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## Senate

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. It complies 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 failing 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 HELLER to provide tax relief to American families with children so they can have more money to make ends meet.

We also adopted an amendment from Senator COLLINS to provide relief to 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.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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.



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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 up 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-class 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 of the United States 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 striking about 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 Social Security. I made the point—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 administration 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. It is very different when 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 abusing what is known as tax passthroughs. It used to be that the tax passthrough was for a store or a restaurant or a garage. 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. It opens the door for tax cheats to dodge 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. Let's make sure everybody understands who is affected by that. The tax today touches estates worth more than \$11

million, \$5.5 million for a single individual—a tiny fraction of all the estates in the country. Eliminating the estate tax isn't a policy change that has anything to do with helping the middle class. It is entirely about helping the megawealthy—exactly the people the President told us yesterday he didn't want to help.

The Finance Committee Democratic staff put out a report last week that looked at some of the worst schemes and dodges that are used by the megawealthy to avoid paying estate tax. There is a cottage industry of crafty lawyers and accountants who have made careers out of gutting the estate tax by engineering billion-dollar tax shelters for the 1 percent. So the estate tax is already full of loopholes, but this administration isn't interested in closing them even after the Treasury Secretary, Mr. Mnuchin, admitted just the other day that it goes mostly to the people at the very top.

So there is a common thread in these proposals. There is a common thread in this debate that is driven by partisanship and reconciliation, which is why I want to strike those instructions. What is actually on paper—not what is said in the speeches or in sound bites and the like—is that the Republican plan doesn't close the most egregious loopholes. It enshrines them as permanent features in our tax law. That is contrary to what the President said he wanted to do, and it certainly isn't a tax recipe focused on the middle class.

One of the individuals who has been most out in front of the cameras selling the Trump tax plan to the public is the Treasury Secretary. A few weeks ago, the Secretary doubled down on the failed experiment that tax cuts pay for themselves. Forget the history that shows that isn't true. Secretary Mnuchin said the Trump tax cuts will not just pay for themselves, they will raise an additional trillion dollars in revenue on top of their own costs. The fact is, there is no magical growth fairy, no unicorns, no kind of growth fairies that are going to somehow spring to life if this tax cut plan becomes law, but Secretary Mnuchin, our Treasury Secretary, keeps going back to the unicorns, keeps going back to rainbow economics.

What is striking is, I asked the Republican economist—the economist chosen by our friend and distinguished chairman ORRIN HATCH—who came before the Finance Committee the other day about whether tax cuts pay for themselves, and the Republican economist chosen by the Republicans on the Finance Committee, those Republicans' economist acknowledged that tax cuts don't pay for themselves.

There have been some other whoppers about the Republican plan, at least what 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 appreciate the eye-popping honesty, 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 straits.

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 bipartisan work. What 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 think 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 we are 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. What we have talked about doesn't even go as far as what President Reagan did in 1986. What is 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 these 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.

#### HEALTHCARE

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, deductibles, and out-of-pocket costs for Americans who can least afford it.

I was reading an article 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 is 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 should 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.

I urge 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, slashes Medicare and Medicaid by \$1.5 trillion, and 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 is so bad 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 Republican deficit hawks seem to have flown the coop. This budget is going to increase the deficit by \$1.5 trillion. Our amendment would say: No, it should be 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 votes are.

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 so taxes 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, led by Senators CANTWELL and VAN HOLLEN, to protect State and local deductibility for middle-class families.

Senator CAPITO has an alternative amendment that is incredibly vague and leaves the door open to eliminating State and local. It doesn't say it will, but it leaves it open. That is why a coalition of groups, including the National Governors Association, the U.S. Conference of Mayors, and organizations representing firefighters, teachers, and sheriffs have just come out against Senator CAPITO's amendment.

Senator CANTWELL and VAN HOLLEN's 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 because the middle class is stuck in a rut and the economy isn't working the way it should for American families. I agree with that assessment. We need to do more to grow the economy, create jobs, raise wages, and put money in the pockets of average Americans, but when you hear the details of the plan they have to solve those problems, your head spins. Lower the tax rate on big corporations and the top 1 percent, repeal the estate tax, which goes only to estates of over \$5 million, and eliminate critical middle-class tax breaks like State and local deductibility. In what world does that deliver middle-class tax relief or solve the problems we are talking about?

It is the same game they played with healthcare: Complain about high premiums, deductibles, counties without enough insurers, and then each Republican bill exacerbates the problem.

The Republicans slide in their favorite solution—tax cuts for the rich—as the answer to every ill. If the economy is doing well, Republicans push tax cuts for the rich. If the economy is doing poorly, Republicans push for tax

cuts for the rich. If our healthcare system needs to be improved, tax cuts for the rich. It is entirely divorced from the real problems in the economy and our society.

Our economy suffers from massive inequality, which is growing, with a concentration of wealth at the very apex of our country's elite. The rich are doing well in America. God bless them; I am glad they are. American corporations are recording record-high profits. Look at the stock market, which reflects that. God bless them too. We hope they do well. But looking at the GOP tax plan, the American people have to wonder, is now the time to tilt the scales even further in favor of big corporations and the very rich? I believe the American people will reject that approach soundly and roundly, and after the amendment votes today, the American people will have a much clearer picture of what the Republican budget and tax plan is about.

There is still a chance to turn back from this budget and the one-party legislating that has stymied this Congress. I urge my colleagues on the Republican side to reject this budget. Come work with Democrats, and we can produce real, successful, bipartisan tax reform.

I yield the floor.

THE PRESIDING OFFICER. If no one yields time, the time will be charged equally to both sides.

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I know the Presiding Officer and all of our colleagues and those watching today know that we have been focused on the budget resolution. It is a very important document for the country, for the Senate, and for the Congress. There are a lot of big issues that we are all focused on, but there is one I wish to talk about this morning that relates to the budget document. Actually, to be perfectly frank, it relates to a number of the speeches made by my colleagues on the other side of the aisle. They have been coming down to the floor and talking about issues related to energy, which is really important for America, the environment, which is also very important to America, and—a little bit to my surprise, from all of these experts coming to the floor—Alaska, which is my State.

I am going to say a little bit more about what some of my colleagues have been talking about—my State. There seems to be a few experts on Alaska from States like Massachusetts and Oregon. I just want to put things in perspective from a Senator who is actually from the State and not these other Senators who, to be honest, don't know much about what they are talking about.

The one thing you are seeing is that it is for sure that you know there is kind of an issue in the debate on the floor when you see talking points that are just stale—talking points that, if you took a speech from 30 or 40 years ago, are the same talking points. They

are stale talking points from the other side of the aisle that have been used for decades, that haven't been updated or that don't reflect what has really been happening in the country in terms of technological advances, environmental standards, and one of the most important things that has happened in America over the last decade, and that is the American energy renaissance—the American energy renaissance.

I know some of my colleagues on the other side of the aisle don't even like to talk about it. They don't like to acknowledge it: As to energy, we don't produce that in America. Yes, we do. Yes, we do. We are doing it really, really well, and it is benefiting millions and millions and millions of Americans in every State in the country.

The budget resolution that we are debating has a provision in it that is really simple. I bet if you polled it with every American—Democrat, Republican, people watching on TV—it probably has a 90-percent approval.

There is a simple instruction in the budget resolution that says that Congress needs to look at ways to increase Federal revenues by increasing American energy production. What could be wrong with increasing American energy production?

That provision that we are actually debating right now should be very bipartisan. Who is against that? Who could be against that? Why is this so important? Why is the American energy renaissance so important?

Well, as the Presiding Officer knows, because his State is certainly involved in it, the energy renaissance that is happening in the United States right now is a win, win, win, win, win on almost every category you can imagine.

What do I mean by the energy renaissance? Right now in our great Nation with our resources, we are producing more oil, more natural gas, and more renewables than any other place in the world. That is really good for the country. That is the renaissance. That is really a revolution in energy production. It is something that you would think on the Senate floor should be completely bipartisan. Unfortunately, it isn't.

Let me talk a little bit about how this energy renaissance and what is in the budget resolution will produce more energy for America by Americans, which is good for the country. Let's count the ways. When I said win, win, win, win, win, I wasn't joking. The wins are all on the board.

First, there is energy security. For our Nation, it is lower cost energy. With the increase in natural gas, we are seeing the drop in the prices of natural gas for homes and manufacturers and increasing manufacturing. These are enormously important for our Nation.

There is economic growth and jobs. In the energy sector, these are good jobs. The Presiding Officer has a lot of these jobs in his State. I have a lot of these jobs in my State. These are really important jobs. When you look at

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. The 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, that really helps our 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. Well, let's produce it here.

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 simple 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 man, said? He said: America 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 gen-

eral 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 MURKOWSKI 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 Massachusetts, Oregon, 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 certainly 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 you 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 technologically 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, and, certainly, it 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 on the environment 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, 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 these doomsday scenarios. Don't believe the misinformed 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. When they come to the floor 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 with 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, we have what is called no 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 State 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. It is as though nobody was even 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 phase.

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—when we actually 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 from the other side of the aisle, but it is really important, as we debate these issues, that all Americans know this. More energy for the country is really positive.

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, decreased 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 tonight.

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 in America—the 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 52 percent 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 Security and 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 around 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 diplomatic negotiations, and he is setting us 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. entrance 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 productions 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 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. They said we needed to initiate 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-Qaida, and from a Republican colleague: “The policy of the United States should 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, President Trump 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 for an alternative. I wasn't 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 possibly longer.

