.

(D) USE OTHER LIQUID OR MATERIAL AS BALAST WATER OR SEDIMENTS ON BOARD OR RETAINS ALL ITS BALLAST WATER IN SEALED TANKS THAT ARE NOT SUBJECT TO DISCHARGE; OR

(E) LAWS OF THE UNITED STATES WITHIN THE GREAT LAKES AND SAINT LAWRENCE RIVER RESULTING FROM COMPLIANCE WITH SUBPARAGRAPH (C).

(7) SAFETY EXEMPTION.—Notwithstanding paragraphs (1) through (6), an owner or operator of a commercial vessel may discharge ballast water into navigable waters of the United States from a commercial vessel if the ballast water is discharged solely to ensure the safety of life at sea;

(B) empty ballast tanks on the commercial vessel are sealed and certified by the Secretary so there is no discharge or uptake and subsequent discharge of ballast waters subject to such requirements;

(C) that discharges ballast water consisting solely of water taken aboard from a public or commercial source that, at the time the applicable regulations or permit require compliance with the most probable environmental benefits, referenced in subparagraph (F), resulting from such a requirement that a class of commercial vessels described in subparagraph (A) comply with the ballast water discharge standard are the net environmental benefits, as determined by the Administrator—

(i) gained from the most probable reduction in risk of establishment of aquatic nuisance species in navigable waters of the United States resulting from the enforcement of this Act;

(ii) as reduced by the extent to which such environmental benefits most probably would not be achieved, or such class of vessels;

(F) LIMITATION OF REQUIREMENTS.—In enforcing this Act, the Secretary, including when a vessel fails to carry and does not discharge ballast overboard.

(G) USE OTHER LIQUID OR MATERIAL AS BALAST WATER OR SEDIMENTS ON BOARD OR RETAINS ALL ITS BALLAST WATER IN SEALED TANKS THAT ARE NOT SUBJECT TO DISCHARGE;

(ii) as reduced by the extent to which such environmental benefits most probably would not be achieved, or such class of vessels;

(H) TIMING OF DETERMINATIONS.—(i) IN GENERAL.—Not later than one year after the approval and determinations described in clause (i) passed on to such customers; and

(ii) employees of such owners, operators, and customers, including reductions or foregone revenues resulting from such compliance that most probably will be incurred, as determined by the Secretary, by the Secretary, including when a vessel fails to carry and does not discharge ballast overboard.

(I) if a petition is received from a Governor of a Great Lakes State that—

(aa) includes new data or science not considered during such determination; and

(bb) is submitted not less than one year after such determination; or

(II) not later than five years after such determination.

(8) LOGBOOK REQUIREMENTS.—Section 1301(b) of title 46, United States Code, is amended by adding at the end the following new paragraph:

"(i) if a vessel described in subsection (a) does not carry out ballast water management requirements as applicable and pursuant to regulations promulgated and issued by the Secretary, which are designed to minimize or prevent discharge of ballast water management requirements due to an allowed safety exemption, a statement about the failure to comply and the circumstances under which the failure occurred, made immediately after when practicable to do so."
(c) ALTERNATIVE COMPLIANCE PROGRAM.—The Secretary, in consultation with the Administrator and the Governors of the States, may issue a rule establishing one or more compliance programs that may be used by the owner or operator as an alternative to compliance with the requirements of subsection (a) for a vessel that—

(1) has a maximum ballast water capacity of less than eight cubic meters; or

(2) is less than 3 years from the end of the service life of the commercial vessel, as determined by the Secretary.

(b) APPROVAL TESTING METHODS.—

(1) In general.—Notwithstanding the requirement of section (a), the Secretary may establish one or more methods or measuring the concentration of organisms in ballast water comprehensively listed in section 151.2030 (or similar successor regulations), that are capable of reproduction, and the concentration of organisms in ballast water that are capable of reproduction based on the best available science that may be used in addition to the methods established in subpart 162.060 of title 46, Code of Federal Regulations (or similar successor regulations).

(2) To measure the concentration of organisms in ballast water that are capable of reproduction.

(c) APPROVAL TESTING METHODS.—

(1) Xerochrysis gibioum.—The Secretary, in coordination with the Administrator, may promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility.

SEC. 5006. REVIEW AND RAISING OF BALLAST WATER DISCHARGE STANDARD.

(a) Effectiveness reviews.—

(1) Six-year review.—

(A) In general.—Not later than January 1, 2024, and subject to petitions for review under paragraph (b), the Administrator shall determine whether the ballast water discharge standard could reasonably indicate the ballast water discharge standard could be made more stringent to reduce the risk of the introduction or establishment of aquatic nuisance species such that the ballast water discharge standard can be revised.

(B) Required information.—A petition submitted to the Administrator under subparagraph (A) shall include—

(i) a proposed ballast water discharge standard.

(C) Public availability.—Upon receiving a petition under subparagraph (A), the Administrator shall make publicly available a draft policy letter published under this subsection (c)(3).

(D) Public availability.—Upon receiving a petition under subparagraph (A), the Administrator shall make publicly available a draft policy letter published under this subsection (c)(3).

(E) Treatment of more than one petition as a single petition.—The Administrator shall treat any number of petitions submitted under subparagraph (A) as a single such petition.
(F) AUTHORITY TO REVIEW.—After receiving a petition that meets the requirements of this paragraph, the Administrator, in consultation with the Secretary, may conduct a review under paragraph (1) or (2) or such other review as the Administrator, in consultation with the Secretary, determines appropriate.

(4) PRACTICABILITY ACTION.—In any review under this subsection in which the Administrator determines—

(A) that the ballast water discharge standard cannot be made more stringent, the Administrator shall—

(i) promptly publish such determination in the Federal Register and on a publically available website; and

(ii) provide a copy of the documents required under clause (i) to any State that has petitioned the Administrator for the review.

(b) PRACTICABILITY REVIEW.—

(1) IN GENERAL.—If the Administrator determines under subsection (a) that the ballast water discharge standard as proposed to be revised is operationally practicable; and

(B) that the ballast water discharge standard cannot be made more stringent, the Administrator shall—

(i) promptly publish such determination, together with a detailed, written justification, in the Federal Register and on a publically available website; and

(ii) provide a copy of the documents required under clause (i) to any State that has petitioned the Administrator for the review.

(2) CRITERIA FOR PRACTICABILITY REVIEW.—In conducting a practicability review under paragraph (1), the Secretary and the Administrator shall consider—

(A) improvements in ballast water management systems that are capable of achieving the ballast water discharge standard as proposed to be revised is operationally practicable; and

(B) testing protocols can be practicably implemented that can assure accurate measurement of compliance with the ballast water discharge standard as proposed to be revised.

(3) INFORMATION FROM STATES.—In consultation with the Secretary, the Administrator shall conduct a practicability review, considering the findings under such subsection, to determine whether—

(A) a ballast water management system that is capable of achieving the ballast water discharge standard as proposed to be revised is operationally practicable; and

(B) testing protocols can be practically implemented that can assure accurate measurement of compliance with the ballast water discharge standard as proposed to be revised.

(4) VESSEL SPECIFIC COMPLIANCE DEADLINES.—The Secretary may establish a deadline for compliance by a commercial vessel (or a class, type, or size of commercial vessels) with a revised ballast water discharge standard that is different than the general deadline established under paragraph (1).

(5) FACTORS.—In reviewing an application under this subsection, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline—

(A) whether the ballast water management system is capable of achieving the ballast water discharge standard as proposed to be revised, and is operationally practicable; and

(B) whether such systems, when installed, are capable of achieving the ballast water discharge standard as proposed to be revised.

(6) CONSIDERATION OF PETITIONS.—

(A) DETERMINATIONS.—The Secretary shall approve or deny an application for an extension of a compliance deadline submitted by an owner or operator under this subsection.

(B) DEADLINE.—The Secretary shall—

(i) acknowledge receipt of an application for an extension submitted under paragraph (4) not later than 30 days after the date of receipt of the application; and

(ii) to the extent practicable, approve or deny such an application not later than 90 days after the date of receipt of the application.

(C) FAILURE TO REVIEW.—If the Secretary does not approve or deny an application described in subparagraph (A) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be conditionally approved.

(7) PERIOD OF EXTENSIONS.—An extension granted to an owner or operator under paragraph (4) may—

(A) may be granted for an initial period of not more than 18 months;

(B) may be renewed for additional periods of not more than 18 months each; and

(C) may not be in effect for a total of more than 5 years.

(8) PERIOD OF USE OF INSTALLED BALLAST WATER MANAGEMENT SYSTEM.—

(A) IN GENERAL.—Subject to subparagraph (B), an owner or operator shall be considered to be in compliance with the ballast water discharge standard if—

(i) the ballast water management system installed on the commercial vessel complies with the ballast water discharge standard in the time of installation, notwithstanding any revisions to the ballast water discharge standard occurring after the installation;

(ii) the ballast water management system is maintained in proper working condition, as determined by the Secretary;

(iii) the ballast water management system is maintained and used in accordance with the manufacturer’s specifications; and

(iv) the ballast water management system continues to meet the ballast water discharge standard applicable to the commercial vessel at the time of installation, as determined by the Secretary.

