When we introduced the Dream Act, Senator Lindsey Graham, Republican of South Carolina, said: “The moment of reckoning is coming.” It is coming in a manner of days and weeks. I implore my colleagues and both sides of the aisle: Don’t let that young man down. Let the hundreds of thousands who just want a chance to prove themselves and earn their way into legal status. We can do this.

Many people are skeptical as to whether Congress can get anything done on a bipartisan basis. I am not skeptical. I believe it can. I believe that we can work together. I have sat down with a lot of conservative Republican Senators in my office—Senators I never dreamed I would be sitting with, discussing this issue, and now we want to make sure we get this job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 2266

Mr. KENNEDY. Mr. President, I ask unanimous consent that, as in legislative session, the Senate proceed to the immediate consideration of H. Con. Res. 85, which was received from the House.

The PRESDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 85) providing for a correction in the enrollment of H.R. 2266.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 85) was agreed to.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

TAX REFORM

Mr. KENNEDY. Mr. President, as the Senate iron out the details of our comprehensive tax reform plan to get the American economy back on track, I want to draw attention today to what I believe is one of the greatest obstacles in our path as we pursue 3-percent annual growth. That obstacle I am referring to is our aging national infrastructure: our roads, our bridges, our airports, our water systems, our sewage systems, and our waterways that desperately need dredging, especially in my State.

If our tax plan is going to be pro-growth, then we need to take advantage of this once-in-a-generation chance to use Federal revenues to invest meaningfully in our economy.

Allow me to explain what I mean by that. Federal investment in our roads, our bridges, our railroads, and our waterways would be a shot in the arm for the American economy. It would pay dividends for decades. Companies need good roads and bridges and shipping channels to move their products over the SMS&D, and to ensure that they aren’t sitting in traffic for hours—sometimes it seems like days—which eats away at profits and raises costs for our people. But for too long, Washington’s spending to keep the Federal bureaucracy instead of growing our capacity for economic expansion and development through infrastructure upgrades. We know the result. Our Department of Transportation now estimates that we have a backlog of construction and repairs that would cost $926 billion to clear. It would cost nearly a trillion dollars, and that is just the backlog.

I have a simple solution that I would respectfully suggest to get us back on track. According to the Congressional Research Service, $2.6 trillion in corporate profits made by American companies are parked overseas, and some outside estimates say $4 or $5 trillion. That money is overseas, and it will never be brought back to America as long as our antiquated corporate tax system is going to charge those American companies 35 percent in tax just to bring them back.

Congress is already discussing repatriation as a part of the move to a territorial tax system, which would use a competitive tax rate to encourage companies to bring their dollars back to the United States and keep them here and invest them here in American products and American businesses and American employees.

When tax reform passes—and it will—and we get a one-time surge in tax revenue as a result of this $3 to $5 trillion being brought back to the United States, we are going to get only one chance to spend that money wisely. Instead of blowing those repatriated dollars on an already bloated Federal bureaucracy, we ought to invest that money solely and exclusively in desperately needed infrastructure upgrades. Even a one-time target investment in clearing the industrial backlog will create jobs and stimulate the economy for decades.

Let’s be clear. We are talking about hundreds of billions of dollars in bipartisan investment in infrastructure if we just make good use of those repatriated dollars. For example, just in my State of Louisiana, this could mean building a new bridge through Lake Charles. It could mean widening the interstate in Baton Rouge. It could mean closing the gaps between Lafayette and Shreveport and New Orleans. We have neglected our highways and bridges for far too long, and this is our chance to use tax reform to catch up, to boost our international competitiveness, to lower costs for consumers, and to put our economy back on track to 3 percent-plus growth, which the American people expect and deserve.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The bill will call the roll.

The bill clerk proceeded to call the roll.

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

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

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 nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HENRICH), the Senator from Vermont (Mr. LEAHY), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 250 Ex.]

[Entry in the Congressional Record on page S6838]

[End of Rollcall Vote]

October 25, 2017

S6781

CONGRESSIONAL RECORD — SENATE

TAX REFORM

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

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 250 Ex.]

[Entry in the Congressional Record on page S6838]

[End of Rollcall Vote]
The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18. The motion is agreed to.