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 think we should 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 and all of us are 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 should use the sanctions 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 cannot be 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 hear concerns 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 at best. They are not zero, but they are not high, either. 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 seek to exhaust 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 message we send to North Korea 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, U.S. intelligence services, 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 we need to take military action 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 defunding 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 they break for nuclear weapons. 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 think that is an obligation we owe to the public and to our troops. We have to exhaust diplomacy.

There may come a time when that eagle just cannot face the olive branches of diplomacy, but we have to insist on military strength to keep order in the world and protect Americans. But if we turn to those arrows of

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 hope 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 document. 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 to pass 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 unless we get 60 votes. With our friends on the other side—I think it is going to be hard to get any Democrats for a meaningful tax cut. They are not bad people; they just see things differently. When they spend money, they think that is good. They don't worry about the deficit. When we cut taxes, the deficit is the most important thing. My belief is that not only will we not have a deficit, we will actually have a surplus because this budget does two things: It restrains spending by \$5.1 trillion over the next decade, and it actually creates a system for tax cuts to spur economic growth.

If we could 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 3.2. 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, but 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 is less to buy from people who hate our guts. We are going to be using oil and gas for a long time to come. I want to move to a lower carbon economy. I think that would be good for the environment and good for our economy. Alaska has been blessed with natural resources, and 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 and State Department to deal with the wars 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 side—you literally don't know what you 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.

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 1940s-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 us down?

We are spending about 3.2 percent of GDP on defense. Historically, since 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 2011, when sequestration was passed, 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 one 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 278; 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 responsible 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 clean up some of the deductions and exemptions for the few at the expense of the many. But we can only do that if we pass a budget resolution.

A final thought. From the Republican Party point of view, we have the House, the Senate, and the Presidency. We have nobody to blame in 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 to get 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 Republicans who believe that a "no" vote is good for the future of conservatism 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 2008 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.

We have to deal with our entitlement problem, but that is not in this budget reconciliation instruction. This instruction allows us to cut taxes with a

majority-only vote and gets to balance or a surplus in 2027.

From a Republican point of view, this is the most important vote we are going to cast in 2017. If we fail, that is the end of this party's ability to grow. All of those who worked hard to get us here are going to be disappointed, and they should be.

We are not going to disappoint you. We are going to pass this budget resolution. We are going to cut your taxes, and we are eventually going to rebuild and replace ObamaCare, which is failing, with a block grant that gets the money and power closer to where you live, in the hands of the people you can vote for. We are going to succeed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, let me first agree with the point that the Senator from South Carolina just made about the importance of passing a tax bill this year. He made the point—and if he didn't, I will make it—that if we don't pass a tax bill this year or at least get most of the way there—I hope we get done with this tax process this year. If we don't get that done, I think we won't have another opportunity to pass a tax bill in the next 4 years.

On the other hand, if we do pass a tax bill this year, we will have the incentive to take a second look in 2019, maybe 2020, but probably in 2019. The point I am making is, we don't have to do everything that could possibly be done to improve the Tax Code this year to take an important step. But if we don't take that important step, my belief is we are likely not going to have the kind of tax relief that working families need in the next 4 years. So not only is the pressure on the Republican Senate, the Republican House, and a White House that wants to work with us to get this done, but the pressure should be on everyone who cares about hard-working families. And the pressure should be on everyone who wants to see tax relief for those families happen. We need to understand that it needs to happen now.

Fights that can't be won in the next few weeks can be won in this Presidential term but only if we take this step successfully right now. As the Senator from South Carolina and others have pointed out, this is an important two-step process.

The first step is a budget that allows us to move forward so that we can do this under the budget rules and allow 51 Senators to pass a bill on tax reform. By the way, they don't have to be 51 Republicans. I suspect that is what will happen, but once we get to 51 Republicans, I would love to see Democrats join us. I would love to see them join us before that.

This is the kind of help that hard-working families need—families who, for 9 years, were stuck in a situation where their buying power wasn't increasing, their job opportunities weren't increasing. They generally

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 focus on. One is, how do 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 pay, 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 do that with policies that make 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 stronger 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 seemed to be getting 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 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 of 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 week's worth of work—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 one page—the 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 be won this year so Americans 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. 1302

Mr. WYDEN. Mr. President, yesterday I was at a meeting with the President at the White House, along with several members from both sides of the Senate Finance Committee. I said to the President flatout 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 built around 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 instructions 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 advance it. 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 said this during 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 to disagree 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 Demo-

cratic 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 fully 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.

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

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

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

[Rollcall Vote No. 225 Leg.]

YEAS—47

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

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NOT VOTING—1

Menendez

The amendment (No. 1302) was rejected.

AMENDMENT NO. 1393 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. 1393, 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. CAPITO] 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 high-income 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 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 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 deduction benefits go 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. More than half 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, the 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 the 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 in a big hole.

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

I yield the floor.  
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.

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 52, nays 47, as follows:

[Rollcall Vote No. 226 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—47

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

NOT VOTING—1

Menendez

The amendment (No. 1393) was agreed to.

AMENDMENT NO. 1141 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. 1141, offered by the Senator from Washington, Ms. CANTWELL.

Ms. CANTWELL. Madam President, I call up amendment No. 1141, as provided under the previous order.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 1141 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 bill, 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 tax deductions from their Federal obligations on property, but I am specifically talking about States like Washington, Wyoming, Nevada, South Dakota, Alaska, Florida, Texas, and Tennessee.

We 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.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, this amendment is corrosive to the budget resolution's privilege. So it falls outside the scope of what is appropriate for inclusion. Adoption of corrosive amendments could be fatal to the resolution's privilege, and loss of privilege could compromise our ability to pass tax reform and enforce the budget spending limits. Further, this amendment is also nongermane. The Congressional Budget Act requires that amendments to a budget resolution be germane, which is a statutory requirement we can't ignore. So I raise a point of order against this amendment under the Budget Act, section 305(b)(2).

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for the 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 assistant bill clerk called the roll.

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

The PRESIDING OFFICER (Mr. SASSE). 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. 227 Leg.]

YEAS—47

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

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

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 Tennessee.

Mr. ALEXANDER. 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. 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.

So he 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 finished our negotiations 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 President's consideration and the consideration of the House of Representatives be printed in the RECORD following my remarks.

The Republican Senators who are cosponsoring the Alexander-Murray proposal, in addition to me, are Senator ROUNDS, Senator GRAHAM, Senator MCCAIN, Senator CASSIDY, Senator COLLINS, Senator ERNST, Senator MURKOWSKI, Senator BURR, and Senator CORKER. I thank them all for doing that. Senator MURRAY will talk about the equal number of Democratic cosponsors that we have.

We hope Senator MCCONNELL and Senator SCHUMER, the President of the United States, and the House of Representatives will consider our proposal. This is a first step—improve it and pass it, sooner rather than later. Our purpose is to stabilize and then lower the cost of premiums in the individual insurance market for the years 2018 and 2019.

In plain English, most Americans get their insurance from the government or on the job. About 6 percent of insured Americans, or 18 million Americans, go into the individual market to buy it. They are the ones we are worried about. They are the ones we are seeking to help. There are 350,000 such people in Tennessee—songwriters, farmers, small business women—they are the ones who are terrified by the prospect of skyrocketing premiums and even the possibility that they might not be able to buy insurance at all.

Our agreement tries to help in two ways. No. 1, it permanently amends the Affordable Care Act to give new flexibility for States to create insurance policies that have a larger variety and lower costs. No. 2, it continues the cost-sharing reduction payments during 2018 and 2019.

Now, first, about cost-sharing. Cost-sharing reduction payments are subsidies that pay for co-pays and deductibles for low-income Americans. That is what they are. Every Democrat wants them to continue, so do many Republicans, including every Republican in the majority in the House who voted for their repeal-and-replace bill this year because it continued the cost-sharing payments for two years.

Let me say that again. Every Republican in the House of Representatives who voted to repeal and replace ObamaCare this year voted for a provision that continued the cost-sharing payments for 2 years. Our bill does the same thing. The only difference is, we eliminate any question about whether paying them is legal.

Now, why would so many Republicans and so many Democrats support these payments for 2 years and why would the President of the United States be interested in them? It is because the Congressional Budget Office has told us that if we don't do it—if we let them expire—premiums in 2018 will go up an average of 20 percent. They

are already set, in most cases. The Federal debt will increase by \$194 billion 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 like to do that. We have a page 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 \$194 billion of new Federal debt? What is conservative about creating chaos so millions can't buy insurance or at least failing 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 have cosponsored 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. It takes 60. Democrats are for 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 objectives 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, Tennessee, 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 I forgot to do it when I listed the sponsors, 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 get most of those changes 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 last Saturday, 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 America—and 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 improved. We look forward to 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, BURR, and CORKER.

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 cited 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 the 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) CERTIFICATIONS.—A certification described in this paragraph is a document, signed by the Governor of the State, that certifies that such Governor has the authority under existing Federal and State law to take action under this section, including implementation of the State plan under subsection (a)(1)(B).”; and

(C) in subparagraph (B)—

(i) in the subparagraph heading, by striking “OF OPT OUT”; and

(ii) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A)(i); or

“(ii) terminating a certification described in subparagraph (A)(ii), through a certification for such termination signed by the Governor of the State.”.