(B) LIMITATION.—Subparagraph (A) shall cease to apply with respect to a commercial vessel after—

(i) the expiration of the service life of the ballast water management system of the commercial vessel, as determined by the Secretary;

(ii) the expiration of the service life of the commercial vessel, as determined by the Secretary; or

(iii) the completion of a major conversion of the commercial vessel.

SEC. 5907. NATIONAL BALLAST INFORMATION CLEARINGHOUSE

Subsection (f) of section 1102 of the Non-Indigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)) is amended to read as follows:

"(f) NATIONAL BALLAST INFORMATION CLEARINGHOUSE.

"(1) IN GENERAL.—The Secretary shall develop and maintain, in consultation and cooperation with the Task Force and the Smithsonian Institution (acting through the Smithsonian Environmental Research Center), a National Ballast Information Clearinghouse of national data concerning—

"(A) ballast water practices; and

"(B) compliance with the guidelines issued pursuant to section 1101(c); and

"(C) any other information obtained by the Task Force pursuant to subsection (b).

"(2) BALLAST WATER REPORTING REQUIREMENTS.—

"(A) IN GENERAL.—The owner or operator of a commercial vessel subject to this Act shall submit the current ballast water management report form approved by the Office
of Management and Budget (OMB 1625-0069 or subsequent form) to the National Ballast Information Clearinghouse not later than 6 hours after the arrival of such vessel at a United States port or place, unless such vessel is proceeding directly on a voyage between two ports or places within a single Captain of the Port Zone (as established by the Secretary pursuant to sections 92, 93, and 633 of title 14, United States Code).

“(B) MULTIPLE DISCHARGES WITHIN A SINGLE PORT.—The owner or operator of a commercial vessel subject to this Act shall submit directly to the State a ballast water management report form—

“(1) not later than 24 hours prior to arrival at a United States port or place of destination if the voyage of such vessel is anticipated to exceed 24 hours; or

“(ii) before departing the port or place of departure if the voyage of such vessel is not anticipated to exceed 24 hours.

“(3) COMMERCIAL VESSEL REPORTING DATA.—

“(A) DISSEMINATION TO STATES.—Upon receiving submission of a ballast water management report required under paragraph (2), the National Ballast Information Clearinghouse shall—

“(i) in the case of forms submitted electronically, immediately disseminate the report to interested States as soon as practicable.

“(B) AVAILABILITY TO THE PUBLIC.—Not later than 30 days after the date of the receipt of a ballast water management report required under paragraph (2), the National Ballast Information Clearinghouse shall make the data in such report fully and readily available to the public in searchable and fully retrievable electronic format.

“(4) REPORT.—In consultation and cooperation with the Task Force and the Smithsonian Institution (acting through the Smithsonian Environmental Research Center), the Secretary shall prepare and submit to the Task Force a draft report with recommendations of Congress and make available to the public, on a biennial basis not later than 180 days from the end of each odd numbered calendar year, that synthesizes and analyzes the data referred to in paragraph (1) for the previous two years to evaluate nationwide status and trends relating to—

“(A) ballast water delivery and management practices.

“(B) invasions of aquatic nuisance species resulting from ballast water.

“(5) WORKING GROUP.—Not later than one year after the enactment of the Vessel Incidental Discharge Act, the Secretary shall establish a working group that includes members from the National Ballast Information Clearinghouse and States with ballast water discharge permit programs to establish a process for compiling and readily sharing Federal and State commercial vessel reporting and enforcement data regarding compliance with this section.

“(6) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘appropriate committees of Congress’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.’’.

SEC. 5008. REQUIREMENTS FOR DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A COMMERCIAL VESSEL.

(a) MANAGEMENT OF INCIDENTAL DISCHARGE FOR COMMERCIAL VESSELS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary, in consultation with the Administrator and in consultation with the States, shall publish a final rule in the Federal Register that establishes best management practices incidental to the normal operation of a commercial vessel for commercial vessels that—

(A) are greater than or equal to 79 feet in length; or

(B) are not fishing vessels, including fish processing vessels and fish tender vessels (as such terms are defined in section 2101 of title 46, United States Code).

(C) are not subject to the best management practices required under section 5009.

(2) ELEMENTS.—The best management practices established under paragraph (1) shall—

(A) mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel;

(B) use marine pollution control devices when appropriate;

(C) be economically achievable and operationally practicable; and

(D) not compromise the safety of a commercial vessel.

(3) IMPLEMENTATION.—The Secretary shall implement the best management practices established by final rule under paragraph (1) not later than 60 days after the date on which the final rule is published in the Federal Register as required under such paragraph.

(b) TRANSITION.—

(1) IN GENERAL.—Except as provided in section 5009(c) and notwithstanding the expiration date for the General Permit, any practice, limitation, or concentration applicable to any discharge incidental to the normal operation of a commercial vessel that is required by the General Permit on the date of the enactment of this Act, and any reporting requirement required by the General Permit on such date of enactment, shall remain in effect until the implementation date under subsection (a)(3).

(2) PART 6 CONDITIONS.—Except as provided in section 5009(c) and notwithstanding paragraph (1) and any other provision of law, the terms and conditions of Part 6 of the General Permit (relating to specific requirements for individual States or Indian country lands) shall expire on the implementation date under subsection (a)(3).

(c) APPLICATION TO CERTAIN VESSELS.—

(1) APPLICATION OF FEDERAL WATER POLLUTION CONTROL ACT.—No permit shall be required under section 402 of the Federal Water Pollution Control Act (relating to specific requirements for, nor shall any best management practice established under subsection (a) not less frequently than once every ten years; and

(2) review such practices consistent with the elements described in paragraph (2) of such subsection.

(e) STATE PETITION FOR REVISING BEST MANAGEMENT PRACTICES.—

(1) IN GENERAL.—The Governor of a State may submit a petition to the Secretary requesting that the Secretary, in concurrence with the Administrator, revises a best management practice established under subsection (a) if there is new information that could reasonably indicate that—

(A) the best management practice would—

(i) mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel or from aquatic invasive species; and

(ii) reduce the adverse effects on navigable waters of the United States of discharges incidental to the normal operation of a commercial vessel; and

(B) the revised best management practice would be economically achievable and operationally practicable.

(2) REQUIRED INFORMATION.—A petition submitted to the Secretary under paragraph (1) shall include—

(A) the scientific and technical information on which the petition is based; and

(B) any additional information the Secretary and Administrator consider appropriate.

(3) PUBLIC AVAILABILITY.—Upon receiving a petition under paragraph (1), the Secretary shall make publicly available a copy of the petition, including the information included under paragraph (2).

(4) TREATMENT OF MORE THAN ONE PETITION AS A SINGLE PETITION.—The Secretary may treat more than one petition submitted under paragraph (1) as a single petition.

(5) REVSION OF BEST MANAGEMENT PRACTICES.—If, after reviewing a petition submitted by a Governor under paragraph (1), the Secretary, in concurrence with the Administrator, determines that revising a best management practice would mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel or from aquatic invasive species, the Secretary, in consultation with the States, shall revise such practices consistent with the elements described in subsection (a)(2).

(f) STATE PETITION FOR REVISING BEST MANAGEMENT PRACTICES FOR GREAT LAKES VESSELS.

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary, in coordination with the Administration, shall publish a final rule in the Federal Register that establishes best management practices for discharges incidental to the normal operation of a commercial vessel operating in navigable waters of the United States within the Great Lakes and Saint Lawrence River and

(2) discharges incidental to the normal operation of a commercial vessel in navigable waters of the United States for commercial vessels operating exclusively in the Great Lakes and Saint Lawrence River.

(A) greater than or equal to 79 feet in length; and

(B) are not fishing vessels, including fish processing vessels and fish tender vessels (as such terms are defined in section 2101 of title 46, United States Code).

(g) REVIEW AND REVISION.—The Secretary, in concurrence with the Administrator and in consultation with the States, shall—

(1) review the practices and standards established under subsection (a) not less frequently than once every ten years; and

(2) review such practices consistent with the elements described in paragraph (2) of such subsection.

(h) FEDERAL PERMIT.—Not later than one year after the date of the enactment of this Act, the Administrator, in coordination with the Administrator and the owners or operators of commercial vessels described
in subsection (a), shall ensure that the best management practices established under subsection (a—)
(1) minimize the risk of establishment of aquatic nuisance species from discharges into or upon navigable waters of the United States from such commercial vessels;
(2) minimize the discharge of pollutants into or upon navigable waters of the United States from such commercial vessels;
(3) use the best available technology when appropriate;
(4) ensure economically achievable and operationally practicable;
(5) minimize disruption of commerce;
(6) do not compromise the safety of a commercial vessel; and
(7) to the extent possible, apply consistently to all navigable waters of the United States within the Great Lakes and Saint Lawrence River.