The Senator from Oklahoma. Mr. LANKFORD. Mr. President, I rise to speak to the Senate about the nominee that is currently in front of this body and on whom we should vote in the next few weeks. We just finished a cloture vote to actually start 30 hours of debate. In the past, we wouldn’t have had 30 hours of debate for a district court nominee, especially a district court nominee like this. This would have been something that would have been done by consent. We would have had a vote on this individual, rather than burning up 30 hours of time in debate on a single individual who just passed a cloture vote 79 to 18. This is not a controversial nominee.

Let me introduce you to Scott Palk. Scott Palk was actually reported out of the Judiciary Committee on June 15 of this year. He was nominated by President Trump on May 8. He has been pending since June 15 to get a vote on this floor because of the ongoing delays for each nominee as we go through the process.

Why do I say Scott Palk is not a controversial nominee? It is not just the fact that he passed the cloture vote 79 to 18. Scott Palk, if you remember his name in this body, was also a nominee of President Obama for the U.S. District Court for the Western District of Oklahoma. He is now a nominee of President Trump for the U.S. District Court for the Western District of Oklahoma.

There may be five things total that President Obama and President Trump agree on. Scott Palk is one of those five. This is not a controversial nominee, and he will be a great judge for us. He will also be a great judge in Western Oklahoma.

He currently serves as the assistant dean for students and the assistant general counsel at the University of Oklahoma College of Law in Norman, OK, a position he has held since 2011. He has the strong support of the president of the University of Oklahoma, who happens to be former Senator David Boren, a Democratic Senator from this body, who is now leading the University of Oklahoma and has done that with great excellence for the past two decades. He is also strongly behind this nominee as well.

Scott Palk joined the University of Oklahoma College of Law after 19 years of public service as a State and Federal prosecutor. He graduated in 1992 from the University of Oklahoma College of Law, where he began his legal career as a legal intern for the district attorney’s office of district 21, serving in Cleveland, Garvin, and McClain Counties.

After graduating and passing the bar, he became an assistant district attorney for Cleveland County, where he prosecuted a variety of crimes and death penalty cases. In 1994, he became the multicounty drug task force coordinator, initiating and directing the district’s first wire-interception drug investigation and coordinating Federal and local resources, culminating in the successful prosecution of a significant multicounty methamphetamine distribution organization.

The Association of Oklahoma Narcotics Enforcers awarded him the Prosecutor of the Year award in 1993. In 1992, he became the first assistant district attorney for district 21 and served in a dual prosecutorial and administrative role.

In 2002, he joined the U.S. attorney’s office in the Western District of Oklahoma, where we are pushing him to be a judge. As an Assistant U.S. attorney, he prosecuted violent crimes, gangs, and domestic terrorism.

In 2004, he became the deputy criminal chief of the U.S. attorney’s office and served in the additional roles of multicounty security coordinator, anti-terrorism, advisory council coordinator, and crisis management coordinator.

That same year, in 2004, the Oklahoma Gang Investigators Association awarded him the Prosecutor of the Year award. The Executive Office for U.S. Attorneys awarded him the Director’s Award for Superior Performance.

In 2005, the Drug Enforcement Administration awarded him the Certificate of Appreciation for Outstanding Contribution in the Fight of Drug Law Enforcement.

In his most recent role at the U.S. attorney’s office, he supervised administrative staff and assistant U.S. attorneys, handling a criminal caseload primarily consisting of national security and organized crimes and coordinating efforts with the FBI Joint Terrorism Task Force, the FBI foreign counterintelligence squad, and the National Security Division of the Department of Justice.

His work in national security matters included both traditional criminal investigations, as well as investigations utilizing provisions of the Foreign Intelligence Surveillance Act.

In 2011, the FBI awarded him the Director’s Certificate of Appreciation for Assistance to the Joint Terrorism Task Force.

Scott Palk is eminently qualified for this task. He should not be a controversial nominee, and he should already be a judge. We are missing three judges in the Western District of Oklahoma. President Trump nominated him on May 8, and it is now the end of October when we can finally get him to the floor to be able to move him.

This delay tactic, this stalling tactic that is out there, this resist movement to try to prevent the President of the United States from getting his staff in every agency and to prevent judges from being able to actually go on the bench is delaying good people who are not controversial to be able to do the job that is needed in each district. He is an individual who passed 79 to 18 on a cloture vote, and I am confident we will not consume the next 30 hours of debate about him. The hours will now expire as we sit in silence on the Senate floor, waiting for us to be able to have a final vote—just delays.

