

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 387

At the request of Mr. PERDUE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 387, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 465

At the request of Mr. ROUNDS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 465, a bill to provide for an independent outside audit of the Indian Health Service.

S. 469

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 469, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals.

S. 482

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 552

At the request of Mr. BROWN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 552, a bill to amend the Truth in Lending Act and the Electronic Fund Transfer Act to provide justice to victims of fraud.

S. 595

At the request of Mr. FLAKE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 595, a bill to provide U.S. Customs and Border Protection with additional flexibility to expedite the hiring process for applicants for law enforcement positions, and for other purposes.

S. 717

At the request of Mr. SULLIVAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 717, a bill to promote pro bono

legal services as a critical way in which to empower survivors of domestic violence.

S. 722

At the request of Mr. CORKER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 748

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 748, a bill to protect United States citizens and residents from unlawful profiling, arrest, and detention, and for other purposes.

S. 751

At the request of Mr. WARNER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 761. A bill to amend the Internal Revenue Code of 1986 to allow individuals to receive a premium assistance credit for insurance not purchased on an Exchange, and for other purposes; to the Committee on Finance.

Mr. ALEXANDER. Mr. President, the Health Care Options Act of 2017, introduced by Senator CORKER and me, would address the emergency in the health insurance exchanges in Tennessee and in other States. This legislation would allow any American who receives a subsidy and has no insurance available on their exchange next year to use that subsidy to buy any State-approved insurance off the exchange.

Second, the legislation would waive the Affordable Care Act requirement that these Americans—who, remember, have zero insurance options for their subsidies—have to pay a penalty for not purchasing the insurance.

Third, the legislation would bring peace of mind between now and the beginning of 2018 to millions of Americans—some of the most vulnerable people in our country—who face having zero options of health insurance to pur-

chase with their subsidy in the year 2018 because of the collapsing ObamaCare exchange markets.

Here is why urgent action is needed. There are 11 million Americans who buy individual insurance now on the Affordable Care Act exchanges. Approximately 85 percent of them receive a subsidy to help them buy insurance. For those who don't like subsidies for people buying insurance, I would remind us that about 60 percent of insured Americans get insurance on the job, and the average tax break for people with employer sponsored insurance is about \$5,000. What we are talking about is the 4 percent of insured people who don't get insurance on the job, who don't get it from the government and Medicare and Medicaid, and this subsidy gives them some money to help them buy insurance if they are mostly low income.

While these 11 million make up only 4 percent of the total insured population in this country, this 4 percent is where much of today's political turmoil rests.

In the Knoxville area where I live, the one remaining insurance company on the Affordable Care Act exchange has pulled out for the year 2018. So it is a near certainty that there will be zero insurance options for 40,000 Tennesseans who live there and buy their insurance on the exchange. In other words, for approximately 34,000 Tennesseans living in Knoxville who rely on an Affordable Care Act subsidy to buy health insurance, their subsidies will be worth as much as a bus ticket in a town with no buses running.

There is a real prospect that the same thing may happen to all 230,000 Tennesseans who buy insurance on the exchange. As I said, 85 percent of them rely on a subsidy to afford insurance; they just will not have any insurance policies to buy.

The decision Friday by the House of Representatives to not vote on the health care bill changes nothing about the urgency of rescuing these 230,000 Tennesseans who buy insurance on the ObamaCare exchanges that our State insurance commissioner has told us are "very near collapse."

While Congress continues its work to enact long-term structural health reforms, we must take immediate action to help these 230,000 Tennesseans and millions of Americans in other States facing the same dire consequences.

This is not just a problem for Tennesseans. Last year, 7 percent of counties in the country had just one insurer offering plans on their Affordable Care Act exchange. This year, that 7 percent has risen to 32 percent of the counties in this country having just one insurer offering plans on the Affordable Care Act exchange. There are five States this year that have only a single insurer offering ACA plans in their entire State—Alabama, Alaska, Oklahoma, South Carolina, and Wyoming. And in nine States, there is only one insurer offering ACA plans in a majority of the

counties in the States: Tennessee, North Carolina, West Virginia, Utah, Nevada, Arizona, Mississippi, Missouri, and Florida.