(b) GIVING STATES MORE FUNDING FLEXIBILITY, TO ESTABLISH REINSURANCE, HIGH RISK POOLS, INVISIBLE HIGH RISK POOLS, INSURANCE STABILITY FUNDS AND OTHER PROGRAMS.—Section 1332(a)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)(3)) is amended—

(1) in the first sentence—

(A) by inserting “or would qualify for a reduced portion of” after “would not qualify for”; and

(B) by inserting “, or the State would not qualify for or would qualify for a reduced portion of basic health program funds under section 1331,” after “subtitle E”;

(C) by inserting “, or basic health program funds the State would have received,” after “this title”; and

(D) by inserting “or for implementing the basic health program established under section 1331” before the period;

(2) in the second sentence, by inserting before the period, “, and with respect to participation in the basic health program and funds provided to such other States under section 1331”; and

(3) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits, reductions, or funds be paid to the State as described in the first sentence.”.

(c) ENSURING PATIENT ACCESS TO MORE FLEXIBLE HEALTH PLANS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “at least as affordable” and inserting “of comparable affordability, including for low-income individuals, individuals with serious health needs, and other vulnerable populations.”; and

(ii) by amending subparagraph (D) to read as follows:

“(D)(i) will not increase the Federal deficit over the term of the waiver; and

“(ii) will not increase the Federal deficit over the term of the 10-year budget plan submitted under subsection (a)(1)(B)(ii).”; and

(B) by redesignating paragraph (2) (as amended by subsection (a)) as paragraph (3); 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)(D), 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).

“(B) LIMITATION.—A determination made by the Secretary under subparagraph (A)—

“(i) shall not be construed to affect any waiver process or standards or terms and conditions in effect on the date of enactment of the Bipartisan Health Care Stabilization Act of 2017 under title XI, XVIII, XIX, or XXI of the Social Security Act, or any other Federal law relating to the provision of health care items or services; and

“(ii) shall be made without regard 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)(1)(C), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”.

(d) PROVIDING EXPEDITED APPROVAL OF STATE WAIVERS.—Section 1332(d) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(d)) is amended—

(1) in paragraph (1) by striking “180” and inserting “90”; and

(2) by adding at the end the following:

“(3) EXPEDITED DETERMINATION.—

“(A) IN GENERAL.—With respect to any application under subsection (a)(1) submitted on or after the date of enactment of the Bipartisan Health Care Stabilization Act of 2017 or any such application submitted prior to such date of enactment and under review by the Secretary on such date of enactment, the Secretary shall make a determination on such application, using the criteria for approval otherwise applicable under this section, not later than 45 days after the receipt of such application, and shall allow the public notice and comment at the State and Federal levels described under subsection (a)(4) to occur concurrently if such State application—

“(i) is submitted in response to an urgent situation, with respect to areas in the State that the Secretary determines are at risk for excessive premium increases or having no health plans offered in the applicable health insurance market for the current or following plan year; or

“(ii) is for a waiver that is the same or substantially similar to a waiver that the Secretary already has approved for another State.

“(B) APPROVAL.—

“(i) URGENT SITUATIONS.—

“(I) PROVISIONAL APPROVAL.—A waiver approved under the expedited determination process under subparagraph (A)(i) shall be in effect for a period of 3 years, unless the State requests a shorter duration.

“(II) FULL APPROVAL.—Subject to the requirements for approval otherwise applicable under this section, not later than 1 year before the expiration of a provisional waiver period described in subclause (I) with respect to an application described in subparagraph (A)(i), the Secretary shall make a determination on whether to extend the approval of such waiver for the full term of the waiver requested by the State, for a total approval period not to exceed 6 years. The Secretary may request additional information as the Secretary determines appropriate to make such determination.

“(ii) APPROVAL OF SAME OR SIMILAR APPLICATIONS.—An approval of a waiver under subparagraph (A)(ii) shall be subject to the terms of subsection (e).

“(C) GAO STUDY.—Not later than 5 years after the date of enactment of the Bipartisan

Health Care Stabilization Act of 2017, the Comptroller General of the United States shall conduct a review of all waivers approved pursuant to an application under subparagraph (A)(ii) to evaluate whether such waivers met the requirements of subsection (b)(1) and whether the applications should have qualified for such expedited process.”.

(e) PROVIDING CERTAINTY FOR STATE-BASED REFORMS.—Section 1332

(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(e)) is amended by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 6 years unless the State requests a shorter duration;

“(2) may be renewed, subject to the State meeting the criteria for approval otherwise applicable under this section, for unlimited additional 6-year periods upon application by the State; and

“(3) may not be suspended 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.”.

(f) 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:

“(f) GUIDANCE AND REGULATIONS.—

“(1) IN GENERAL.—With respect to carrying out this section, the Secretary shall—

“(A) issue guidance, not later than 30 days after the date of enactment of the Bipartisan Health Care Stabilization Act of 2017, that includes initial examples of model State plans that meet the requirements for approval under this section; and

“(B) periodically review the guidance issued under subparagraph (A) and when appropriate, issue additional examples of model State plans that meet the requirements for approval under this section, which may include—

“(i) State plans establishing reinsurance or invisible high-risk pool arrangements for purposes of covering the cost of high-risk individuals;

“(ii) State plans expanding insurer participation, access to affordable health plans, network adequacy, and health plan options over the entire applicable health insurance market in the State;

“(iii) waivers encouraging or requiring health plans in such State to deploy value-based insurance designs which structure enrollee cost-sharing and other health plan design elements to encourage enrollees to consume high-value clinical services;

“(iv) State plans allowing for significant variation in health plan benefit design; or

“(v) any other State plan as the Secretary determines appropriate.

“(2) RESCISSION OF PREVIOUS REGULATIONS AND GUIDANCE.—Beginning on the date of enactment of the Bipartisan Health Care Stabilization Act of 2017, the regulations promulgated, and the guidance issued, under this section prior to the date of enactment of the Bipartisan Health Care Stabilization Act of 2017 shall have no force or effect.”; and

(2) in subsection (a)(4)—

(A) in subparagraph (A), by inserting “, as applicable” before the semicolon; and

(B) in subparagraph (B), by striking “Not later than 180 days after the date of enactment of this Act, the Secretary shall” and inserting “The Secretary may”.

(g) 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

date of enactment of this Act and applications for such waivers submitted prior to such date of enactment and under review by the Secretary on the date of enactment, shall take effect on the date of enactment of this Act; and

(2) with respect to applications for waivers approved under such section 1332 before the date of enactment of this Act, shall not require reconsideration of whether such applications meet the requirements of such section 1332, except that, at the request of a State, the Secretary shall recalculate the amount of funding provided under subsection (a)(3) of such section.

(h) CLARIFYING BUDGET NEUTRALITY.—Section 1332(a)(1)(B)(ii) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)(1)(B)(ii)) is amended by inserting “over both the term of the proposed waiver and the term of the 10-year budget plan” after “Government”.

### SEC. 3. COST-SHARING PAYMENTS.

(a) IN GENERAL.—There is appropriated to the Secretary of Health and Human Services (referred to in this section as the “Secretary”), out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions authorized by section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) for the portion of plan year 2017 that begins [on the date of enactment of this Act] and ends on December 31, 2017, and for plan years 2018 and 2019.

[(b) Ensuring Consumer Benefit in 2018.—]

[(1) COST-SHARING PAYMENTS.—]

[(A) IN GENERAL.—(i) AVAILABILITY OF FUNDS.—For plan year 2018, except with respect to issuers of qualified health plans in a State described in clause (ii)(I), amounts appropriated under subsection (a) shall be made available for payments for cost-sharing reductions under such section 1402 to issuers of qualified health plans.]

[(ii) STATE FLEXIBILITY.—]

[(I) STATE DESCRIBED.—A State described in this clause is a State in which the State insurance regulator, before the date of enactment of this Act, directed issuers of qualified health plans to decline cost-sharing reduction payments under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) for the 2018 plan year, through a formal notice or correspondence.]

[(II) STATE OPTION TO REVERSE DIRECTIVE.—Nothing in this clause shall prevent a State insurance regulator from reversing a directive described in subclause (I).]

[(B) STATE PLAN.—]

[(i) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, each State insurance regulator not described in subparagraph (A)(ii)(I) shall submit to the Secretary of Health and Human Services a certification that, with respect to plan year 2018, the State will ensure that each applicable issuer of a qualified health plan in the State provides a direct financial benefit to consumers and the Federal Government, as applicable, and a State plan for so ensuring such benefit. The Secretaries of the Treasury and of Health and Human Services shall assist the States in developing and implementing plans as needed, including by providing technical assistance.]

[(ii) CONTENT.—A State plan under clause (i) shall include, as applicable—]

[(I) providing monthly rebates to affected consumers and the Federal Government;]

[(II) one-time rebates for consumers to affected consumers and the Federal Government;]

[(III) after-the-year rebates for affected consumers and the Federal Government;]

[(IV) rebates paid through the process under section 2718 of the Public Health Serv-

ice Act (42 U.S.C. 300gg-18), allowing for the appropriate portion of rebates to be provided to the Federal Government; and]

[(V) other means of providing a direct financial benefit to consumers and the Federal Government approved by the State insurance regulator, provided such means of providing a financial benefit does not result in increased costs for applicable taxpayers described in section 36B of the Internal Revenue Code of 1986 or the Federal Government.]

[(iii) CONSIDERATIONS.—Any rebate amount described in clause (ii)—]

[(I) shall be treated as part of the premium, but the premium under section 36B(b)(2) of the Internal Revenue Code of 1986 or section 36B(f)(3)(B) of such Code shall not be affected by the rebate amount;]

[(II) shall be treated as if it were an expenditure described in paragraph (1) or (2) of section 2718(a) of the Public Health Service Act (42 U.S.C. 300gg-18);]

[(III) shall be accounted for by the Secretary in calculating risk adjustment and reconciling any other relevant downstream financial calculations; and]

[(IV) shall be provided so as not to create an inducement to purchase health insurance coverage from an applicable issuer.]