I have made a proposal to my colleagues. It is not a radical proposal. Quite frankly, it was a proposal in 2013, first proposed by a Senator named Harry Reid: to be able to move the nominations time period from 30 hours of wasted time on the floor to 2 hours for district court, 2 hours for the Deputy Assistant Secretary of whatever agency it may be, having 2 hours of debate. These are for individuals who have already gone through extensive vetting, already moved to the floor, and who most certainly will pass because it is a simple majority to be able to move these individuals based on the change of rules that we need to make.

Let’s also do the same rule on time. Instead of 30 hours of wasted time on the floor when we could do other things for the American people, let’s go back to the 2-hour agreement that we had in the past. It was a simple rule of 2 hours for individuals like for district courts and other agencies and individuals, 8 hours for higher tier individuals, who may be for a circuit court and such, and 30 hours for Cabinet officials.

I don’t think that is an unreasonable request to make. It is a rule that we have done in the past, and it is a rule that we need to go back to. The American people are frustrated with the block in timing on moving people, especially people with wide bipartisan support. No one understands why someone who President Obama nominated and President Trump nominated has to take up 30 hours of time on the floor on debate when no one will really debate him. And it is certain what the outcome of these people will be.

The American people are expecting us to debate and to engage on issues. I recommend again to this body: Let’s go back to the Harry Reid rule—2 hours of debate for individuals like this in district courts. 8 hours of debate for higher tiered courts, and 30 hours of debate for Cabinet officials and the Supreme Court. We can do that again. We have done that in the past, and I recommend that we move back to that, not just for this nomination, but as a change in the rules of the Senate, so that, permanently, we are able to be more functional again. A body that is
dysfunctional can be fixed by its own Members, moving us to a functional set of rules. That is what I hope we would achieve in the days ahead.

I look forward to voting for Scott Falk, whenever we finish with a 30-hour waste of time—to be able to move on a nominee and to see wide bipartisan support again for a good nominee. Scott is going to do a great job on the bench. We need him there to be able to get started.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

HEALTHCARE

Mrs. MURRAY. Mr. President, I come to the floor today to talk about what my bipartisan healthcare bill with Chairman ALEXANDER means for the people I care about the most—means for patients and families in my home State of Washington and across the country who are worried about being able to afford the healthcare they need, and what it means for States, communities and hospitals that are administering and providing care.

Negotiations of this magnitude are always tough. There are some things you agree on, and sometimes there is common ground that emerges early, but there is no question that you also find areas of strong disagreement. You have to work your way to each answer step by step.

One issue that Chairman ALEXANDER and I agreed on from the very start of our negotiations, where we worked our hardest, and what we had the most discussions on was the goal of putting patients and families first and that it would be families who would benefit as much as possible from our efforts to restore stability to our markets. That was the crux of our debate. It was our guiding star.

I am very proud to say that our bipartisan bill does just that. Here is what is at stake. Here is what we know. Patients and families across the country are looking ahead to next year. They are rightly worried about their healthcare—premiums, benefits, and coverage—and they are realizing that they are about to pay the price for the rushed and piecemeal changes that have been seen on healthcare over the last 9 months.

Like all of my colleagues, I have listened and I have talked with many of these families in my home State, at hospitals, schools, roundtables, and in meetings with patients, doctors, providers, and veterans. They have all made it very clear that enough is enough with playing politics with people’s healthcare.

Here is how our bipartisan bill would protect those families and restore certainty to the markets. I will not go into all of the details, of course, but I do want to focus on some really important points.

First of all, this bill would restore the out-of-pocket cost reduction payments that President Trump has announced he will be ending for this year and all years. This means that some serious sabotage—something that experts say would raise premiums by double digits for millions of families—would be off the table.

Second, this bill would make significant investments when it comes to developing plans and offering options while maintaining essential health benefits, like maternity care and protecting people with preexisting conditions or protecting the elderly—and all of this while making sure that costs go down for families and from providers, doubling and padding their profits with both cost reduction payments and higher premiums.