(c) Transition.—(1) In General.—Except as provided in paragraph (2), notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the following best management practices established under subsection (a) shall remain in effect until the date on which the best management practices described in subsection (a) are implemented under subsection (g):
(A) Best management practices required by Part 2 of the General Permit.
(B) Such other practices as required by the Secretary.
(2) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described by the sections in Part 6 of the General Permit applicable to the Great Lakes and applicable to commercial vessels described in subsection (a) shall expire on the date on which the best management practices described in subsection (a) are implemented under subsection (g).

(d) Outreach.—The Secretary shall solicit recommendations and information from the Great Lakes States, Indian Tribes, owners and operators of vessels described in subsection (a), and other persons that the Secretary considers appropriate in developing best management practices under subsection (a).

(e) Review and Revision of Best Practices.—Not less frequently than once every 5 years, in coordination with the Administrator, the Secretary shall review the best management practices established under subsection (a) and revise such practices by rule published in the Federal Register consistent with subsections (b) and (d).

(f) Revised Practices by State Petition.—(1) In General.—The Governor of a Great Lakes State may petition the Secretary to revise current, or employ additional, best management practices. The elements described in subsection (b), to address new and emerging aquatic nuisance species or pollution threats, implement more effective procedures to adjust guidelines to harmonize requirements on owners and operators of commercial vessels described in subsection (a).

(2) Determination.—(A) In General.—Not later than 180 days after receiving a petition under paragraph (1), the Secretary, in coordination with the Administrator, may determine which, if any, best management practices included in such petition shall be required of commercial vessels described in subsection (a).

(B) The Secretary shall consult with the Governors of other Great Lakes States and owners or operators of commercial vessels that would be subject to best management practices pursuant to paragraph (1) before making a determination under subparagraph (A).

(C) Petition.—The Secretary shall take such action as to each petition and any supporting documentation submitted under paragraph (1) for not less than 60 days prior to approving or disapproving such petition.

(g) Implementation.—(1) In General.—The Secretary shall implement the best management practices established under subsection (a) not later than 60 days after the date on which the final rule is published in the Federal Register as required by such subsection.

(2) Implementation of Practices by State Petition.—(A) Best management practices required by Part 2 of the General Permit.
(B) Such other practices as required by the Secretary.

(3) Exception.—Notwithstanding paragraph (1), a petition that is based solely on new or modified grounds for not less than 60 days after the date on which the final rule is published in the Federal Register as required by such subsection.

(h) Review and Revision of Best Practices.—(1) In General.—The Secretary shall periodically review and, where appropriate, update guidelines to harmonize requirements on owners and operators of commercial vessels described in subsection (a).

(2) Procedures.—(A) May be periodically updated.

(B) Shall describe the conditions and procedures under which the Secretary may suspend the agreement described in paragraph (3); and

(C) shall have a mechanism for the Secretary to enter into an agreement with a State if requested by the Governor, access to Automated Identification System arrival data for inbound vessels to specific ports or places of destination in the State.

(i) State Enforcement.—The Secretary shall enter into an agreement with the Governor of a State to authorize the State to inspect vessels to enforce the provisions of this title in accordance with the procedures developed under paragraph (1).

(2) Fees.—(A) Subject to paragraphs (2), (3), and (4), a State that assesses a permit fee, inspection fee, or other fee related to the regulation of ballast water or a discharge in enforcement of this title, or a commercial vessel before the date of the enactment of this Act may continue to assess such a fee to cover the costs of program administration, inspection, and enforcement activities by the State.

(3) Maximum Fee.—As excepted in paragraph (2), a State may assess a fee under this subsection of not more than $1,000 per qualifying voyage to the owner or operator of a commercial vessel arriving at a port or place of destination in a State that is engaged in coastwise trade.

(4) Commercial Vessels Engaged in Coastwise Trade.—A State may assess not more than $5,000 in fees per vessel each year to the owner or operator of a commercial vessel registered under the laws of the United States and lawfully engaged in the coastwise trade.

(j) Adjustment for Inflation.—A State may adjust a fee authorized by this subsection every 5 years to reflect the percentage by which the Consumer Price Index for all urban consumers published by the Department of Labor for the month of October immediately preceding the date of adjustment exceeds the Consumer Price Index for all urban consumers published by the Department of Labor for the month of October that immediately precedes the date that is 5 years before the date of adjustment.

(k) Preservation of Authority.—Nothing in this title may be construed as affecting the authority of the State or political subdivision thereof to adopt or enforce any statute, regulation, or other requirement with respect to any water or other substance discharging into or emitted from a vessel, or the preparation or transport of the vessel by land from one body of water to another body of water.

(l) Application of Federal Water Pollution Control Act.—(1) In General.—Except as provided in section 5008(b), on or after the date of the enactment of this Act, the Federal Water Pollution Control Act (33 U.S.C. 1321 et seq.) shall not apply to a discharge into navigable waters of the United States from a vessel of a commercial vessel or a discharge incidental to the normal operation of a commercial vessel.

(2) Oil and Hazardous Substance Liability; Marine Sanitation Devices.—Nothing in this title may be construed as affecting the application to a commercial vessel of section 311 or 312 of the Federal Water Pollution Control Act (33 U.S.C. 1321; 1322).

(3) Established Regimes.—Notwithstanding any other provision of this title, nothing in this title may be construed as affecting the authority of the Federal Government—
(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.), with respect to the regulation by the Federal Government of the discharge of oil or garbage from a vessel on or after the date of the enactment of this Act, is covered under the Protocol of 1978 Relating to
the International Convention for the Prevention of Pollution from Ships, 1973, with annexes and protocols, done at London February 17, 1978; and


(c) INTERNATIONAL LAW.—Any action taken under this title shall be taken in accordance with international law.

(d) COMPLIANCE.—Section 1295 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended by adding at the end the following:

"(2) title X of the Coast Guard Authorization Act of 2010 and the Foundation shall establish the Coastal Aquatic Invasive Species Mitigation Grant Program as follows:

(1) DEFINITIONS.—In this subsection:

(A) COASTAL ZONE.—The term "coastal zone" has the meaning given the term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(B) ELIGIBLE ENTITY.—The term "eligible entity" means a State government, local government, Indian Tribe, nongovernmental organization, or institution of higher education.

(C) EXCLUSIVE ECONOMIC ZONE.—The term "Exclusive Economic Zone" means the Exclusive Economic Zone of the United States, as established by Presidential Proclamation 5006 of March 10, 1983 (16 U.S.C. 1455).

(D) FOUNDATION.—The term "Foundation" means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(E) PROGRAM.—The term "Program" means the Coastal Aquatic Invasive Species Mitigation Grant Program established under subsection (2).

(2) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Secretary of the Interior, shall establish the Coastal Aquatic Invasive Species Mitigation Grant Program to award grants to eligible entities, as described in this subsection, for—

(A) To improve the understanding, prevention, control, and response to aquatic invasive species in the coastal zone and the Exclusive Economic Zone of the United States;

(B) To support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone of the United States; and

(C) To support the restoration of marine, estuarine, and marine ecosystems and the Great Lakes, Great Lakes and other appropriate levels in this subsection, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the enforcement of a national uniform standard for ballast water and other incidental discharges onboard commercial vessels, by the amounts provided in such legislation for those purposes, provided that such legislation shall not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EMPOWERING STATES TO MANAGE GREATER SAGE-GROUSE POPULATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the enforcement of a national uniform standard for ballast water and other incidental discharges onboard commercial vessels, by the amounts provided in such legislation for those purposes, provided that such legislation shall not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

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SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EMPOWERING STATES TO MANAGE GREATER SAGE-GROUSE POPULATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to empowering States to manage greater sage-grouse populations by—

(A) Appropriation.—There is authorized to be appropriated to the Treasury for the fiscal year 2018 an amount equal to the penalties assessed under section 5003(b) in the prior fiscal year.

(B) AUTHORIZATION OF FURTHER APPROPRIATIONS.—There is authorized to be appropriated to the Treasury from amounts transferred to the Fund under paragraph (1), $5,000,000 for each fiscal year.

(C) EXPENDITURES FROM FUND.—Amounts in the Fund shall be available without further appropriation to the Secretary of Commerce and the Secretary of the Interior to administer lands or waters of the United States for the purposes of this section.

SEC. 5015. RULES OF CONSTRUCTION.

(a) NATIONAL STANDARDS.—Nothing in this title may be construed to impose any design, equipment, or operation standard on a commercial vessel not documented under the laws of the United States and engaged in innocent passage unless the standard impairs international law, as determined by the Secretary.

(b) OTHER AUTHORITIES.—Nothing in this title may be construed as affecting the authority of the Secretary of the Interior to administer lands or waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior.
amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROMOTING CONGRESSIONAL, STATE, AND LOCAL INVESTMENT IN NATIONAL MONUMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to enhancing transparency and promoting investment in national monuments by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO THE PARIS CLIMATE CHANGE AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to implementing the agreement of the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change, adopted at Paris on December 12, 2015, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO ANNUAL REPORTS ON THE DEFENSE SPENDING OF THE ALLIES AND OTHER NATIONS OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to annual reports on the defense spending of the allies and other nations of the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country for humanitarian operations not previously authorized by statute, as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY FOR HUMANITARIAN OPERATIONS NOT PREVIOUSLY AUTHORIZED BY STATUTE.
the period of the total of fiscal years 2018 through 2027.