[(iv) NOTICE REQUIREMENTS.—States that adopt a State plan under this subparagraph shall prominently post a notice that enrollees may qualify for rebates or other means and explain how such rebates will be provided.]

[(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue a report describing the activities taken by issuers of qualified health plans in States that submitted certifications and State plans under paragraph (1)(B) to provide a direct financial benefit to individuals enrolled in a qualified health plan and the Federal Government, as applicable, for the 2018 plan year.]

### SEC. 4. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM COPPER PLAN.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended—

(1) in paragraph (1)—

(A) by redesignating clauses (i) and (ii) of subparagraph (B) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly;

(B) by striking “plan year if—” and all that follows through “the plan provides—” and inserting “plan year if the plan provides—”; and

(C) in subparagraph (A), as redesignated by paragraph (1), by striking “clause (ii)” and inserting “subparagraph (B)”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) RISK POOLS.—Section 1312(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended by inserting “and including enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

(c) CONFORMING AMENDMENT.—Section 1312(d)(3)(C) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(C)) is amended by striking “, except that in the case of a catastrophic plan described in section 1302(e), a qualified individual may enroll in the plan only if the individual is eligible to enroll in the plan under section 1302(e)(2)”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply with respect to plan years beginning on or after January 1, 2019.

### SEC. 5. CONSUMER OUTREACH, EDUCATION, AND ASSISTANCE.

(a) OPEN ENROLLMENT REPORTS.—For plan years 2018 and 2019, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in coordination with the Secretary of the Treasury and the Secretary of Labor, shall issue biweekly public reports during the annual open enrollment period on the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the number of unique website visits;

(2) the number of individuals who create an account;

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

(4) the average wait time for callers contacting the call center;

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

(6) 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.

(b) OPEN ENROLLMENT AFTER ACTION REPORT.—For plan years 2018 and 2019, 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 eligibility for tax credits, cost-sharing reductions, or other coverage;

(ii) how the Secretary worked with patient navigators to establish such objectives; and

(iii) how the Secretary adjusted such objectives for case complexity and other contextual factors.

(c) REPORT ON ADVERTISING AND CONSUMER OUTREACH.—Not later than 3 months after the completion of the annual open enrollment period for the 2018 plan year, the Secretary shall issue a report on advertising and outreach to consumers for the open enrollment period for the 2018 plan year. Such report shall include a description of—

(1) the division of spending on individual advertising platforms, including television and radio advertisements and digital media,

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 and geographic areas.

(d) OUTREACH 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) OUTREACH 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 (excluding allocations to the call center for the Federal Exchange); and

(ii) activities conducted by an in-person consumer 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 fair and 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–25R.

(4) CLARIFICATIONS.—

(A) PRIOR FUNDING.—Nothing in this subsection should be construed as rescinding or cancelling 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 compacts established under 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 there was no hope for 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 the elderly. It does 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 even more, to 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 from this administration, 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 paying the price of 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, MCCASKILL and HASSAN.

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 decide to get 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 that, 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 about a page and a half of language that requires every State to make sure the benefits of those 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 always tough. 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 insurers because they haven't read the bill, if they have seen it.

I thank Senator ALEXANDER for his attention, discussions, and hard work to reach this point.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, before I speak on an amendment that is expected to be voted on later this afternoon, I wish to take just a brief moment and thank my colleagues, the Chairman of the HELP Committee and his ranking member, Senator MURRAY. The work they have done to knit together this compromise—and we all recognize it is a compromise—is such an important one, and it comes at such an important time.

It is not only good from a policy perspective to ensure that we don't pull out the underpinnings on the individual market here, but it is good, from the perspective of the health of our institution, to be able to demonstrate that, at a time when things are a little tense, let's just say, on issues that are highly emotional, highly personal, and highly, highly complex, we can come together and we can demonstrate the ability to govern. It doesn't come without great patience and persistence, and these two individuals, these two leaders, have really helped guide us here in the Senate to find a better path, not only when it comes to how we deal with access to healthcare, reducing costs, reducing premiums, and providing for better levels of care but also a better path for the Senate.

So I want to acknowledge and show my genuine appreciation for their leadership.

Mr. President, as chairman of the Energy Committee, I come to the floor today to urge every Member here to vote against amendment No. 1301, which will be voted on later on this afternoon.

The fiscal year 2018 budget resolution instructs the Energy Committee to

raise \$1 billion over the next decade. That is all that it does. It just says: Go out and find \$1 billion over the next decade.

I appreciate Chairman ENZI's willingness to include this instruction, and I have every confidence that our committee will be able to meet the instruction. 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 fair 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 wealth—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 jobs. Some will reduce energy costs as opposed to raising them. Some will increase our energy and mineral security as opposed to sacrifice or selling it off.

What 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 we need to finally begin reducing the Federal debt, which is now over \$20 trillion.

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 our environment. This is not an either/or proposition. Anyone familiar with modern development can recognize that as the scarce tactic it is.

Senator SULLIVAN, my colleague from the State of Alaska, was on the floor earlier this morning, and he spoke to the outdated, stale arguments we have heard repeated on the floor and why we must reject them.

The amendment we have in front of us, 1301, simply strikes the section in the resolution that would provide for the Energy Committee instruction. The purpose perhaps takes it a little bit further in mentioning and bringing out the Arctic National Wildlife Refuge, ANWR. There has been a lot of discussion on the floor about ANWR already.

Senator SULLIVAN, when he spoke earlier, spoke to the broader opportunities we have seen in the Arctic with Arctic development in general. I want to raise a few facts about ANWR more specifically, since it clearly has been put out there for discussion.

As an Alaskan, and one who has been part of these debates for many years now, not only on the Senate floor but in Alaska, we know what we are talking about when we discuss the issue of Arctic development. We know and understand what ANWR is, where the wilderness area is, and what the 1002 area is.

I think it is important to put it into context. ANWR is an area of 19.3 million acres. It is about the size of the State of South Carolina. Included in this ANWR area are 8 million acres of Federal wilderness. You have wilderness area, you have refuge area, but you have nonwilderness area designated as the 1002 area. That is this area on the coastal plain. This is an area of 1.5 million acres. Delaware is about 1.3 million acres. The 1002 area is what was specifically set aside under ANILCA that would allow for consideration for its oil and gas potential. When ANWR was established, it was recognized that there were areas that were appropriate for wilderness, and there were areas that were appropriate to be reviewed and considered for their exploration and production potential.

That is what we are talking about within the 1002 area. Even within this area that was specifically set aside, we are not asking to develop all of the 1002. We are asking to develop just 2,000 Federal acres within it, effectively one ten-thousandths of the refuge area.

You can't see it, but that little red dot is basically what we are talking about. We can say this. We can say we don't need to do more than 2,000 acres, in this 19.3 million-acre area that has been set aside specifically for oil and gas production, because of what has happened over the decades with regard to our technologies, how we have worked to reduce the footprint since Prudhoe Bay opened over 40 years ago. Well pads on the North Slope have shrunk by over 80 percent in these intervening years. We are talking now about pad areas that are 12 acres in size—10, 11, 12 acres in size.

We have reduced the footprint dramatically, but what we have expanded

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 up north, 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. He wrote a great opinion piece 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 material was ordered to be printed in the RECORD, as follows:

[From the Fairbanks Daily News-Miner, Oct. 2, 2017]

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 headway nationally 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, Lower 48 lawmakers, special interest groups 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 oftentimes left out. The wishes of the people who live in and around the refuge's 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 the refuge—and should send 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 we fully understand 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.

During the past 35 years, the Alaska Legislature has consistently passed resolution after resolution supporting the opening of ANWR to drilling. During that same time, each Alaska member of Congress and every Alaska governor has supported responsible development of the 1002 area.

More recently, in January, U.S. Sen. Lisa Murkowski introduced Senate Bill 49—the Alaska Oil and Gas Production Act—to allow development of 2,000 surface acres in the refuge's coastal plain. This legislation served as the catalyst for the Inupiat people coming together to make an informed, united decision on whether or not to support drilling in ANWR.

As Inupiat, we stand to be unarguably the most affected by oil and gas activity in the

Arctic. Therefore, we have the greatest stake in seeing that any and all development keeps our land and subsistence resources safe. We know it can be done, because it's being done.

Now is the time to open ANWR to drilling.

Ms. MURKOWSKI. In part, Matthew states:

As ANWR debates occur, the views of the Inupiat who call the area home are oftentimes left out. The wishes of the people who live in and around the refuge's 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.

He goes on to speak to the Voice of the Arctic Inupiat, which has members from across the Arctic Slope who have voted unanimously to pass a resolution supporting oil and gas development in the 1002 area. He goes on further to state:

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 we fully understand 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 co-exist 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 energy 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 not to be in that place again.

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 be back above \$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 but around 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 understand more 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 one leave energy out of this debate? Why would we limit our opportunity to create new wealth in this country?

I would again urge the Senate to reject this amendment. It would deprive us of a substantial opportunity to benefit our country and ensure that we have great prospects and possibilities in front of us.

The Energy and Natural Resources Committee wanted to see this instruction in the budget resolution. I have every confidence that we can meet it, so I would urge Members to vote no on the motion to strike when that comes up later today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 1138 TO AMENDMENT NO. 1116

Mr. COONS. Mr. President, I join my colleague from the State of Virginia, Senator WARNER, in offering an amendment that will prevent tax reform from ballooning our deficits.