Put simply, this bill is an important step in the right direction of preventing premium increases, stabilizing healthcare, and pushing back against President Trump’s recent actions.

This bill reflects the input of patients, Governors, State commissioners, experts, and advocates, and it has strong support from a majority here in the Senate. So far, 24 Senators—12 Democrats and 12 Republicans—have cosponsored this bill. I know there are a lot of others who agree that we need to act and that we must do so in our working together under regular order, as with our bill, rather than doubling down on partisanship and dysfunction.

I am focused on moving our bill forward as quickly as possible, and I certainly believe that if the leader will listen to the Members on both sides of the aisle who also want this bill to be brought up for a vote without delay.

Let me be clear. As this bill moves forward, I am certainly open to changes that expand access to quality care, put families ahead of insurers, and maintain those core patient protections that I have been clear all along have to be protected. I am certainly open to changing our bipartisan agreement to move healthcare in the wrong direction.

Chairman ALEXANDER and I have a record of seeing tough legislation through to the end together, whether that is K-12 education, FDA user fees, mental health reforms, or opioid use disorders, which is why I am confident that we can do the same with this stabilization bill.

We have negotiated a strong agreement that has the support of 60 Senators, and it is support growing. The President has also expressed his support for our effort, so I see no reason why we should not move this bill through the Senate, get it signed into law, and then continue the bipartisan discussion on healthcare in the country.

I will also take some time to talk about another pressing healthcare issue and one that is the immediate need to extend Federal funding for the historically bipartisan, expired primary care cliff programs, like the Community Health Center Fund, the National Health Service Corps, and, of course, the Children’s Health Insurance Program, or CHIP.

It has now been almost 25 days since the Federal funding of these primary care cliff programs and CHIP were allowed to expire by the Republican majority, and in that time, I have heard from thousands of people in my State and nationwide who are urging Congress to act. Each day that passes is a day that we are failing to meet our commitment to these families and putting the health and well-being of nearly 9 million children, including more than 60,000 children in my home State of Washington and the 25 million patients who, at great harm and great risk, get care from the community health centers.

In Washington State, as in so many other States, notices to families about gaps in their children’s healthcare are about to go out as soon as December 1, and in my State, we will run out of Federal funds for CHIP in November.

Let me be clear. Parents in my home State and across the country should not be up at night, worrying about their children’s healthcare because Congress cannot get the job done. That is so unacceptable.

There is a bipartisan deal in the Senate right now that was negotiated between the chairman and ranking member of the Finance Committee that would provide certainty for this vital program. I understand that House Republicans have chosen, instead, to take an irresponsible path in their trying to ram through a partisan bill that will jeopardize the efforts in the Senate and in the House to come to an agreement as soon as possible.

To be clear, this delay has not been without serious consequences, but we can still act. It is up to Republican leaders now to reverse course, come to the table, and join with Democrats to get this done. It should not have to be said, but there should not be any place for partisanship or politics when it comes to protecting the children and families we represent. I hope that we get this done and get it done quickly, and I hope that all of our Members will move forward on this.

I yield the floor.

I suggest the absence of a quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. ALEXANDER. Mr. President, I see the Senator from New Hampshire on the floor. I ask through the Presiding Officer if she is about to speak or if I may speak after her. What I would like to do is to give a brief report on the Congressional Budget Office's report of the Alexander-Murray proposal, of which the Senator from New Hampshire is a cosponsor. I would like to do that either before or after she speaks. Either way would be fine.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, my understanding is that Senator CORNYN was about to come to the floor, but I would be happy to have the Senator give the CBO report on this legislation, which I very enthusiastically support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in respect to CORNYN's prerogative, I will stop when he comes to the floor.

I believe that Senator MURRAY has come to the floor and has reported that the Congressional Budget Office has just finished an evaluation of the Alexander-Murray proposal to the U.S. Senate that would be for the purpose of reducing premiums and avoiding chaos in the individual insurance markets during the years 2018 and 2019.

The Senator from New Hampshire is a strong sponsor of that legislation. It is unusual, in fact, that it has 12 Republican Senators and 12 Democratic Senators. Not many pieces of legislation come to the floor with that support. The reason we accelerated work on it was that President Trump called me and asked me to work with Senator MURRAY to try to develop such a proposal. So now it is being considered by the President, by the House of Representatives, and by other Members of this body.