Next year, in 2018, we know the problem will be much worse. As more insurance companies announce their plans for the 2018 plan year, it is very likely that more counties across the Nation will face challenges similar to those in the Knoxville, Tennessee, area, where, again, having an ObamaCare subsidy will be as useful as having a bus ticket in a town with no buses running.

Now, there is a solution to this. As I mentioned, the legislation that Senator CORKER and I are introducing will do three things: First, it will allow Americans to use their Affordable Care Act subsidy—the money they are getting now—to purchase any health insurance plan outside of the exchange, as long as the insurance is approved by the State for sale in the individual market. That means Americans on the exchanges will have options to purchase insurance where the Affordable Care Act has left them with none. This option will be given to individuals who live in the counties where the Secretary of Health and Human Services certifies that there are zero options on the ACA exchange.

Second, when the Secretary certifies that there are zero insurance options on the exchange, the legislation will waive the Affordable Care Act's requirement to buy a specific health plan or pay a fine of as much as \$2,000 for a family of four. The law's individual mandate, in other words, will not apply to these individuals. And, of course, it shouldn't. They shouldn't be penalized for not buying insurance when there is no insurance to buy.

The legislation's temporary authority would be in place only through the end of the 2019 plan year.

Third, I hope that this legislation will provide some peace of mind for those Knoxville area residents and Americans in counties across the country trapped in collapsing exchanges.

This is not a permanent solution. Congress has a responsibility to continue its work to solve this problem and to give more Americans more choices of lower cost health insurance.

Long term, Americans should have the freedom to make their own choices about their family's health care needs. But in the short term, we must act on behalf of 230,000 Tennesseans, some of the most vulnerable citizens in our State, and millions of other Americans in other States who are likely to have zero choices of insurance in 2018.

Earlier this afternoon, the Tennessee insurance commissioner, Julie Mix McPeak, who has testified before the Senate and made public statements that the Tennessee Affordable Care Act exchanges were in virtual collapse—what she means by that is no one will be selling insurance in them—issued this statement in support of the bill that Senator CORKER and I have introduced. She said:

This bill “would definitely be helpful for Tennessee consumers. We are in favor of any legislation that improves consumer choice and provides access for Tennesseans. It is completely unacceptable for our consumers to have a subsidy but no ability to purchase insurance on the exchange. We support any option that avoids that result.”

I yield the floor.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 762. A bill to amend the Internal Revenue Code of 1986 to reform provisions relating to whistleblowers; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, in 2006, I was successful in enacting much needed updates to the IRS whistleblower program. Up until that time, the program was entirely a voluntary award program. There was also no central office within the IRS for handling whistleblower claims. Given this, there was little incentive for whistleblowers to step forward potentially risking their careers.

My 2006 amendments sought to bolster the IRS whistleblower program by making a special program targeted at going after high-dollar tax cheats, such as corporations. It did this by making awards mandatory in cases where a whistleblower discloses tax fraud totaling \$2 million or more. Moreover, the 2006 amendments established the Whistleblower Office within the IRS to formalize and manage the program.

The IRS whistleblower program has turned into one of the most effective programs in addressing tax evasion—leading to the recovery of more than \$3 billion in taxes that otherwise would have been lost to fraud. I firmly believe the program has the potential to collect even greater sums going forward. However, for this to occur, the IRS is going to have to completely embrace the program and start to view whistleblowers as their allies.

The Government Accountability Office, GAO, issued a report on the program in 2015 that expressed concerns that long timelines and poor communication may be discouraging whistleblowers. This is exactly what I have been hearing from whistleblowers for years. Too often whistleblowers are waiting in the dark for years with no communication on where their claim is in the system.

While the IRS has made improvements in this area, I fear that without further improvements some whistleblowers may start to question whether stepping forward is worth their time and effort. My concern is exacerbated by the fact that under current law, IRS whistleblowers have no protections against employer retaliation for good-faith disclosures.

That is why I am pleased to be joined by Senator WYDEN today in introducing legislation that seeks to address these issues. The IRS Whistleblower Improvements Act would increase communication between the IRS and whistleblowers, while protecting taxpayer privacy, and provide legal protections

to whistleblowers from employers retaliating against them for disclosing tax abuses.