The Republican budget, which we are currently considering, includes a troubling provision that would exempt a

\$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 longtime friends 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 find ways to actually pay for new programs or find offsets for reductions in revenue rather than to add to our national debt. It is the right policy, and it has been in place for years. So it is, frankly, jarring that this budget document would include a provision that explicitly exempts a \$1.5 trillion tax reform bill from the pay-go rule.

Look, I agree that we need to work together toward a bipartisan tax reform bill, one that reduces taxes on the middle class and simplifies our overly complicated Tax Code, but we cannot 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 wider than 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, FL, as well as areas affected by wildfires in all of these other parts of our country will have significant rebuilding needs.

We have representatives 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 further support for folks from 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 investments in 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 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 national 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 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 strike the Senate pay-as-you-go exemption for tax cut reconciliation legislation and the exception to rules preventing any legislation from increasing the deficit over the short-term)

On page 50, line 8, strike “, and” and all that follows through “ledger,” on line 9.

Beginning on page 50, strike line 23 and all that follows through page 51, line 3.

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 this body 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 try to address debts and deficits, but there is the notion that we are about to take on a budget resolution this afternoon and start with the premise that the rules that are there to try to protect us from being fiscally irresponsible are going to be blown off at the outset. To say that we are going to start with \$1.5 trillion in the hole before we start counting is beyond irresponsible.

I thank my friend, the Senator from Delaware, for joining me in offering this amendment.

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 Intelligence 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—ones 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.

Let me say where I might agree with some of Senator CORNYN’s principles. I believe that we need a more simplified Tax Code. I believe that a goal of our Tax Code ought to put American business on a competitive basis with those of other countries around the world. I believe, as well, that to do that, one of

the goals of tax reform ought to be to lower corporate rates. I will point out, though, three quick things so that I may get back to finishing my comments.

One, let’s actually look at where America’s tax burden stands versus those of other nations that actually have lower corporate tax rates, for example. Out of the 34 OECD nations—35 now—if you were to listen to some folks on this floor, you would think that America must rank at the top of that list, but we are 31 out of 35.

The PRESIDING OFFICER. All time has expired.

Mr. CORNYN. Thank you, Mr. President. We will continue our conversation.

Mr. WARNER. Mr. President, I ask unanimous consent, since I had a few moments and I was trying to give courtesy to answer my colleague, for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Just to clarify, is the request for an additional 5 minutes of debate?

Mr. WARNER. Five minutes to answer the Senator’s question and to make my very short statement.

Mr. CORNYN. I object to any additional time.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the amendment.

All time has expired. The time was until 2 p.m.

Mr. WARNER. 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 amendment.

The clerk will call the roll.

The bill 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 47, nays 51, as follows:

[Rollcall Vote No. 228 Leg.]

YEAS—47

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

NAYS—51

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeben	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

NOT VOTING—2

Cochran Menendez

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.

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

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 America’s burdensome tax system. It is my hope that 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 serving 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 \$86 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 89 to 9, 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 ability to 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. America’s 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. We have seen the steady degradation of the military. The strain of constant operational tempo, combined with inadequate and unstable funding has, over the past 16 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 negotiating with 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 ship off the coast of Japan.

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

An Osprey helicopter 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.

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.

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

My friends, we are now losing more of our men and women in uniform in totally avoidable training accidents than we are in combat. There is 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. There is broad, bipartisan agreement about that from Members of the House of Representatives, here in the Senate, and the President. Yet we are about to vote for a budget resolution that severely underfunds the military because 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. Those are the ones that get cut first because they are the easiest. Cutting a major weapons system or program is extremely difficult.

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 be maintained, and 60 percent of the F-18s 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 they need 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 as authorized by the National Defense Authorization Act, then we will bear some responsibility for what happens.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). 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 supposedly all about tax reform. However, a budget, first and foremost,

should be a statement about priorities for the coming year and for the coming decade.

Let's take a moment and examine what this budget says about the majority's priorities. With any budget, I think you need to look at the end result and ask a couple of very simple questions.

First, does this budget help reduce Federal deficits and debt with a responsible, sensible approach? Second, does this budget, ultimately, put us on a sustainable fiscal path?

The answer to these questions is a clear no. Instead, this budget is primarily intended to allow the majority to use an expedited procedure to move tax breaks that would increase the deficit by \$1.5 trillion over the next decade.

My colleagues on the other side of the aisle will say that this lost revenue is offset by spending cuts and promises of new revenues from economic growth far beyond what almost every single mainstream economist predicts.

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 \$470 billion. On top of that, the budget includes over \$3 trillion in unspecified cuts.

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 unpopular that no one dares name what they are or trillions more in deficits 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 majority'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 the wealthiest Americans in our country and global corporations.

We also need to look at what it means for Michigan families and small businesses, but there is a deliberate lack of detail that makes figuring out what the bottom line is for working families impossible. We don't know where the tax brackets will start and where they will stop. We don't know what personal exemptions families will be able to take. We don't know the size and the scope of the child tax credit. We don't know if important incentives for charitable contributions will be kept. The majority is even keeping open the possibility of raising taxes on

Americans who are trying to save for their retirement.

This budget should be straightforward. We should reduce the tax burden on middle class families. We should make it simpler for Americans to file and understand their taxes. We should make it easier for them to save for retirement. We should increase take-home pay for Americans that work hard each and every day to make a living.

Unfortunately, none of these details that are important for middle-class folks were important enough to include in this budget. That is why I will vote against it. I urge my colleagues to do the same.

We cannot add another \$1.5 trillion to the deficit. We cannot slash Medicare and Medicaid. This is simply the wrong direction for our country.

So why are we moving forward with this budget at all? Well, on this issue, I think the administration has been clear. Passing this budget is all about passing a so-called tax reform bill. However, passing this budget is not a requirement for passing tax reform. Passing this budget is only a requirement to pass a tax bill with as few votes as possible—without input or buy-in from Members of the minority. This is not the way we should pass real tax reform. If tax reform is going to be successful, it must have broad bipartisan input. I stand ready to work with my colleagues on real tax reform.

Modernizing and streamlining our Tax Code can boost Michigan businesses, raise take-home pay for workers across sectors, and help create the type of 21st century economy we need.

We can make it easier for small businesses, including manufacturers and family farms, to invest in themselves, 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 gaming 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 families.

In 1986, Congress passed the most dramatic reform of the Federal Tax Code in modern history. How many votes did this sweeping overhaul of the tax system get? When tax reform ultimately passed the Senate in 1986, it received 97 votes.

If we want to repeat that accomplishment and truly overhaul our code to make it work better for American families 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 support 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 reform that will benefit the wealthiest among us on the backs of hard-working 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 infrastructure or in educating the next generation. They propose increasing the debt not to expand access to healthcare or promote medical research. No—they propose exploding the debt to give corporations and the top one percent a tax cut. Once again, they majority is turning 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 corporations, and the top 1 percent. It turns its back on millions of hard-working American families. While the resolution authorizes a \$1.5 trillion increase in the debt, independent experts calculate that the real cost of the Trump tax plan will far exceed that amount. How will the majority pay for the difference? It will slash Medicaid, a proposal already rejected by the Senate this year. It will slash Medicare. It will slash programs for veterans and infrastructure.

It will be middle-class Americans who bear the brunt of these cuts. According to independent analysts, middle-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 biggest corporations on our Nation's credit 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 Arctic 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 spurred by these tax cuts 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 while we should be taking 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 partisan efforts to roll back health coverage for millions of Americans. We should—and can—work together to craft a balanced 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 rightfully so. National Wildlife Refuges are one of the crown jewels of our Federal 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.

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 others, development decisions, such as the siting of oil and gas drilling, could negatively impact the future of both human and animal inhabitants.

The Arctic National Wildlife Refuge, one of the largest remaining 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 conserve 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 consistently used polar bear land 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 hosts nearly 200 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 any 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 birders and hosts more than 165,000 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 may shift existing Federal Homeland Security funds to construct a segment of-border wall through the Santa Ana Refuge.

As I have said before, we already have 650 miles of fencing along our southern border with Mexico in the areas where it is most effective. I am not unequivocally opposed to physical barriers where they are needed and where they can be shown to be the most effective method of border security, but the Santa Ana Refuge 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 during 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 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, Donnelly No. 1234, and Kaine 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 second-degree amendments in order to these seven 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 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 Senator 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:

**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 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 would not increase the deficit over the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1139

(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. 41. SENATE POINT OF ORDER AGAINST RECONCILIATION LEGISLATION THAT WOULD INCREASE THE DEFICIT OR REDUCE A SURPLUS.**

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any reconciliation bill, resolution, amendment, amendment between the Houses, motion, or conference report pursuant to section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641) that would cause or increase a deficit or reduce a surplus in either of the following periods:

(1) The period of the current fiscal year, the budget year, and the ensuing 4 fiscal years following the budget year.

(2) The period of the current fiscal year, the budget year, and the ensuing 9 fiscal years following the budget year.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section 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 in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of deficit increases and reductions in a surplus shall be determined on the basis of estimates provided by the Committee on the Budget of the Senate.

AMENDMENT NO. 1205

(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 total of fiscal years 2018 through 2027.

AMENDMENT NO. 1228

(Purpose: To create a point of order against legislation that would increase taxes on taxpayers whose annual income is below \$250,000)

At the end 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, 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. 1422

(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 III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE PROVISION OF INCENTIVES FOR BUSINESSES TO INVEST IN AMERICA AND CREATE JOBS IN AMERICA.**

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 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.