An important piece of information, as Senator MURRAY has said, is what the Congressional Budget Office has about the impact of our proposal on the Federal taxpayers and on the consumers across the country.

President Trump has been very clear on one thing he wants, which is that we do not bail out insurance companies if, in 2018, we pay cost-sharing payment reductions, which are payments to pay for deductibles and copays for low-income Americans. I am 100 percent agree with President Trump on that, and Senator MURRAY 100 percent agrees with President Trump on that. We have language in our proposal to make sure that benefits go to consumers and to taxpayers and not to insurance companies. We asked the Congressional Budget Office to view that, and this is what it wrote: "On net, CBO and the staff of the Joint Committee on Taxation (JCT) estimate that implementing the legislation would reduce the deficit by $3.8 billion over calendar year 2018 and be $3.8 billion lower than the baseline." In other words, the Alexander-Murray proposal would reduce Federal spending by $3.8 billion. Not only does it not cost anything, but it saves the taxpayers money.

They then wrote a second thing, and this is quoting the Congressional Budget Office: "CBO and JCT expect that individuals, in contrast, would be required to issue some form of rebate to individuals and the federal government."

Let me say that again. This is the CBO talking, the nonpartisan Congressional Budget Office, with respect to the Alexander-Murray proposal that has been cosponsored by a total of 24 Senators—12 Republicans, 12 Democrats: "CBO and JCT expect that insurers in almost all states of the country would be required to issue some form of rebate to individuals and the federal government."

The Congressional Budget Office has found that our proposal benefits taxpayers and consumers, not insurance companies. The specific benefit to the taxpayers is that the exact benefit to consumers has not been determined yet because that will be done State by State. Under our proposal, every State would come up with a plan to say, in 2018, because of the cost-sharing payment reductions, premiums need to be lower than they are already set. Then, in that State, they would be, and as a result, there would be rebates to individuals.

The CBO also found that there is a provision in the law for a catastrophic plan. That is a new insurance plan for people over the age of 29 that would have lower premiums and higher deductibles, but it would allow people to afford an insurance policy so that a medical catastrophe would not turn into a financial catastrophe.

"CBO estimates that making catastrophic plans part of the single risk pool would slightly lower premiums for other nongroup plans, because the people who enroll in catastrophic plans tend to be healthier, on average, than other nongroup market enrollees.

A major objective, I think, of all of us is to attract more young, healthy people into the pool as a way of lowering rates for everybody.

"As a result of the slightly lower estimated premiums, CBO and JCT expect that federal costs for subsidies for insurance purchased through a marketplace established under the ACA would decline by about $1.1 billion over the 2019–2027 period."

We have already said what the Congressional Budget Office has reported earlier; that if we don't pass something like the Alexander-Murray proposal, this is what happens: If the cost-sharing payments are not paid, premiums in 2018 will go up an average 20 percent. They are already up. Our proposal will take them down. The Federal debt will increase by $194 billion over 10 years, if we don't pass our proposal, due to the higher premiums, and up to 16 million Americans may live in counties where they are not able to buy any insurance in individual markets. The 350,000 Tennesseans in individual markets in Tennessee would be terrified by the prospect of not being able to buy any insurance or by the skyrocketing premiums.

I thank Senator CORNYN and the Senator from New Hampshire, Mrs. SHAHEEN, for allowing me to interrupt and make a brief statement.

Let me go to the bottom line once more. The President has said repeatedly, Senator MURRAY has said repeatedly, Senator CORNYN and I have said that the Alexander-Murray amendment, the short-term bipartisan plan to reduce premiums and avoid chaos, must not bail out insurance companies. We have written language to make sure it does not, and now the Congressional Budget Office says it does not. It does not bail out insurance companies. It does benefit consumers. It does benefit taxpayers to the tune of $3.8 billion. That is very important information.

I am encouraged by the President's comments yesterday. Mr. Alexander, I was delighted to follow Senator ALEXANDER and was very pleased to hear the news of the Alexander-Murray amendment, the bipartisan agreement to address this critical matter to come before this Senate—tax reform, reauthorizing community health centers and the Children's Health Insurance Program, and working in a bipartisan way on this. I am encouraged that Senator HATCH and KEVIN BRADY have introduced a bill recognizing the importance of continuous cost sharing. That bill is in the hands of the White House right now. They have our recommendations. They made some suggestions. That is the normal legislative process.