SA 1506. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRAFFIC REGULATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reducing traffic applications by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 4. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRAFFIC REGULATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee, or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reducing traffic applications by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing transparency practices by the Congressional Budget Office by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 5. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRANSPORTATION MANAGEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee, or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the openness of the Internet and the prohibition of net neutrality regulations by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 6. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRANSPORTATION MANAGEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee, or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changing the provisions of the Surface Transportation Act of 1973 by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 7. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRANSPORTATION MANAGEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee, or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the devolution of the responsibilities for building and maintaining the surface transportation of the United States from the Federal Government to the States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1505. Mr. BOOKER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 53, between lines 22 and 23, insert the following:

(7) restricting harmful or fraudulent treatments that purport to change the sexual orientation or gender identity of a child, youth, or adult.
On page 5, line 4, increase the amount by $4,955,000,000.
On page 5, line 5, increase the amount by $5,955,000,000.
On page 5, line 6, increase the amount by $6,925,000,000.
On page 5, line 7, increase the amount by $7,770,000,000.
On page 5, line 8, increase the amount by $8,475,000,000.
On page 5, line 9, increase the amount by $9,010,000,000.
On page 5, line 13, increase the amount by $520,000,000.
On page 5, line 14, increase the amount by $1,850,000,000.
On page 5, line 15, increase the amount by $3,090,000,000.
On page 5, line 16, increase the amount by $4,035,000,000.
On page 5, line 17, increase the amount by $4,955,000,000.
On page 5, line 18, increase the amount by $5,955,000,000.
On page 5, line 19, increase the amount by $6,925,000,000.
On page 5, line 20, increase the amount by $7,770,000,000.
On page 5, line 21, increase the amount by $8,475,000,000.
On page 5, line 22, increase the amount by $9,010,000,000.
On page 22, line 20, increase the amount by $250,000,000.
On page 22, line 21, increase the amount by $520,000,000.
On page 22, line 24, increase the amount by $1,850,000,000.
On page 22, line 25, increase the amount by $3,090,000,000.
On page 23, line 3, increase the amount by $8,475,000,000.
On page 23, line 4, increase the amount by $9,010,000,000.
On page 23, line 7, increase the amount by $4,035,000,000.
On page 23, line 8, increase the amount by $4,955,000,000.
On page 23, line 11, increase the amount by $4,955,000,000.
On page 23, line 12, increase the amount by $5,955,000,000.
On page 23, line 15, increase the amount by $6,925,000,000.
On page 23, line 16, increase the amount by $7,770,000,000.
On page 23, line 19, increase the amount by $8,475,000,000.
On page 23, line 20, increase the amount by $9,010,000,000.
On page 23, line 23, increase the amount by $7,770,000,000.
On page 23, line 24, increase the amount by $8,475,000,000.
On page 24, line 2, increase the amount by $8,475,000,000.
On page 24, line 3, increase the amount by $8,475,000,000.
On page 24, line 6, increase the amount by $9,010,000,000.
On page 24, line 7, increase the amount by $9,010,000,000.
On page 24, line 8, increase the amount by $9,010,000,000.

At the end of subtitle A of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST AN INCREASE IN PAYMENTS FOR FEDERAL STUDENT LOAN BORROWERS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill, joint resolution, decision, amendment, amendment between the Houses, or conference report that would reduce the benefits available to current or future Federal student loan borrowers. Income-driven repayment programs under part B or D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.), including proposals that would increase the amount borrowers must pay to 12.5 percent of discretionary income and extend the cap on repayment for graduate students to 30 years.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members present. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair at a point of order raised under subsection (a).

SA 1507. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, Mr. WARNER, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO RELATING TO SUPPORTING, PROTECTING, AND MAINTAINING FEDERAL PUBLIC LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to supporting, protecting, and maintaining Federal public land, including national monuments, in the form in which the national monuments are in as of the date of enactment of this Act, for the enjoyment by current and future generations, to honor the national heritage of the United States, and to recognize the Federal public land as national treasures that belong to all people of the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1510. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRIORITIZING THE USE OF NATIVE PLANTS BY PUBLIC LAND MANAGERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prioritizing the use of native plants by public land managers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1511. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H.
At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING DEFERRED MAINTENANCE AT SCHOOLS OF AGRICULTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing deferred maintenance at schools of agriculture in the United States and Agricultural Research Service research facilities by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1514. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING DEFERRED MAINTENANCE BACKLOG OF THE NATIONAL PARK SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing the deferred maintenance backlog of the National Park Service, supporting the capacity of the National Park Service to meet annual maintenance needs, for the repair, stabilization, or reconstruction of infrastructure is compliant with all applicable historic preservation and natural resource standards by the amounts provided in such legislation for those purposes provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1515. Ms. HIRONO (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STIMULATING INNOVATION TO ADVANCE THE ABILITY OF THE UNITED STATES TO UNDERSTAND, RESEARCH, OR MONITOR CORAL REEF ECOSYSTEMS, OR TO DEVELOP AND MANAGE ADAPTATION OPTIONS TO PRESERVE, SUSTAIN, AND RESTORE CORAL REEF ECOSYSTEMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1516. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INVESTING IN CLEAN ENERGY AND PRESERVING THE ENVIRONMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to investing in clean energy and renewable energy development or new or existing approaches to clean energy financing, reducing greenhouse gas emissions levels, or Federal programs for land and water conservation and acquisition or the preservation, restoration, or protection of public land, oceans, coastal areas, or aquatic ecosystems by the amounts provided in such legislation for those purposes provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENHANCING THE READINESS OF THE ARMED FORCES BY IMPROVING ENERGY RESILIENCE ON MILITARY INSTALLATIONS.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to enhancing the readiness of the Armed Forces, which may include legislation that improves energy resilience on military installations, including the use of cyber-secure microgrids, energy storage, or renewable energy projects, or other projects that provide power directly to a military facility or installation, by the amounts provided in such legislation, for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1518. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING THE RELIABILITY AND RESILIENCE OF THE ELECTRIC GRID IN ISLANDED COMMUNITIES.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving the reliability and resilience of the electric grid in islanded communities affected by natural disasters, including through the use of microgrids, energy storage, and renewable power sources, by the amounts provided in such legislation, for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1519. Ms. HIRONO (for herself, Mrs. MURRAY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INVESTMENTS IN INFRASTRUCTURE Mitigation, Flood Mapping, Flood Mitigation, and Resilience.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to investments in improving pre-disaster mitigation, flood mapping, flood mitigation, and resilience by the amounts provided in such legislation, for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1520. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REQUIRING THE WHITE HOUSE OFFICE TO MAKE VISITOR LOGS PUBLICLY AVAILABLE.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to requiring the White House Office to make visitor logs publicly available, by the amounts provided in such legislation, for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1521. Mr. REED (for himself, Mr. WHITEHOUSE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 79, line 2, insert “including the costs of fraud, waste, abuse, and crime resulting from any deregulation” after “variables”.

SA 1522. Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNET, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

(a) EXCEPTIONS.—Advance appropriations may be provided:

(1) for fiscal years 2019 and 2020 for programs, projects, activities, or accounts identified in the joint explanatory statement of
managers accompanying this concurrent resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed $33,952,000,000 in each fiscal year; and (2) for the Corporation for Public Broad-casting; (3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, Veterans Medical Community Care, and Medical Facilities accounts of the Veterans Health Administration; and (4) for Amtrak, the Federal Railroad Administration, and National Network Grants to the National Railroad Passenger Corporation (commonly known as “Amtrak”).

SA 1525. Mr. BROWN (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BENNET, Mrs. MURRAY, Mr. BOOKER, Mr. WARNER, Mr. CASEY, Ms. HETTKAMP, and Ms. WARREN) submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE OPIOID EPIDEMIC.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, conference reports relating to helping States, counties, and Indian Tribes address the recent increase in foster care entries driven by the opioid epidemic through means such as allowing Federal child welfare matching funds to be used for substance use treatment and other evidence-based programs to help families stay safely together, providing resources to grandparents and other relatives, and improving the quality and oversight of Federally-funded foster care programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1526. Mr. LEE submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

(a) DEFINITIONS.—In this section—
(1) the term “covered estimate”, with respect to a committee, committee aggregates, and other appropriate levels in this resolution, means the total of such legislation; and (2) the term “covered legislation” means a bill, joint resolution, amendment between the Houses, or conference report.

(b) POINT OF ORDER.—It shall not be in order in the Senate to consider any covered legislation unless, not later than 28 hours before the time the Senate proceeds to consideration of the covered legislation, the covered legislation with respect to the covered legislation is made publicly available—
(1) by the Chairman of the Committee on the Budget of the Senate; or
(2) on the website of the Congressional Budget Office.

(c) SUPPLEMENTARY WAIVER AND APPEAL.—
(1) WAIVER.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal from the decision of the Chair under subsection (b) with respect to a motion to proceed.