AMENDMENT NO. 1234

(Purpose: To create a point of order against legislation that allows companies that have outsourced jobs to foreign countries to benefit from any tax breaks)

At the end of title IV, add the following:

**SEC. 4. POINT OF ORDER AGAINST ANY TAX BILL ALLOWING COMPANIES THAT HAVE OUTSOURCED JOBS TO FOREIGN COUNTRIES TO BENEFIT FROM ANY TAX BREAKS.**

(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 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).

AMENDMENT NO. 1249

(Purpose: To modify section 4111 to reinstate and strengthen a prohibition on voting on legislation without a Congressional Budget Office score)

On page 83, strike lines 12 through 15, and insert the following:

**SEC. 4111. REPEAL OF CERTAIN LIMITATIONS.**

Section 3206 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, is repealed.

**SEC. 4112. PROHIBITION ON AGREEING TO CERTAIN AMENDMENTS TO LEGISLATION WITHOUT A SCORE IN THE SENATE.**

(a) IN GENERAL.—In the Senate, it shall not be in order to vote on the adoption of a covered amendment to a bill or resolution that requires an estimate under section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653), unless an estimate described in such section 402 for the covered amendment was made publicly available on the website of the Congressional Budget Office not later than 28 hours before the time the vote commences.

(b) COVERED AMENDMENT DEFINED.—In this section, the term “covered amendment” means an amendment in the nature of a substitute.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended 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 of the ruling of the Chair on a point of order raised under subsection (a).

Mr. ENZI. For the information of all Senators, these are the first seven amendments we will consider during vote-arama, and we will work to get an agreement on a final list of amendments during these votes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I think I am the only one standing between this body and a vote on something that 2 years ago I didn't know existed, and that is a “vote-arama” in local Senate terms. Being an outsider to the political process, I find a lot of this very strange.

I came to Washington, and now I have a new vocabulary. It includes things like “scoring,” which doesn't have anything to do with sports, “vote-arama,” which doesn't have anything to do with the carnival down the road, or “deficit-neutral reserve fund.” I am still trying to figure out what that is; I see the Presiding Officer is smiling up there. Then there are “points of order.” There is a vocabulary centered around what we are going to be doing this afternoon, but I want to speak to the budget process itself.

First of all, I want to be very clear with my colleagues on both sides. I support this budget that we are going to vote on today for one very strong reason. It is a vehicle to get to tax reform in the United States. I will not speak on taxes today in the few minutes that I have, but I do want to speak about the process.

What we are doing in America right now in the Senate and the Congress—and what we have been doing over the

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 funds for the victims of two 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 the right thing. That is not 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 now we have Puerto Rico.

Tonight we are going to be asked to vote up or down 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 our 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 Se-

curity, 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, some estimates say that we will 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 thing that contributes to 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. Imagine 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. These 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. In any other world, that can'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 process 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 are 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 fix this. 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 taxes.

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 PRESIDING OFFICER. 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 Sunday, October 1, 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. After flight training, he joined Carrier 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 extreme risks 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 laid so costly a sacrifice upon the altar of freedom.

Lieutenant Ruth is survived by his parents, David and Mary; his fiancée, 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. The Senator from Arizona.

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 know what 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. CASIDY). 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:

#### [Rollcall Vote No. 229 Leg.]

#### YEAS—98

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

#### NOT VOTING—2

Cochran Menendez

The amendment (No. 1178) was agreed to.

#### AMENDMENT NO. 1139

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Baldwin amendment No. 1139.

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 to pay for it.

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—defi-

cits 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. It 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 year 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 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:

[Rollcall Vote No. 230 Leg.]

YEAS—47

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

NAYS—51

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeben	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

NOT VOTING—2

Cochran	Menendez
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The amendment (No. 1139) was rejected.

AMENDMENT NO. 1205

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Rubio amendment No. 1205.

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 compiles data on how much it costs 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 way 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 COLLINS 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—interact. 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 inappropriately 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 60-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 progressive 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.]

YEAS—47

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

NAYS—51

Alexander	Enzi	Lankford
Barrasso	Ernst	Lee
Blunt	Fischer	McCain
Boozman	Flake	McConnell
Burr	Gardner	Moran
Capito	Graham	Murkowski
Cassidy	Grassley	Paul
Collins	Hatch	Perdue
Corker	Heller	Portman
Cornyn	Hoeben	Risch
Cotton	Inhofe	Roberts
Crapo	Isakson	Rounds
Cruz	Johnson	Rubio
Daines	Kennedy	Sasse

Scott  
Shelby  
Strange

Sullivan  
Thune  
Tillis

Toomey  
Wicker  
Young

NOT VOTING—2

Cochran

Menendez

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51.

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.

AMENDMENT NO. 1234, AS MODIFIED

Mr. ENZI. Mr. President, I ask unanimous consent that the Donnelly amendment be modified with the text of his amendment No. 1423, which is at the desk.

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

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

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

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 outsource 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.

Mr. ENZI. Mr. President, I further ask that the pending Kaine amendment be temporarily laid aside and that the Brown amendment No. 1378 be made pending and be the next vote in the series, with 2 minutes of debate prior to the vote.

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

AMENDMENT NO. 1422

There will now be 2 minutes of debate equally divided prior to a vote in relation to Portman amendment No. 1422.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise to speak on amendment No. 1422, which is a commonsense and, up to now, bipartisan 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. In fact, 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 companies 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 good jobs 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 want to work with my colleagues to make sure any tax reform package is good for American workers.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

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

The amendment (No. 1422) was agreed to.

AMENDMENT NO. 1234, AS MODIFIED

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Donnelly amendment No. 1234, as modified.

The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise today in support of the amendment I offered to address the outsourcing of American jobs. Currently, American companies that ship jobs to foreign countries can still claim massive tax breaks. That is wrong, and we should claw back incentives and prohibit companies from receiving tax breaks for outsourcing jobs.

My end outsourcing amendment is common sense for taxpayers, supporting companies that invest in American workers, not those shipping jobs to foreign countries. I urge all of my colleagues to support this amendment.

Mr. President, I yield back.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the question is on agreeing to the amendment, as modified.

The amendment (No. 1234), as modified, was agreed to.

AMENDMENT NO. 1378 TO AMENDMENT NO. 1116

The PRESIDING OFFICER. There will now be 2 minutes of debate, equal-

ly divided, prior to a vote in relation to Brown amendment No. 1378.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 1378 to amendment No. 1116.

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 is 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)

At the end of title III, add the following:

**SEC. 3. 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 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 income taxes paid by businesses, which may include measures providing tax breaks for companies that have not moved overseas to avoid paying their fair share of taxes, have maintained or expanded their United States workforce, or have provided fair wages and quality health insurance, prepared workers for retirement, hired veterans and workers with disabilities, and provided paid family medical leave, 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.

Mr. BROWN. Mr. President, I ask for support of the Patriot Corporation Act amendment. It is all pretty simple. Over the years, we have seen companies shut down production in Mansfield, OH, or Dayton, OH, and move to Tijuana, Mexico, or Hunan, China, and then sell their production back in the United States.

Under this simple idea, the Patriot Corporation Act, companies that do the right thing—companies that pay their workers decent wages; companies that do the right thing by their workers in terms of benefits, healthcare, and pensions; companies that make their products and keep their production in the United States—will get a tax break. They will pay a lower tax rate.

Yesterday at the White House, about 15 Senators met with President Trump. I talked to him about the Patriot Corporation Act. He said he likes the idea.

It is about time that U.S. companies that do the right thing should be rewarded instead of those companies that shut down production and move overseas and sell their products back. It is the right thing to do. It is a simple idea. Its time has come, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

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 and pinpoints tax breaks for these companies. "Patriot employers" should not be defined by the budget process or by politics but by those that allow our constituents to join and remain in the workforce so as to participate in the American dream.

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 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.

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 47, nays 51, as follows:

[Rollcall Vote No. 232 Leg.]

YEAS—47

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

NAYS—51

Alexander	Ernst	McCain
Barrasso	Fischer	McConnell
Blunt	Flake	Moran
Boozman	Gardner	Murkowski
Burr	Graham	Paul
Capito	Grassley	Perdue
Cassidy	Hatch	Portman
Collins	Heller	Risch
Corker	Hoeven	Roberts
Cornyn	Inhofe	Rounds
Cotton	Isakson	Rubio
Crapo	Johnson	Sasse
Cruz	Kennedy	Scott
Daines	Lankford	Shelby
Enzi	Lee	Strange

Sullivan	Tillis	Wicker
Thune	Toomey	Young

NOT VOTING—2

Cochran	Menendez
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The amendment (No. 1378) was rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NOS. 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 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, proposes 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 \$480,000,000.

(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 that reduce the deficit for fiscal year 2018 by not less than \$9,660,000,000.

(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 \$12,070,000,000.

(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 \$480,000,000.

(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, motion, amendment, amendment between the Houses, or conference report that includes tax cuts and would cause or increase a deficit or reduce a surplus.

(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. 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 are instructions 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.

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.

The 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 (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 Lee  
Lankford Paul

NAYS—94

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

NOT VOTING—2

Cochran Menendez

The amendment (No. 1296) was rejected.

AMENDMENT NO. 1375

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Cardin amendment No. 1375.

The Senator from Maryland.

Mr. CARDIN. Mr. President, this amendment is very simple. It allows a point of order to be raised if the tax reform reported back to the floor by the committee increases the deficit. It is as simple as that. Do you believe we should act on tax reform that increases the deficit? If you agree with me that we should not be increasing the deficit

with the tax reform reported back from the committee, then vote for this amendment or, if necessary, vote for waiving the point of order that may be raised.