I am hopeful that something that has this kind of analysis; that it doesn't bail out insurance companies, that avoids a big increase to the Federal debt, that makes certain that people will be able to buy insurance for the next couple of years, that begins to lower premiums, that almost all Democrats want and that Republicans in the House have all voted for once this year when they voted for their repeal-and-replace bill—something like that sounds like something that might become law before the end of this year, and I believe the sooner the better.

I thank the Presiding Officer, Senators CORNYN and SHAHEEN.

I yield the floor.

Mr. ALEXANDER. Mr. President, I am delighted to follow Senator ALEXANDER and was very pleased to hear the news from the CBO that this Alexander-Murray proposal not only doesn't bail out insurance companies, as we all agree we should not do—we want to make sure savings go to consumers—but it also will save taxpayers $3.8 billion.

This is a bipartisan agreement. I applaud the work of Senator ALEXANDER and Senator PATTY MURRAY to craft this bipartisan agreement to address the challenges we have in the short term with healthcare. Senators ALEXANDER and MURRAY have given us a template for bipartisan negotiations not just on healthcare but on other critical matters to come before this Senate—tax reform, reauthorizing community health centers and the Children's Health Insurance...
Program, reaching an agreement on the 2018 budget. These are all major issues facing this country and issues we should be working on in a bipartisan way. The Senate is at its best when we observe regular order and we follow committee processes, we work across the aisle and make principled compromises to get things done for the American people. I believe that is exactly what this health insurance bill does.

In a Senate that is nearly equally divided between Republicans and Democrats, this is the only productive way forward for us to address the challenges that face this country. Too often we have seen people use bipartisan negotiations as a last resort, but bipartisanship should be the Senate’s first resort, not the last resort. It should be the foundation of our work in this body. This is how the great majority of Americans want us to conduct the Senate’s business.

When I work around New Hampshire, this is the consistent comment I hear everywhere I go: Why can’t you all work together to get things done for this country? This is especially true on matters like healthcare and tax reform that affect families throughout the country.

I am encouraged that the Alexander-Murray bill has earned strong bipartisan support and, as Senator ALEXANDER said, has 24 original cosponsors. That number is equally divided between Republicans and Democrats. This is a balanced agreement that has been negotiated by both parties over many months, and I think it is our best bet for stabilizing marketplaces in the short run so we can continue to work on long-term issues around healthcare.

I am especially pleased this agreement provides for the continuation of cost-sharing reduction payments for 2 years. These payments are necessary to keep deductibles and payments affordable for working people. Without these payments, the cost of coverage will skyrocket, insurers will leave the marketplaces, and millions of people will lose their healthcare coverage. I have been working on this issue of cost-saving reduction payments since earlier this year, when I introduced a bill that would permanently appropriate funds for the CSRs.

As the CBO said, the language in the Alexander-Murray bill ensures that these CSRs are not a bailout to insurance companies, but they are a way to help people with the cost of insurance. They are orderly payments that are built into the law that will go directly to keeping premiums, copays, and deductibles affordable for lower income Americans. Both Democrats and Republicans recognize that these payments are an orderly, necessary subsidy that keeps down the cost of health coverage for American families. Senator ALEXANDER said, we saw that these payments were in the bill the House voted for around healthcare, and they were also in the Senate bill earlier this year.

In recent months, I have heard from hundreds of people across New Hampshire about the enormous difference healthcare reform has made in their lives. We have just about 1.3 million people. Nearly 94,000 Granite Staters have gotten individual healthcare coverage through the marketplaces. Nearly 50,000 have gotten coverage thanks to the Medicaid expansion program in New Hampshire. That has been a bipartisan effort, with a Republican legislature and a Democratic Governor, to get that program in place, and it continues to enjoy the support of the Republican legislature and the Republican Governor.

Because of the Affordable Care Act’s increased access to care, we also have 11,000 Granite Staters who have substance use disorders and who have been able to get treatment for the first time. New Hampshire has the second highest rate of overdose deaths from the heroin and opioid epidemic. Having treatment available through the expanded Medicaid Program has made a difference for thousands of people in New Hampshire and their families. We also have 400,000 Granite Staters with preexisting conditions that have been able to get insurance, and nearly 50,000 have got individual healthcare coverage through the marketplaces.