SA 1527. Mr. LEE submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO COMPREHENSIVE REVIEWS OF THE UNITED STATES GOVERNMENT’S PARTICIPATION IN AND FUNDING OF THE UNITED NATIONS AND UNITED NATIONS-AFFILIATED ORGANIZATIONS AND THE ORGANIZATION OF AMERICAN STATES, TO THE IMPLEMENTATION OF THE OAS RECENTLY ENACTED MODERNIZATION AND REVITALIZATION AND REFORM ACT OF 2013, AND TO COMPILING A REPORT ON FEDERAL SPENDING IN FOREIGN NATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the implementation of the Organization of American States, to the implementation of the OAS Revitalization and Reform Act of 2013, and to compiling a report on Federal spending in foreign nations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1528. Mr. YOUNG submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE DEFICIT NEUTRAL RESERVE FUND RELATING TO THE JOINT INTEGRATION OF THE MODERNIZATION AND SUSTAINABILITY OF THE UNITED STATES NUCLEAR TRIAD.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the joint integration of the modernization and sustainment of the United States nuclear triad by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1529. Mr. DAINES submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DECREASING RATES OF METHAMPHETAMINE USE IN NATIVE AMERICAN COMMUNITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to decreasing rates of methamphetamine use in Native American communities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1530. Mr. DAINES submitted an amendment intended to be proposed to amendment S. 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO AMENDMENT TO THE MODERNIZATION AND SUSTAINMENT OF THE NATIONAL PARK SERVICE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the
pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing the deferred maintenance needs of the National Park Service by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1531. Mr. CASEY (for himself, Ms. WARREN, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 4, line 1, increase the amount by $4,105,000,000.
On page 4, line 2, increase the amount by $3,825,000,000.
On page 4, line 3, increase the amount by $2,570,000,000.
On page 4, line 4, increase the amount by $1,015,000,000.

On page 5, line 14, increase the amount by $1,015,000,000.
On page 5, line 15, increase the amount by $1,420,000,000.
On page 5, line 16, increase the amount by $1,765,000,000.
On page 5, line 17, increase the amount by $2,140,000,000.
On page 5, line 18, increase the amount by $2,570,000,000.
On page 5, line 19, increase the amount by $3,015,000,000.
On page 5, line 20, increase the amount by $3,445,000,000.
On page 5, line 21, increase the amount by $3,825,000,000.
On page 5, line 22, increase the amount by $4,105,000,000.
On page 5, line 23, increase the amount by $4,105,000,000.
On page 5, line 24, increase the amount by $4,105,000,000.

SEC. 4 POINT OF ORDER AGAINST CUTS TO PUBLIC SERVICE LOAN FORGIVENESS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill, joint resolution, amendment, amendment between the Houses, or conference report that would eliminate or reduce the public service loan forgiveness available under section 4501(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)) to student borrowers of eligible Federal Direct Loans.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 1532. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

SA 1533. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:
The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting funding for the construction or expansion of privately-run immigration detention facilities by the amount provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of total of fiscal years 2018 through 2027.

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING THE RIGHTS OF ALL AMERICANS TO BE FREE FROM DISCRIMINATION BASED ON THEIR SEXUAL ORIENTATION, GENDER IDENTITY, RELIGION, RACE, COLOR, SEX, OR NATIONAL ORIGIN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting enforcement actions by the Federal Communications Commission simply because the President, the Commission, or any member of the Commission, on the basis of race, color, sex, or national origin, in its discretion, chooses to revoke or otherwise impair, directly or indirectly, a broadcast license issued by the Commission by the action of the President, or another member of the Administration of the President, is dissatisfied with the content aired by the licensee about the White House, or any other program or service provided by the Federal Communications Commission.
amendment SA 1116 proposed by Mr. Enzwi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. PROHIBITION ON PROCEEDING TO CONSIDERATION OF LEGISLATION WITHOUT A SCORE IN THE SENATE. (a) Definitions. In this section——

(1) the term ‘covered estimate’, with respect to covered legislation, means an estimate of the costs which would be incurred in carrying out the covered legislation, as determined by the Chairman of the Committee on the Budget of the Senate under the authority under section 312 of the Congressional Budget Act of 1974 (2 U.S.C. 643); and

(2) the term ‘covered legislation’ means a bill, joint resolution, amendment between the Houses, or conference report.

(b) Point of Order.—It shall not be in order in the Senate to proceed to any covered legislation by motion or by consent unless, not later than 28 hours before the time the Senate proceeds to consideration of the covered legislation, a covered estimate with respect to the covered legislation is made publicly available——

(1) by the Chairman of the Committee on the Budget of the Senate; or

(2) on the website of the Congressional Budget Office.

(c) Supermajority Waiver and Appeal.—

(1) Waiver.—Subsection (b) may be waived or suspended in the Senate by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) Appeal.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair under subsection (b) with respect to a motion to proceed.

SA 1543. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzwi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and settling forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 47, strike line 3 and insert the following:

In the Senate, not later than November 13, 2017, the Committee on

On page 47, strike lines 8 through 21.

SA 1544. Mr. M ERKLEY (for himself, Mr. WYDEN, and Mrs. M URRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzwi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 57, strike lines 19 and 20 and insert the following:

(a) Sources to assist local communities in recovering from damages relating to wildland fires;

(b) Payments in lieu of taxes program;

(c) Secure rural schools and community health centers.
Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND REQUIRING TO INCREASING TRANSPARENCY IN HEALTH CARE PRICING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations made by the chair of the Committee on Appropriations for the purposes of the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism and the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974 to reflect budgetary levels in this concurrent resolution.

SEC. 41. PROHIBITION ON SCORING OF AMOUNTS FROM SALES OR LEASES OF PUBLIC LAND.

In the Senate, for purposes of determining budgetary impacts to evaluate points of order under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) or any concurrent resolution on the budget, provisions contained in any bill, resolution, amendment, motion, or conference report that generate Federal offsetting receipts from the sale or lease of land or interest in land that is part of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, National Forest System, or a National Monument shall not be taken into account in setting the level of budgetary authority, outlays, or revenues contained in such legislation.

SA 1550. Mr. UDALL (for himself and Mr. HINCHClCH) submitted an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title A of title IV, add the following:

SEC. 5101. ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.

(a) SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—In the House of Representatives, there shall be a separate allocation of budgetary authority for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974.

(b) DEFINITION.—In this section, the term "overseas contingency operations" means Overseas Contingency Operations/Glобal War on Terrorism as defined in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) LIMITATION.—In the House of Representa- tives, the separate allocation under section (a) shall not apply to any bills or joint resolutions, or amendment thereto or conference reports thereon, for which the chair of the Committee on Appropriations for the purposes of Overseas Contingency Operations/Glобal War on Terrorism, or the chairman or ranking minority member of the committee of the House of Representatives to which such bill or joint resolution was referred, made the determination that the allocation for Overseas Contingency Operations/Glобal War on Terrorism for the fiscal year beginning after the last fiscal year of this concurrent resolution would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in association with this concurrent resolution to be more than the amount specified in paragraph (2).

(d) APPROPRIATIONS.—For purposes of this section, the levels of net increases in direct spending shall be determined on the basis of estimates provided by the chair of the Committee on Appropriations for the purposes of Overseas Contingency Operations/Glобal War on Terrorism and the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974.

(e) SUNSET.—This section shall have no force or effect after September 30, 2018.

SEC. 5102. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) DEFINITION.—In this section, the term "Advance Appropriations" means amounts specified in section 302(a)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 621a(b)(3)) for programs identified pursuant to paragraph (b).

(b) LIMITATION.—In the House of Represen- tatives, no advance appropriation for any fiscal year as specified in paragraph (a) shall be made under section 302(a) of the Congressional Budget Act of 1974 if such advance appropriation would cause the absolute value of the total budgetary authority of all such changes in mandatory programs enacted in association with this concurrent resolution to be more than the amount specified in paragraph (2).

(c) AMOUNT.—The amount specified in this subsection is—

(1) for fiscal year 2018, $19,100,000,000; and

(2) for fiscal year 2019, $17,000,000,000; and

(3) for fiscal year 2020, $15,000,000,000.

(d) EXEMPTION.—This section shall not apply to any bill or joint resolution making appropriations for a full fiscal year if such amendment thereto or conference report thereon proposes a change in mandatory programs that, if enacted, would have been estimated as affecting direct spending or receipts under section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 5103. LIMITATION ON CHANGES IN CERTAIN MANDATORY PROGRAMS.

(a) DEFINITION.—In this section, the term "change in mandatory programs" means a provision that—

(1) would have been estimated as affecting direct spending or receipts under section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) if the provision were included in legislation other than appropriation Acts; and

(2) results in a net decrease in budget authority in the budget year, and does not result in a net decrease in outlays over the total of the current year, the budget year, and all fiscal years covered under the most recently agreed to concurrent resolution on the budget.