I urge my colleagues, if you are serious about the deficit, we shouldn't be passing legislation that increases it.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. Budget rules don't accommodate current tax policy. This means at least \$460 billion of scored revenue loss can be attributed to the difference between a current law baseline and a current policy baseline. Many of the tax extenders covered by this amount are popular and are supported on a bipartisan basis.

This amendment is corrosive to the budget resolution's privilege. It falls outside the scope of what is appropriate for inclusion. Adoption of corrosive amendments could be fatal to the resolution's privilege, and loss of privilege could compromise our ability to pass tax reform and to enforce the budget spending limits.

Further, 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

Baldwin	Cortez Masto	Heitkamp
Bennet	Donnelly	Hirono
Blumenthal	Duckworth	Kaine
Booker	Durbin	King
Brown	Feinstein	Klobuchar
Cantwell	Franken	Leahy
Cardin	Gillibrand	Manchin
Carper	Harris	Markey
Casey	Hassan	McCaskill
Coons	Heinrich	Merkley

Murphy	Schatz	Van Hollen
Murray	Schumer	Warner
Nelson	Shaheen	Warren
Peters	Stabenow	Whitehouse
Reed	Tester	Wyden
Sanders	Udall	

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

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, 1430, AND 1277 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. 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?

Without 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, 1430, and 1277 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1298

(Purpose: To reduce discretionary spending by \$43,000,000,000)

On page 4, line 25, decrease the amount by \$43,000,000,000.

On page 5, line 13, decrease the amount by \$35,948,000,000.

On page 5, line 14, increase the amount by \$33,550,000,000.

On page 5, line 15, decrease the amount by \$86,000,000.

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 \$860,000,000.

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 \$860,000,000.

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 \$860,000,000.

On page 37, line 19, decrease the amount by \$43,000,000,000.

On page 37, line 20, decrease the amount by \$35,260,000,000.

On page 37, line 24, decrease the amount by \$6,450,000,000.

On page 38, line 3, decrease the amount by \$860,000,000.

AMENDMENT NO. 1430

(Purpose: To expand the deficit-neutral reserve fund relating to the repeal of provisions of title I of the Patient Protection and Affordable Care Act)

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”.

AMENDMENT NO. 1277

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

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 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 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 for the period of fiscal years 2018 through 2027.

(f) SUBMISSIONS.—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. 1249

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

The PRESIDING OFFICER. The amendment is pending.

Mr. KAINE. The amendment is a simple amendment, folks. 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-

ation legislation 28 hours in advance of voting on the legislation. There are obvious benefits to the Members who are voting and obvious benefits to the American public.

The budget resolution before us from committee repeals that requirement. The majority has argued that it is unnecessary because the requirement has never been triggered. But I remember that just a couple of months ago, the Senate was debating healthcare legislation that hadn't seen the light of day and didn't have a CBO score.

Do we really believe the answer to our problem is to make it easier to pass legislation without knowing the cost? I think the 28-hour requirement is worthy, it should be continued, and I think it should be extended to include amendments in the nature of a substitute.

I ask all my colleagues to support transparency and not embarrass the institution by enabling us to more easily pass important legislation without the public knowing the score.

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

The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. The congressional budget clearly empowers the Budget Committee chair as scorekeeper. Since becoming chairman in 2015, I am pleased to say that the Budget Committee has always discharged its responsibilities with scores in hand, proving our important work and function without this amendment. In fact, the 28-hour rule is a recent creation, and its repeal shows no deviation from Senate practice. It would require 28 hours on every amendment.

It is also important to note that a budget resolution is not a law. Because it is not a law, it cannot supersede or replace any statutory provisions. The Congressional Budget Act is a law and sets forth the rules that the congressional budget must follow.

The proposed amendment attempts to make a significant change to section 402 of the Congressional Budget Act, which should be accomplished through regular order legislation which the President signs.

I urge my colleagues to oppose this amendment.

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

Mr. ENZI. 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 bill clerk called the roll.

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

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

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—48

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

NAYS—51

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeben	Rubio
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

NOT VOTING—1

Menendez

The amendment (No. 1249) was rejected.

AMENDMENT NO. 1298

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Paul amendment No. 1298.

The Senator from Kentucky.

Mr. PAUL. Mr. President, this amendment is about the debt. We have a \$20 trillion debt. It is about whether we are serious about tackling that debt. The budget before us exceeds our own spending caps by \$43 billion.

You will be told that technically that is not so because we hide the money by sticking it in an account we call the Overseas Contingency Operations. Over the past 3 years, we have spent more than \$1.7 trillion in this account, but we don't account for it, and we don't budget for it. What I am asking us to do is to be responsible, budget for this, stay within our self-imposed caps, and actually act as though we really believe in what we say—that the debt is a problem.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. 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 OFFICER. 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 reiterate, I 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 fiscal year 2018 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 do not 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 bi-

partisan 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 based on parity that provides us relief from sequester. This amendment takes us in the opposite direction. I urge a “no” vote.

The PRESIDING OFFICER. Time has expired.

The question is on agreeing to the amendment.

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.

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

[Rollcall Vote No. 236 Leg.]

YEAS—5

Daines	Lankford	Paul
Flake	Lee	

NAYS—95

Alexander	Franken	Nelson
Baldwin	Gardner	Perdue
Barrasso	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Harris	Risch
Booker	Hassan	Roberts
Boozman	Hatch	Rounds
Brown	Heinrich	Rubio
Burr	Heitkamp	Sanders
Cantwell	Heller	Sasse
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Inhofe	Scott
Casey	Isakson	Shaheen
Cassidy	Johnson	Shelby
Cochran	Kaine	Stabenow
Collins	Kennedy	Strange
Coons	King	Sullivan
Corker	Klobuchar	Tester
Cornyn	Leahy	Thune
Cortez Masto	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	McCain	Udall
Cruz	McCaskill	Van Hollen
Donnelly	McConnell	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	Young
Fischer	Murray	

The amendment (No. 1298) was rejected.

AMENDMENT NO. 1430

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Lee amendment No. 1430.

The Senator from Utah.

Mr. LEE. Mr. President, 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 unaffordably.

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 pre-

miums 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 \$106 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 OFFICER. 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 healthcare 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 OFFICER. Objection is heard.

Mr. LEE. 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 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 OFFICER. 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	Heller
Corker	Daines	Hoeben
Cornyn	Flake	Inhofe
Cotton	Graham	Johnson

Kennedy	Perdue	Sullivan
Lankford	Risch	Thune
Lee	Roberts	Toomey
McConnell	Rubio	Wicker
Moran	Sasse	Young
Paul	Scott	

NAYS—67

Alexander	Fischer	Murray
Baldwin	Franken	Nelson
Bennet	Gardner	Peters
Blumenthal	Gillibrand	Portman
Blunt	Grassley	Reed
Booker	Harris	Rounds
Brown	Hassan	Sanders
Burr	Heinrich	Schatz
Cantwell	Heitkamp	Schumer
Capito	Hirono	Shaheen
Cardin	Isakson	Shelby
Carper	Kaine	Stabenow
Casey	King	Strange
Cassidy	Klobuchar	Tester
Collins	Leahy	Tillis
Cooms	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCain	Warner
Duckworth	McCaskill	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wyden
Ernst	Murkowski	
Feinstein	Murphy	

NOT VOTING—1

Cochran

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 more partisan 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. 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 33, nays 66, as follows:

[Rollcall Vote No. 238 Leg.]

YEAS—33

Barrasso	Gardner	Portman
Boozman	Grassley	Risch
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cotton	Hoeven	Sasse
Crapo	Inhofe	Scott
Cruz	Johnson	Sullivan
Daines	Kennedy	Thune
Ernst	Lankford	Tillis
Fischer	Lee	Wicker
Flake	Paul	Young

NAYS—66

Alexander	Franken	Murphy
Baldwin	Gillibrand	Murray
Bennet	Graham	Nelson
Blumenthal	Harris	Perdue
Blunt	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Roberts
Cantwell	Hirono	Sanders
Cardin	Isakson	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Cassidy	Klobuchar	Shelby
Collins	Leahy	Stabenow
Cooms	Manchin	Strange
Corker	Markey	Tester
Cornyn	McCain	Toomey
Cortez Masto	McCaskill	Udall
Donnelly	McConnell	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Enzi	Moran	Whitehouse
Feinstein	Murkowski	Wyden

NOT VOTING—1

Cochran

The amendment (No. 1277) was rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NOS. 1553, 1428, 1404, 1429, 1552, 1301, 1561, AND 1167 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: Udall amendment No. 1553, Lee amendment No. 1428, Paul amendment No. 1404, Lee amendment No. 1429, Fischer amendment No. 1552, Cantwell amendment No. 1301, Enzi amendment No. 1561, and Perdue-Whitehouse amendment No. 1167.

I further ask unanimous consent that the Senate now vote in relation to these amendments in the order listed.

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 Senator from Wyoming [Mr. ENZI], for himself and others, proposes amendments numbered 1553, 1428, 1404, 1429, 1552, 1301, 1561, and 1167 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1553

(Purpose: To establish a deficit-neutral reserve fund relating to the provision of full, permanent, and mandatory funding for the payment in lieu of taxes program)

At the end of title III, add the following:

**SEC. 3** \_\_\_\_\_. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING FULL, PERMANENT, AND MANDATORY FUNDING FOR THE PAYMENT IN LIEU OF TAXES 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 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 the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1428

(Purpose: To modify a deficit neutral reserve fund relating to public land and the environment to address making payments under the payments in lieu of taxes program equivalent to the property tax revenue 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 rewriting the formula for payments under the program” after “program”.