For people across New Hampshire and across this country, healthcare coverage is often a matter of life or death. It is about being able to take a sick family member to a doctor. It is about knowing that a serious illness will not leave a mountain of debt. I am very pleased to be able to join in the bipartisan efforts led by Senators ALEXANDER and MURRAY to strengthen the parts of the law that are working and to fix what is not working. The other provisions in this legislation will allow States more flexibility through the 1332 waiver process. The Alexander-Murray agreement expedites waiver approval so States can implement smart fixes to stabilize their marketplaces, for instance, by establishing a State-based reinsurance program. The agreement also includes a restoration of funding for open enrollment and outreach activities, and it protects four protections related to insurance affordability, coverage, and plan comprehensiveness. All of these changes are positive steps forward, steps that I hope will set us on a bipartisan path, strengthening market stability of the Affordable Care Act that are working well and fixing elements that need to be changed.

I am hopeful the Alexander-Murray agreement can gain the bipartisan support that passes in Congress, that it can gain the President’s signature, and I am encouraged by Senator ALEXANDER’s comments about the President’s comments yesterday because we need to restore certainty and stability to the marketplaces. Instead of partisan efforts to undermine the law and take health insurance away from people, we should embrace the spirit of the Alexander-Murray agreement. Let’s work together in a good-faith, bipartisan effort to build a healthcare system that leaves no American behind.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

SAFER ACT

Mr. CORNYN. Mr. President, I know people watching and perhaps reading the newspaper, watching CNN, and listening to talk radio think nothing ever happens here in Washington, DC, and they would be wrong. Certainly, we can always do better, and I am disappointed we haven’t been more successful, but there are some measures we can make in the right direction in important pieces of legislation that make a very profound difference in people’s lives.

Today I want to talk about a problem that, thanks to a bill passed by the Senate on Monday, we are helping to solve. This has to do with the untested rape kit backlog in our country.

Years ago, thanks to a courageous woman named Debbie Smith, I became a lot better informed about the nature of this problem: rape kits, the forensic evidence that is taken in sexual assault cases but which remained in evidence lockers in police stations untested or was sent to laboratories and never processed. At one point, it was estimated that there were as many as 400,000 untested rape kits in our country.

As the Presiding Officer knows, this is powerful evidence because of DNA testing. We can literally almost say with certainty whether there is a match between the DNA of a suspect and that in a rape kit. This forensic evidence is collected following a sexual assault. Similarly, we can decide and determine whether there is no match whatsoever and, frankly, exclude somebody who is a potential suspect from being the guilty party by using this same powerful forensic evidence.

It is also important not just to solve the crime at hand but also to get sexual predators off the streets because we know this type of offender is likely to strike time and time again. The experts tell us that when opportunities don’t provide themselves for sexual offenders to go after adults, frequently they will even go after children. So this is very important evidence.

I do not think we know, there is typically a statute of limitations that after a period of time a case cannot be prosecuted, but it is really important, as I mentioned, to continue to test as many rape kits as we possibly can to get serial offenders off the streets and to determine whether somebody has been charged or suspected of a crime and is in fact innocent.
Thanks to courageous people like Debbie Smith, for whom we have named the Debbie Smith Act, as well as great bipartisan cooperation in the Senate, we have provided funding for the testing of rape kits at the State and local level, which has been supplemental to our national legislation and other State legislatures.

In Houston a few years ago, our mayor felt so strongly about this that they took this on as a citywide project, with incredible results. They found a number of previously untested rape kits in these crimes, and they were able to bring peace of mind to a lot of people who had been living under a cloud of unsolved crime when they processed these unprocessed rape kits.

Nationally, the problem is still big, with as many as 175,000 rape kits that still haven’t been analyzed, and this is something we need to continue to attack. It is down from 400,000 at one point, was the estimate, down to 175,000 still unacceptably unprocessed.

Victims of sexual assault, scarred by painful memories and physical trauma, can’t afford to wait for funding that is easier to come by. They need their stories to be heard, the evidence to be tested, and they need expedited Federal, State, and local officials owe them those things. If we dawdle, those cases go cold, and they are the ones who bear the scars and the pain of these unresolved crimes.