(b) POINT OF ORDER IN THE HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—A provision in a bill or joint resolution making appropriations for a full fiscal year that proposes a change in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in association with this concurrent resolution to be more than the amount specified in paragraph (2), shall not be in order in the House of Representatives.

(2) AMENDMENTS TO CONFERENCE REPORTS.—It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a full fiscal year if such amendment thereto or conference report thereon proposes a change in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mand- atory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraphs (1) and (2).

(3) AMOUNT.—The amount specified in this subsection is—

(A) for fiscal year 2018, $28,852,000,000; and

(B) for fiscal year 2019, $23,000,000,000; and

(C) for fiscal year 2020, $15,000,000,000.

(d) DETERMINATION.—For purposes of this section, budgetary levels shall be determined on the basis of estimates provided by the chair of the Committee on Appropriations for the purposes of Overseas Contingency Operations/Glобal War on Terrorism and the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974.

SEC. 5104. LIMITATION ON ADVANCE APPROPRIA- TIONS.

(a) IN GENERAL.—In the House of Represen- tatives, except as provided for in subsection (b), no general appropriation bill or joint resolution containing making appropriations for Overseas Contingency Operations/Glобal War on Terrorism enacted in relation to a full fiscal year after the amount specified in section (a) shall be in order in the House of Representatives.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts identified in the report on the concurrent resolution making appropriations for Overseas Contingency Operations/Glобal War on Terrorism or the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974; provided that—

(1) it is identified as an advance appropriation; and

(2) it is not subject to the limitation set forth in section (a).

SEC. 5105. LIMITATION ON ADVANCE APPROPRIA- TIONS.

(a) IN GENERAL.—In the House of Represen- tatives, except as provided for in subsection (b), no general appropriation bill or joint resolution containing making appropriations for the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism enacted in relation to a full fiscal year after the amount specified in section (a) shall be in order in the House of Representatives.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts identified in the report on the concurrent resolution making appropriations for the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism under section 302(b) of the Congressional Budget Act of 1974; provided that—

(1) it is identified as an advance appropriation; and

(2) it is not subject to the limitation set forth in section (a).

SEC. 5106. LIMITATION ON ADVANCE APPROPRIA- TIONS.

(a) IN GENERAL.—In the House of Represen- tatives, except as provided for in subsection (b), no general appropriation bill or joint resolution containing making appropriations for the Reserve Fund for Overseas Contingency Operations/Glобal War on Terrorism enacted in relation to a full fiscal year after the amount specified in section (a) shall be in order in the House of Representatives.
converting appropriations for fiscal year 2018, or any amendment thereto or conference report thereon, that first becomes available for the first fiscal year following fiscal year 2018.

SEC. 5105. ESTIMATES OF DEBT SERVICE COSTS.

In the House of Representatives, the chair of the Committee on the Budget may direct the Congressional Budget Office to include, in any estimate prepared pursuant to section 402 of the Congressional Budget Act of 1974 with respect to any bill or joint resolution, an estimate of any debt service costs resulting from carrying out such bill or resolution. Any estimate of debt service costs provided under this section shall be advisory and shall be provided in consultation with the Committee on the Budget of the House of Representatives, or this concurrent resolution. This section shall not apply to authorizations of programs funded by discretionary spending or to appropriation bills or joint resolutions, but shall apply to changes in the authorization level of appropriated entitlements.

SEC. 5106. FAIR-VALUE CREDIT ESTIMATES.

(a) ALL CREDIT PROGRAMS.—Whenever the Director of the Congressional Budget Office provides an estimate of any measure that establishes or modifies a loan or loan guarantee program, the Director shall also, to the extent practicable, provide a fair-value estimate of such loan or loan guarantee program and shall also, to the extent practicable, provide a fair-value estimate of such loan or loan guarantee program for student financial assistance or housing (including residential mortgage).

(b) BASELINE ESTIMATES.—The Congressional Budget Office shall include estimates, on a fair-value and credit reform basis, of loan and loan guarantee programs, as practiced in its ‘The Budget and Economic Outlook: 2016 to 2027.’

(d) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, a bill or joint resolution, or amendment thereto or conference report thereon—

(A) in the House of Representatives, for purposes of budget enforcement, the estimated net present value of any covered energy savings contract calculated under subsection (b) results in a net savings, then the budgetary effects of such contract shall not be counted for purposes of titles III and IV of the Congressional Budget Act of 1974, this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.

(c) DEFINITION.—As used in this section, the term ‘covered energy savings contract’ means—

(1) an energy savings performance contract authorized under section 801 of the National Energy Conservation Policy Act; or

(2) utility energy service contract, as described in the Office of Management and Budget Memorandum on Federal Use of Energy Savings Performance Contracting, dated July 25, 1998 (M-98-13), and the Office of Management and Budget Memorandum on the Federal Use of Energy Saving Performance Contracting, dated September 28, 2015 (M-12-21), or any successor to either memorandum.

(3) The stream of payments shall cover the period covered by the contracts but not to exceed 25 years.

(4) ENSURING COMPLIANCE OF MAJOR LEGISLATION.

(a) MAJOR LEGISLATION.—The term ‘major legislation’ means—

(1) a qualitative assessment of the budgetary effects (including macroeconomic variables described in subsection (a) of the major legislation that becomes law after the last fiscal year of the most recently agreed to concurrent resolution

(b) PERFORMANCE CONTRACTS.—In General.—The Director of the Congressional Budget Office shall estimate provisions of any bill or joint resolution, or amendment thereto or conference report thereon, that transfers any portion of the net surplus from the general fund of the Treasury to the general fund of the Federal Reserve System to the general fund of the Treasury shall not be counted for purposes of enforcing the Congressional Budget Act of 1974; this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.

(c) PERFORMANCE CONTRACTS.—It is the sense of the House of Representatives that—

(1) the Director of the Office of Management and Budget, in consultation with the Director of the Congressional Budget Office, should separately identify the cash flows under a provision of the Budget Resolution Act that transfers any portion of the net surplus from the general fund of the Treasury to the general fund of the Federal Reserve System to the general fund of the Treasury shall not be counted for purposes of enforcing the Congressional Budget Act of 1974; this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.

(d) MINIMUM BUDGET AUTHORITY AND OUTLAYS.—In the House of Representatives, for purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and the rules or orders of the House of Representatives, a bill or joint resolution, or amendment thereto or conference report thereon, that transfers any portion of the net surplus from the general fund of the Treasury to the Treasury shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 5111. PROHIBITION ON USE OF FEDERAL RESERVE FUND IN BUDGET AUTHORITY OR OUTLAYS.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto or conference report thereon, that transfers any portion of the surplus of the Federal Reserve System to the general fund of the Treasury shall not be counted for purposes of enforcing the Congressional Budget Act of 1974; this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.
SEC. 5112. PROHIBITION ON USE OF GUARANTEE FEES AS AN OFFSET.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto, which requires the House of Representatives to certify that increases, or the extent of increase of, any guarantee fees of the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac) shall not be counted for purposes of enforcing the Congressional Budget Act of 1974, this concurrent resolution, or clause 302(a) of the Rules of the House of Representatives.

SEC. 5113. MODIFICATION OF RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—Section 2002 shall have no force or effect.

(b) CONCLUSION IN THE HOUSE OF REPRESENTATIVES.—Not later than November 13, 2017, the Committee on Ways and Means of the House of Representatives shall report to the House of Representatives an act, or bills or measures in the form recommended in that conference report, that—

(1) as an exercise of the rulemaking power of the House of Representatives, and such rules shall supersede other rules only to the extent they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the House of Representatives.

SEC. 5201. BUDGET TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the House of Representatives, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, and section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the report or the joint explanatory statement, as applicable, accompanying this concurrent resolution shall include in its allocation to the Committee on Appropriations under section 302(a) of the Congressional Budget Act of 1974 amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) CHANGES IN ALLOCATIONS AND AGGREGATES.—In the House of Representatives, for purposes of enforcing section 302(f) of the Congressional Budget Act of 1974, estimates of the levels of total new budget authority and total outlays provided in a measure shall include any discretionary amounts described in subsection (a).

SEC. 5202. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—In the House of Representatives, any adjustments of the allocations, aggregates, and other budgetary levels made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 and the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the budgetary levels for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the chair of the Committee on the Budget of the House of Representatives.

(d) AGGREGATES, ALLOCATIONS AND APPROPRIATIONS.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto, report thereon, or other measure, which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 19 of rule XXI of the Rules of the House of Representatives or section 5101 of this concurrent resolution.

(e) OTHER ADJUSTMENTS.—The chair of the Committee on the Budget of the House of Representatives may make adjustments of the appropriate levels in this concurrent resolution depending on congressional action on pending reconciliation legislation.

SEC. 5203. ADJUSTMENT FOR CHANGES IN CONCEPTS AND DEFINITIONS.

In the House of Representatives, the chair of the Committee on the Budget may adjust the appropriations, allocations, and other budgetary levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 5204. ADJUSTMENT FOR CHANGES IN THE BASELINE.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, reconciliation targets, and other appropriate budgetary levels in this concurrent resolution to reflect changes resulting from the Congressional Budget Office’s update to its baseline for fiscal years 2018 through 2027.