To increase communication, our bill would specifically allow the IRS to exchange information with whistleblowers where doing so would be helpful to an investigation. It would further require the IRS to provide status updates to whistleblowers at significant points in the review process and allows for further updates at the discretion of the IRS. It does this while ensuring the confidentiality of this information is maintained.

Moreover, to protect whistleblowers from employer retaliation, our bill extends antiretaliation provisions to IRS whistleblowers that are presently afforded to whistleblowers under other whistleblower laws, such as the False Claims Act and Sarbanes-Oxley.

Too often, whistleblowers are treated like skunks at a picnic. This is unfortunate, as often the only way to discover fraud and abuse is for a whistleblower to step forward. It is time we roll out the welcome mat for IRS whistleblowers. Our bill takes a good step in that direction.

I urge my colleagues to join Senator WYDEN and me in supporting this commonsense legislation.

By Mr. BENNET (for himself, Mrs. SHAHEEN, Mr. BOOKER, Mr. CARDIN, Mr. SANDERS, Mr. MARKEY, Mr. MERKLEY, Mr. REED, Mr. DURBIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. UDALL, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. WARREN, Mr. WYDEN, Mr. FRANKEN, Ms. HASSAN, Mr. NELSON, Ms. HARRIS, Mrs. MURRAY, Mr. COONS, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEAHY, Mr. BLUMENTHAL, Mr. CARPER, Ms. HIRONO, Mr. MURPHY, and Mr. VAN HOLLEN):

S. 767. A bill to provide that the Executive Order entitled “Promoting Energy Independence and Economic Growth” and signed on March 28, 2017, shall have no force or effect, and for other purposes; to the Committee on Environment and Public Works.

Mr. BENNET. Mr. President, even with all the dysfunction in Congress, somehow the American people continue to expect that Washington will enact policies that bear at least some relationship to the challenges they face. Unfortunately, the administration's new Executive order on energy fails even that low bar.

This order will not expand energy production, it will not make us more energy independent, it will not create more American jobs, and it will also not protect us from the ravages of climate change. That last point is somewhat less surprising than the first because, unlike millions of Americans and 99 percent of scientists, this administration does not believe that climate change is real or that humankind is contributing to it.

To understand where this Executive order comes from, I think it is important to see where we were before this administration took office. Put simply, the United States was already on track to achieve energy independence. Our country is producing a tremendous amount of low-cost energy. Since 2008, solar energy production has grown more than 50-fold, wind power is up 3-fold, and oil production in the United States of America is up 75 percent. In fact, 5 years ago, we began producing more oil than we import.

You can see on this slide that over the period of time that the Obama administration was in office, oil production rose like this, and net imports have gone like this—an important fact considering our geopolitical situation in the world. We are also now producing so much natural gas that facilities that were built originally to import gas are now being reengineered to export gas from the United States. I, along with other people in this Chamber, have worked hard to try to make sure those facilities are expedited so we can get the benefit of that exported natural gas.

Even before President Trump rode to the rescue with his Executive order, the Wall Street Journal told us that exports of natural gas could more than double over the next 5 years, just based on what we are doing already. We are also using energy far more efficiently in our homes, our appliances, and our automobiles, which is why the administration's action to reverse higher fuel standards last week—well, I just would say, talk about a solution in search of a problem. That is one.

There is not a person in Colorado who said to me: Michael, do you know what we ought to do? We ought to reduce the fuel efficiency standards on automobiles. We ought to create a regulatory environment where the United States can't sell competitive automobiles in the world. Nobody has said that because not only are they concerned about climate, they are concerned that we lead the world when it comes to innovation. And that order, just like a budget that cuts the EPA by 30 percent, that targets the climate scientists at the EPA, that targets the satellites that are above our heads so that we can't see what is happening on our planet—this is all so we can perpetuate a willful view that climate change doesn't exist, and it is the same thing with this Executive order.

All of the trends that are in place right now—right before this administration took office—have combined to reduce our reliance on foreign energy in recent years, even as our economy has grown and average prices at the pump, because of the abundant supply, remain under \$2.30. We are just a few years away from exporting as much oil and gas as we import. That is important for our country.