AMENDMENT NO. 1404

(Purpose: To ensure that all Americans receive a tax cut, keeping more of their hard earned money, and enjoy the benefit of tax reform)

On page 47, line 6, strike “\$1,500,000,000,000” and insert “\$2,500,000,000,000”.

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)

At the end of title III, add the following:

**SEC. 3** \_\_\_\_\_. **SPENDING-NEUTRAL RESERVE FUND RELATING TO CLARIFYING FEDERAL JURISDICTION IN RELATION 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 prohibiting Federal regulation of entirely intrastate species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) 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.

## 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 reformed 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. 1301

(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. 1561

(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. 1167

(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 the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

Mr. ENZI. Mr. President, for the information of Senators, we expect to have this series of votes and then move to passage of the resolution. That means there are hopefully approximately eight votes left. Some of them may be voice votes.

Mr. President, I yield to the leader.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I say to colleagues, the consent agreement that was just entered allows us to see the light at the end of the tunnel. If Senators will stay in the Chamber,

we will do these 10-minute rollcall votes and wrap it up.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I thank the majority leader. We completely agree on this issue. We hope Members on both sides will stay in their seats so we can finish quickly, without going through the ridiculous vote-arama that we have done in previous years.

I yield the floor.

## AMENDMENT NO. 1553

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Udall amendment No. 1553.

The Senator from New Mexico.

Mr. UDALL. Mr. President, this amendment calls for legislation to fully and permanently fund the Payment in Lieu of Taxes Program. Senator HEINRICH and I have long called for this solution. Rural counties in New Mexico and other States across the West and across the country have large amounts of Federal lands within their boundaries. These counties rely on funding from the PILT Program to provide better schools, maintain roads and bridges, and support thousands of local jobs.

We currently fund PILT year by year. I have fought for this funding as a member of the Appropriations Committee, but we need to do more. We need to pass permanent funding to ensure that local communities can count on our resources being there every year to provide basic services. I urge support for the Udall-Heinrich amendment and yield back.

The PRESIDING OFFICER. Is there further debate?

The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment, reluctantly. I have always fought to make sure the rural communities can keep the lights on. Approximately half of the land in my home State of Wyoming is under Federal control, and counties, therefore, are unable to obtain property tax revenue from a large part of the State.

Payment in lieu of taxes isn't a giveaway to these counties. It is compensation for the money they lose because they are unable to tax Federal lands within their borders, even though they are required to provide services on those lands. However, this resolution already has the reserved funds for the Payment in Lieu of Taxes Program. I find this amendment to be duplicative and unnecessary. Furthermore, the vote-arama isn't the correct forum to contemplate making any program permanent and mandatory, even one I have long supported.

I look forward to working with my colleague from New Mexico and with other interested Members from Western States on fiscally responsible legislation to provide fairness and equity for America's rural counties and their communities.

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

Baldwin	Harris	Murray
Bennet	Hassan	Nelson
Blumenthal	Hatch	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Risch
Cantwell	Heller	Sanders
Cardin	Hirono	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Coons	Klobuchar	Stabenow
Cortez Masto	Leahy	Sullivan
Crapo	Lee	Tester
Daines	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCain	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gardner	Murkowski	
Gillibrand	Murphy	

## NAYS—41

Alexander	Fischer	Portman
Barrasso	Flake	Roberts
Blunt	Graham	Rounds
Boozman	Grassley	Rubio
Burr	Hoeven	Sasse
Capito	Inhofe	Scott
Cassidy	Isakson	Shelby
Collins	Johnson	Strange
Corker	Kennedy	Thune
Cornyn	Lankford	Tillis
Cotton	McConnell	Toomey
Cruz	Moran	Wicker
Enzi	Paul	Young
Ernst	Perdue	

## NOT VOTING—1

Cochran

The amendment (No. 1553) was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I request that everybody sit in their seat, and we could do these votes in 7½ minutes. If everybody wanders off and comes back in, we could be here half the night. There should only be about seven votes left, and some of those could be by voice vote, like the next one.

Mr. SCHUMER. Our side was in early.

Mr. ENZI. I appreciate the way those on that side have taken their seats and voted.

## AMENDMENT NO. 1428

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Lee amendment No. 1428.

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 of 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	Cassidy	Crapo
Barrasso	Cochran	Cruz
Blunt	Collins	Donnelly
Boozman	Corker	Enzi
Burr	Cornyn	Ernst
Capito	Cotton	Fischer

Flake	Lee	Sasse
Graham	McConnell	Scott
Grassley	Moran	Shelby
Hatch	Murkowski	Strange
Heller	Paul	Sullivan
Hoeven	Perdue	Thune
Inhofe	Portman	Tillis
Isakson	Risch	Toomey
Johnson	Roberts	Wicker
Kennedy	Rounds	Young
Lankford	Rubio	

NAYS—50

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

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 Paul 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 across the board. The best way to do that is to give the tax committee a mandate that is larger, a mandate for a bigger 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 \$6 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 strong opposition to 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. This budget would pave the way for massive cuts to Medicare and Medicaid in order to provide the wealthiest people in this country with incredibly large tax breaks.

Senator PAUL thinks that doesn't go far enough. His amendment would allow the Senate to increase the deficit by \$2.5 trillion, allowing for even greater cuts to Medicare, to Medicaid, and even bigger tax breaks for the Koch brothers and their friends.

I urge a "no" vote on this amendment.

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

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.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 7, nays 93, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—7

Cruz	Lee	Sasse
Daines	Paul	
Heller	Perdue	

NAYS—93

Alexander	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Harris	Risch
Boozman	Hassan	Roberts
Brown	Hatch	Rounds
Burr	Heinrich	Rubio
Cantwell	Heitkamp	Sanders
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Inhofe	Scott
Casey	Isakson	Shaheen
Cassidy	Johnson	Shelby
Cochran	Kaine	Stabenow
Collins	Kennedy	Strange
Coons	King	Sullivan
Corker	Klobuchar	Tester
Cornyn	Lankford	Thune
Cortez Masto	Leahy	Tillis
Cotton	Manchin	Toomey
Crapo	Markey	Udall
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	Young

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 puts 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 exists 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 bureaucrats 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 PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise in opposition to the amendment offered by the Senator from Utah.

Why is this an important amendment vote? Just listen to this. More than 1,000 listed species, 77 percent of all listed species, including the polar bear, the Florida panther are found in one State—one State. Seventy-seven percent of all listed species, including the polar bear, the Florida panther, and many more are found only in one State, and for an island State like Hawaii, all of its species would lose protection.

I urge you to join me in opposing this amendment.

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 49, nays 51, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—49

Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeben	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young
Flake	Paul	
Gardner	Perdue	

NAYS—51

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

The amendment (No. 1429) was rejected.

VOTE ON AMENDMENT NO. 1552

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Fischer amendment No. 1552.

Mr. ENZI. Mr. President, I yield back all time and ask for a voice vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 1552) was agreed to.

AMENDMENT NO. 1301

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 decades for a reason. The notion that tonight, 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. 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.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—48

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

NAYS—52

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeben	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	
Flake	Paul	

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 gotten us to 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 of the health insurance they currently have, increase 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 student 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. 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 52, nays 48, as follows:

[Rollcall Vote No. 244 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—48

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

The amendment (No. 1561) was agreed to.

AMENDMENT NO. 1167

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to the Perdue-Whitehouse amendment No. 1167.

The Senator from Georgia.

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 perpetrated 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 12 bills a year to fund the Government. We have averaged 2½.

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 Rhode Island.

Mr. WHITEHOUSE. 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. 1116, AS AMENDED

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1116, 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 a 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 senior assistant legislative clerk called the roll.

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

[Rollcall Vote No. 245 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

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

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.

#### 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 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

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 2266.

Mitch McConnell, Pat Roberts, Roy Blunt, Shelley Moore Capito, Mike Rounds, John Thune, Orrin G. Hatch, Deb Fischer, Cory Gardner, John Barrasso, Johnny Isakson, John Boozman, Thom Tillis, Richard Burr, James M. Inhofe, Roger F. Wicker, Lindsey Graham.

#### MOTION TO CONCUR WITH AMENDMENT NO. 1568

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 2266, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the Senate amendment to H.R. 2266, with an amendment numbered 1568.

Mr. MCCONNELL. 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:

At the end add the following:

"This Act shall take effect 1 day after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 1569 TO AMENDMENT NO. 1568

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 Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1569 to amendment No. 1568.

Mr. MCCONNELL. 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:

Strike "1 day" and insert "2 days"

#### MOTION TO REFER WITH AMENDMENT NO. 1570

Mr. MCCONNELL. I move to refer the House message on H.R. 2266 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1570.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the message to accompany H.R. 2266 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1570.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment.

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 1571

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1571 to the instructions of the motion to refer.

Mr. MCCONNELL. 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:

Strike "3 days" and insert "4 days"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### 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 Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1572 to amendment No. 1571.

The amendment is as follows:

Strike "4" and insert "5"

The PRESIDING OFFICER. The majority whip.

#### THANKING SENATOR ENZI AND THE BUDGET COMMITTEE MEMBERS AND STAFF

Mr. CORNYN. Mr. President, I want to take a few minutes following the remarks of the majority leader to thank Chairman ENZI, the bill manager, 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. Certainly, for the fact that Senator 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 the 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 pro-growth 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 \$473 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