SEC. 5205. ADJUSTMENT FOR CHANGE IN RULE REGARDING LIMITS ON DISCRETIONARY SPENDING.

Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on such bill or resolution if—

(1) the enactment of that bill or resolution;

(2) the adoption and enactment of that amendment; or

(3) the enactment of that bill or resolution in the form recommended in that conference report, would not cause the 302(a) allocation to the Committee on Appropriations for fiscal year 2018 to be exceeded.

SEC. 5206. ENFORCEMENT FILING IN THE HOUSE.

In the House of Representatives, if a concurrent resolution for fiscal year 2018 is adopted without the appointment of a committee of conference on the disagreeing votes of the two Houses with respect to the pending measure, for the purpose of enforcing the Congressional Budget Act of 1974 and applicable rules and requirements set forth in the concurrent resolution, the allocations and list provided for in this section shall apply in the House of Representatives in the same manner as if such allocations and list were in the joint explanatory statement accompanying a conference report on the budget for fiscal year 2018. The chair of the Committee on the Budget of the House of Representatives shall include a statement for publication in the Congressional Record containing—

(1) for the Committee on Appropriations, the allocations and list for fiscal year 2018 consistent with title I for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations consistent with title I for fiscal year 2018 and the period of fiscal years 2018 through 2027, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(3) a list of programs, projects, activities, or accounts identified for advance appropriation for fiscal year 2018 for discretionary spending that are not subject to such section 251(c), shall only be made upon enactment of such measure.

(b) DEFINITION.—For purposes of this section, a measure that commercializes the operations of the air traffic control system if such measure reduces the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount that would otherwise be appropriated to the Federal Aviation Administration if such measure reduces the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount that would otherwise be appropriated to the Federal Aviation Administration or if such measure reduces the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount that would otherwise be appropriated to the Federal Aviation Administration.

SEC. 5207. EXERCISE OF RULEMAKING POWERS.

The House of Representatives adopts the provisions of this title and section 2002—

(1) as an exercise of the rulemaking power of the House of Representatives, and such rules shall supersede other rules only to the extent they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the House of Representatives.

SEC. 5301. ADJUSTMENT AUTHORITY FOR AMENDMENTS TO STATUTORY CAPS.

During the 115th Congress, if a measure becomes law that amends the discretionary spending limits established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)), the House of Representatives, any adjustments of the allocations, aggregates, and other budgetary levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 5302. ADJUSTMENT AUTHORITY FOR CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) IN GENERAL.—In the House of Representatives, the chair of the Committee on the Budget may adjust the appropriations, allocations, and other budgetary levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) DEFINITION.—For purposes of this section, a measure that commercializes the operations of the air traffic control system if such measure reduces the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount that would otherwise be appropriated to the Federal Aviation Administration.

SEC. 5401. RESERVE FUND FOR COMMERCIALIZATION OF AIR TRAFFIC CONTROL.

(a) IN GENERAL.—In the House of Representatives, the chair of the Committee on the Budget may adjust, at a time the chair deems appropriate, the section 302(a) allocation to the Committee on Transportation and Infrastructure and other committees of the House of Representatives, by the amount that would otherwise be appropriated to the Federal Aviation Administration if such measure reduces the discretionary spending limits under such section 251(c), shall only be made upon enactment of such measure.

(b) DEFINITION.—For purposes of this section, a measure that commercializes the operations of the air traffic control system if such measure reduces the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount that would otherwise be appropriated to the Federal Aviation Administration.

SEC. 5402. RESERVE FUND FOR INVESTMENTS IN NATIONAL INFRASTRUCTURE.

In the House of Representatives, the chair of the Committee on the Budget may adjust
the allocations, aggregates, and other appropriate levels in this concurrent resolution for any bill or joint resolution, or amendment thereto or conference report thereon, that invests in national infrastructure to the extent that such measure is deficit neutral for the total of fiscal years 2018 through 2027.

SEC. 5403. RESERVE FUND FOR COMPREHENSIVE CHILDREN’S HEALTH INSURANCE PROGRAM.

In the House of Representatives, the chair of the committee on the Budget may adjust the allocations, budget aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that extends the State Children’s Health Insurance Program for fiscal years 2018 through 2027; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING FULL, PERMANENT, AND MANDATORY FUNDING IN LIEU OF TAXES PROGRAM.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing full, permanent, and mandatory funding for the payment in lieu of taxes program by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the taxation of income from investment partnerships (known as carried interests), which includes legislation that allows for the taxing as ordinary income of a partner’s share of income on an investment services partnership interest, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 5405. RESERVE FUND FOR THE REPEAL OR REPLACEMENT OF PRESIDENT OBAMA’S HEALTH CARE LAWS.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, budget aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals or replaces any provision of the Patient Protection and Affordable Care Act or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 by the amount of budget authority and outlays flowing therefrom provided by such measure for such purpose.

SA 1552. Mr. ENZI (for Mrs. FISCHER (for herself and Ms. COLLINS)) proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESCRIPTION DRUG COSTS UNDER THE MEDICARE PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prescription drug costs under the Medicare program, which may include making prescription drugs more affordable for seniors and for taxpayers by requiring the Secretary of Health and Human Services to negotiate prescription drug costs under the Medicare program, particularly with respect to Medicare Advantage Part D, and to prioritize Medicare program reimbursements, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 555. Mr. FRANKEN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO JURISDICTION RELATING TO PUBLIC-PRIVATE PARTNERSHIPS FOR JOBS TRAINING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the payment in lieu of taxes program by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 557. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PUBLIC-PRIVATE PARTNERSHIPS FOR JOBS TRAINING.
SA 1558. Ms. WARREN submitted an amendment intended to be proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN REFINANCING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to bankruptcy discharge in order to allow Federal and private student loan borrowers to discharge their student loans in bankruptcy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1559. Ms. WARREN submitted an amendment intended to be proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN REFINANCING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to bankruptcy discharge in order to allow Federal and private student loan borrowers to discharge their student loans in bankruptcy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1560. Ms. WARREN (for herself and Mr. BROWN) submitted an amendment intended to be proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN REFINANCING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal student loan borrowers eligible for a borrower defense to repayment under section 455(h) of the Higher Education Act of 1965 (20 U.S.C. 1099(h)), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1561. Mr. ENZI proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; as follows:

At the end, add the following:

TITLE V—BUDGET PROCESS IN THE HOUSE OF REPRESENTATIVES

Subtitle A—Budget Enforcement

SEC. 501. POINT OF ORDER AGAINST INCREASING LONG-TERM DIRECT SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives to consider an amendment or conference report thereto, that would cause a net increase in direct spending in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal year periods described in subsection (b).

(b) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare an estimate of whether a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or amendment thereto or conference report thereto, would cause, relative to current law, a net increase in direct spending in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal year periods beginning after the last fiscal year of this concurrent resolution, and all fiscal years covered under the most recently agreed to concurrent resolution on the budget.

(c) LIMITATION.—In the House of Representatives, the provisions of this section shall not apply to any bills or joint resolutions, or amendments thereto or conference reports thereon, for which the chair of the Committee on the Budget has made adjustments that would not cause the absolute value of the total budgetary levels for all such separate allocation as a result of such separate allocation to be greater than the amount specified in

SEC. 5102. ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.

(a) SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—In the House of Representatives, there shall be a separate allocation of new budget authority and outlays provided to the Committee on Appropriations for the purposes of Overseas Contingency Operations/Global War on Terrorism, which shall be deemed to be an allocation under section 302(a) of the Congressional Budget Act of 1974. Section 302(a)(3) of such Act shall not apply to such separate allocation.

(b) SECTION 302 ALLOCATIONS.—The separate allocation referenced in subsection (a) shall be the exclusive allocation for Overseas Contingency Operations/Global War on Terrorism under section 302(b) of the Congressional Budget Act of 1974. The Committee on Appropriations of the House of Representatives may provide suballocations of such separate allocation under such section 302(b).

(c) APPLICATION.—For purposes of enforcing the separate allocation referred to in subsection (a) under section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” shall be deemed to refer to fiscal year 2018. Section 302(c) of such Act shall not apply to such separate allocation.

(d) DESIGNATIONS.—New budget authority or outlays shall only be counted toward the allocation referred to in subsection (a) if designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) ADJUSTMENTS.—For purposes of subsection (a) for fiscal year 2018, no adjustment shall be made pursuant to section 251(b)(2)(A)(ii) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
SEC. 5104. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) AGENCY.—In the House of Representatives, a report required for an advance appropriation of funds pursuant to subsection (b), any general appropriation bill or joint resolution continuing appropriations for fiscal year 2018, or any amendment thereto or conference report thereon, may not provide advance appropriations.

(b) EXCEPTIONS.—An advance appropriation may be provided for projects, programs, activities, or accounts identified in the report or the joint explanatory statement of managers, as applicable, accompanying this current resolution under the following headings:

(1) GENERAL.—“Accounts Identified for Advance Appropriations”;

(2) VETERANS.—“Accounts Accounts Identified for Advance Appropriations”.