Colorado has been a huge part of America's growing energy independence and, by extension, our national se-

curity. That is because in many ways Colorado led the way in developing a commonsense approach to expanding energy production while ensuring clean air and a healthy planet. We brought environmentalists together with the oil and gas industry to develop one of the first State limits on methane pollution. It became a model for the country. We passed the first voter-led renewable energy standard in the Nation, which became a model for the country. We established our own limits on carbon pollution at the State level, and in this process we have created 13,000 renewable energy jobs, with wind jobs alone expected to triple by 2020. On average, these jobs pay over \$50,000. This is not some Bolshevik experiment or some socialist experiment. These are manufacturing jobs in the United States of America, in Colorado, that would not be there if it hadn't been for the policy decisions that were made in this body and in other parts of Washington, DC, and the supply chain that goes along with those manufactured turbines is critically important to our economy. At the same time we were doing all that, we preserved over 56,000 oil and gas jobs, even as drilling has slowed because of, again, abundant supply, to say nothing of the jobs Colorado has created just because it is a place where other people would like to live. They want to come to Colorado, as they want to go to Nevada, because there is a high quality of life. There is a lot of sunshine in both places.

I am pleased to have the chance to work with the Senator from Nevada to make sure we not only extended the investment tax credit with respect to solar, but we put language in there together—Republicans and Democrats together—to create an idea that those credits would kick in at the beginning of construction, not having to wait until the end. That has made a big difference to our solar industry.

Long ago, the State of Colorado and, I would say, many other States have broken past the false choice between our economy and the environment. That is the course we have charted in Colorado, and if the President were serious about energy independence, he would support that approach. Instead, he is trying to undermine it with this new order. By undoing national standards for carbon pollution, the order threatens to undercut our thriving clean energy industry. There are 465 solar and wind businesses across our State supporting over \$8 billion in investments. By retreating from the fight against climate change, the order recklessly endangers Colorado's \$646 billion outdoor recreation industry, not to mention the health of our national forests that line the banks of some of the most vital watersheds in America.

As the President targets our environment and clean energy economy with this Executive order, he has dressed it up as something good for jobs, as he did during the campaign. Yesterday, the

President stood before a group of coal miners and promised to “cancel job-killing regulations” and “put our miners back to work.”

Just 2 weeks ago, I was on the Western Slope of Colorado, a region with a number of mining communities. These communities, some of whom have helped invent hydraulic fracture and directional drilling, know that their challenges have far more to do with low prices and competition from natural gas than from the EPA. They know that their way of life and the way of life of communities like theirs all across the United States require real solutions to help them grow and diversify their economies. These communities get it. They understand it, but the President clearly does not.

Just yesterday, the Wall Street Journal ran this article entitled “Despite Trump Move on Climate Change, Utilities’ Shift from Coal Is Set to Continue.” According to the article, last year, power from coal plants fell while power from natural gas rose 35 percent. Nationwide major utilities are shedding coal and increasing natural gas and renewables. That is the reality of our energy market and of the global economy, but this administration, when it comes to energy and when it comes to climate, is not operating in reality. It is operating amongst political slogans. It is operating in the theater of the absurd, where policies have no relationship to problems, facts don't matter, and false promises to struggling Americans are just another political tactic to win a cable news cycle.

The American people deserve so much better. Colorado deserves so much better than that. That is why today I am introducing a bill alongside more than 30 Senators to rescind this disastrous order, protect American jobs, and preserve our path toward energy independence. The stakes could not be higher for our kids, our planet, and our economy. We cannot let this stand.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 102—RE-AFFIRMING THE STRATEGIC PARTNERSHIP BETWEEN THE UNITED STATES AND MEXICO, AND RECOGNIZING BILATERAL COOPERATION THAT ADVANCES THE NATIONAL SECURITY AND NATIONAL INTERESTS OF BOTH COUNTRIES

Mr. CORNYN (for himself, Mr. CARDIN, Mr. RUBIO, Mr. DURBIN, Mr. MCCAIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 102

Whereas the people of United States and Mexico enjoy shared cultural and economic ties and both nations share common values based on the desire to achieve peace, security, and prosperity in their respective countries;