(c) LIMITATIONS.—The aggregate level of advance appropriations shall not exceed the following:

(1) GENERAL.—$28,852,000,000 in new budget authority for all programs identified pursuant to subsection (b)(1);

(2) VETERANS.—$70,690,313,000 in new budget authority for programs in the Department of Veterans Affairs identified pursuant to subsection (b)(2).

(d) LIMITATION.—In this section, the term “advance appropriation” means any new discretionary budgetary authority provided in a general appropriation bill or joint resolution continuing appropriations for fiscal year 2018, or any amendment thereto or conference report thereon, that first becomes available for use in the first fiscal year following fiscal year 2018.

SEC. 5105. ESTIMATES OF DEBT SERVICE COSTS.

In the House of Representatives, the chair of the Committee on the Budget may direct the Congressional Budget Office to include, in any estimate referred to in this section, budgetary levels required under section 301 of the Congressional Budget Act of 1974; and also provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chair of the Committee on the Budget may direct the allocation to the applicable authorizing committee that reports such measure and increase the allocation of discretionary spend- ing (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2018 by an amount equal to the new budget authority (and outlays following therefrom) provided in such bill or joint resolution making appropriations for the same purpose.

(b) DETERMINATIONS.—In the House of Representa- tives, for purposes of enforcing this concurrent resolution, the allocations and aggregate levels of new budget authority, outlays, direct spending, and surpluses for fiscal year 2018 and the total of fiscal years 2018 through 2027 shall be determined on the basis of estimates made by the chair of the Committee on the Budget and such chair may adjust the applicable levels in this concurrent resolution.

SEC. 5109. SCORING RULE FOR ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) IN GENERAL.—The Director of the Congressional Budget Office shall estimate provisions of any bill or joint resolution, or amendment thereto or conference report thereon, that provides for the entry into or modify any covered energy savings contract on a net present value basis (NPV).

(b) DETERMINATIONS.—In this section, the term “covered energy savings contract shall be calculated as follows:

(1) The discount rate shall reflect market risk.

(2) The cash flows shall include, whether classified as mandatory or discretionary, payments to contractors under the terms of their contracts, payments to contractors for other services, and direct savings in energy and energy-related costs.

(3) Contracts shall cover the cost by the contractors but not to exceed 25 years.

(c) DEFINITION.—As used in this section, the term “covered energy savings contract means—

(1) an energy savings performance contract authorized under section 801 of the National Energy Conservation Policy Act; or

(2) a utility energy service contract, as described in the Office of Management and Budget Memorandum on Federal Use of Energy Savings Performance Contracts, dated July 25, 1998 (M-98-13), and the Office of Management and Budget Memorandum on the Federal Use of Energy Saving Performance Contracts and Energy Service Contracts, dated September 28, 2015 (M-12-21), or any successor to either memorandum.
SEC. 5201. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.  
(a) IN GENERAL.—In the House of Representatives, notwithstanding section 302(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985, section 13301 of the Budget Enforcement Act of 1990, and section 200a of title 39, United States Code, the report or the joint explanatory statement, as applicable, accompanying this concurrent resolution shall include in its allocation to the Committee on Appropriations under section 302(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985, amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the House of Representatives, for purposes of enforcing section 302(1) of the Congressional Budget Act of 1974, estimates of the levels of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 5202. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—In the House of Representatives, any changes to the allocations, aggregates, and other budgetary levels made pursuant to this concurrent resolution shall:

1. apply while that measure is under consideration;
2. take effect upon the enactment of that measure; and
3. be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the budgetary levels for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the chair of the Committee on the Budget of the House of Representatives.

(d) ADJUSTMENTS, ALLOCATIONS AND APPLICATION.—In the House of Representatives, for purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report therein, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be deemed as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 5110. LIMITATION ON TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND.

In the House of Representatives, for purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and the rules or orders of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report therein, that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be deemed as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 5111. PROHIBITION ON USE OF FEDERAL REVENUE SURPLUS AS AN OFFSET.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto or conference report therein, that transfers any portion of the net surplus of the Federal Reserve System to the general fund of the Treasury shall not be subject to the points of order set forth in title I of the Balanced Budget and Emergency Deficit Control Act of 1985, section 13301 of the Budget Enforcement Act of 1990, section 200a of title 39, United States Code, or clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 5112. PROHIBITION ON USE OF GUARANTEE FEES AS AN OFFSET.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto or conference report therein, that transfers any portion of the net surplus of the Federal Reserve System to the Federal Home Loan Mortgage Corporation (Freddie Mac) or the Federal Home Loan Mortgage Corporation (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac) shall not be counted for purposes of enforcing the Congressional Budget Act of 1974, this concurrent resolution, or clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 5113. MODIFICATION OF RECONCILIATION REPORTING REQUIREMENTS IN THE HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—Section 2002 shall have no force or effect.

(b) RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, after November 1, 2017, the Committee on Ways and Means of the House of Representatives shall report to the House of Representatives changes in laws within that increases in discretionary deficit by not more than $1,500,000,000,000 for the period of fiscal years 2018 through 2027.

SEC. 5120. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 5204. ADJUSTMENT FOR CHANGES IN THE BASE.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, reconciliation targets, and other appropriate budgetary levels in this concurrent resolution to reflect changes resulting from the Congressional Budget Office’s update to its baseline for fiscal years 2019 through 2027.

SEC. 5205. APPLICATION OF RULE REGARDING LIMITS ON DISCRETIONARY SPENDING.

Section 314(f) of the Congressional Budget Act of 1974 shall not apply in the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year, for any conference report on any such bill or resolution if—

1. the enactment of that bill or resolution;
2. the adoption and enactment of that amendment; or
3. the enactment of that bill or resolution in the form recommended in that conference report, would not cause the 302(a) allocation to the Committee on Appropriations for fiscal year 2018 to be exceeded.
Subtitle D—Reserve Funds

SEC. 5401. RESERVE FUND FOR INVESTMENTS IN NATIONAL INFRASTRUCTURE.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels in this concurrent resolution for any bill or joint resolution, or amendment therefor or conference report thereon, that invests in national infrastructure to the extent that such measure is deficit neutral for the total of fiscal years 2018 through 2027.

SEC. 5402. RESERVE FUND FOR COMPREHENSIVE FOREIGN TRADE

In the House of Representatives, if the Committee on Ways and Means reports a bill or joint resolution that provides for comprehensive international trade policy by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027, the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

SEC. 5403. RESERVE FUND FOR THE STATE CHILDREN’S HEALTH INSURANCE PROGRAM

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment therefor or conference report thereon, if such measure would not increase the deficit for the total of fiscal years 2018 through 2027.

SEC. 5404. RESERVE FUND FOR THE REPEAL OR REPLACEMENT OF PRESIDENT OBAMA’S HEALTH CARE LAWS.

In the House of Representatives, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment therefor or conference report thereon, that requires the repeal or replacement of any provision of the Patient Protection and Affordable Care Act or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 by the amount of budget authority and outlays flowing therefrom provided by such measure for flowing therefrom for such purposes.

SA 1562. Mr. MERKLEY (for himself, Ms. COLLINS, Ms. BALDWIN, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . DEFIcit-neutrAl RESERVe FUnD RELATING TO ENDING CHILDHOOD LEAD POISONING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to ending lead poisoning and making additional investments to end the tragedy of childhood lead poisoning and avoid related preventable medical, educational, criminal justice, and other costs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1566. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 . DEFIcit-neutrAl RESERVe FUnD RELATING TO ADDRESSING THE AFORDABLE HOUSING NEEDS OF FAMILIES, VETERANS, INDIVIDUALS WITH DISABILITIES, AND SENIORS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this concurrent resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to legislation to preserve existing affordable rental housing and create additional affordable housing opportunities for families, veterans, individuals with disabilities, and seniors, including the 11.000,000 renter households paying more than half of their income toward housing, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
SA 1567. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal years 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES BY LIFTING THE BAN ON MEDICARE NEGOTIATING PART D PRESCRIPTION DRUG PRICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices on behalf of millions of seniors illegal for Medicare to negotiate prescription drug prices on behalf of millions of seniors by lifting the ban. The ban that makes it illegal for Medicare to negotiate prescription drug prices on behalf of millions of seniors by lifting the ban would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1568. Mr. MCCONNELL proposed an amendment to amendment SA 1568 proposed by Mr. McConnell 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:

At the end add the following:

"This Act shall take effect 1 day after the date of enactment."

SA 1569. Mr. MCCONNELL proposed an amendment to amendment SA 1569 proposed by Mr. McConnell 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:

At the end add the following:

"This Act shall take effect 2 days after the date of enactment."

SA 1570. Mr. MCCONNELL proposed an amendment to amendment SA 1570 proposed by Mr. McConnell 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:

At the end add the following:

"This Act shall take effect 3 days after the date of enactment."
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. 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 10:23 p.m., adjourned until Monday, October 23, 2017, at 3 p.m.