That is why the Sexual Assault Forensic Evidence Reporting Act, called the SAFER Act, is so important. That is the bill I mentioned a moment ago that we passed in the Senate on Monday. It reauthorizes a program created in 2013 that has helped law enforcement reduce the national rape kit backlog. I thank my friend and colleague, Representative Ted Poe over in the House, for sponsoring the House version.

The original legislation increased the amount of money spent on untested kits by 35 percent and allowed 5 to 7 percent of them to be used on audits of existing law enforcement programs. These audits, in turn, uncovered tens of thousands of untested kits across the country, each with evidence that could be used to bring an offender to justice.

The new bill passed by the Senate this week goes further. It ensures that pediatric forensic nurses are available for training so that, once they complete it, they are better equipped to respond promptly and appropriately to children suffering from abuse.

Finally, the bill extends the sunset provision of the SAFER Program, which will ensure the longevity of a program with a proven history of success.

I am grateful to have a wide range of bipartisan support, including the senior Senator from Minnesota, as well as the senior Senators from Nevada and Colorado, who are original cosponsors. This is a good example of legislation that is bipartisan and that makes progress toward solving a very real problem in our country. But, as so often we find the case, there is not much reporting on it, much attention paid, but it is worth noting here on the Senate floor that bipartisan progress on important legislation that helps people’s lives become better is being done here in the Senate.

Mr. President, I also want to bring up another important piece of legislation I reintroduced this last week, the Corrections Oversight, Recidivism Reduction, and Eliminating Cost to Taxpayers (CORRECTIONS) Act.

Let me call it the CORRECTIONS Act for short because that is a mouthful. I am grateful to my Democratic cosponsor, the junior Senator from Rhode Island, Mr. Whitehouse, for joining me on what is, like the SAFER Act, significant bipartisan legislation.

My home State of Texas has a well-deserved reputation for being tough on crime, but we have also learned over time that it is important to be smart on crime too. We successfully implemented a justice reform that help low-risk offenders become productive members of society once they reenter civil society from prison, and the State is focused on the important role rehabilitation can play.

I am not naïve enough to think that every person who is imprisoned behind bars, having been convicted of a criminal offense, is going to take advantage of the opportunity to right their path and to get on with their life, but some will, and given the proper assessments and incentives, we have found that this sort of approach works.

The CORRECTIONS Act that Senator Whitehouse and I have introduced builds off of the State models that have worked in Rhode Island, Georgia, Texas, Louisiana, and elsewhere, and it requires the Bureau of Prisons to provide programs that partner with faith-based and community-based organizations to better prepare these men and women with skill sets and incentives, we have found that this sort of approach works.

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This bill achieves a number of objectives, which I will mention briefly. First, it requires the Department of Justice to develop risk-assessment tools to evaluate the recidivism potential of all eligible offenders. Second, it refocuses resources on those offenders most likely to commit future crimes and allows lower risk inmates to serve their sentences under less restrictive conditions, thus reducing prison costs, so the taxpayer wins too.

Third, the bill expands programming—such as substance abuse treatment and vocational training—that has been proven to reduce recidivism.

Fourth, it requires the Bureau of Prisons to form partnerships with faith-based organizations and community-based organizations in order to deliver a broad spectrum of programming to prisoners.

Next, it allows inmates who successfully complete recidivism-reduction programs to earn credit toward time in prerelease custody, while eliminating eligibility for inmates convicted of serious crimes.

Additionally, the bill requires the Department of Justice to implement inmate reentry pilot projects across the country and to study their effects so that we can gain a better understanding of what works and what doesn’t work when it comes to offenders’ reintegration into society.

Finally, the CORRECTIONS Act creates a national commission to review every aspect of our criminal justice system. The last review of this type was done in 1965. And while I think Congress—certainly this is within our wheelhouse, but we probably don’t have the bandwidth to do this, which is why this national commission is so important to be able to report back to Congress and make recommendations to us.

We know one thing for sure: that when people serve their sentence and they are released from prison, they are going to reenter society. Why wouldn’t we want to make sure those who are going to deal with their addiction, to learn a skill, to get a GED, and to otherwise improve their lives—why wouldn’t we want to make sure they are better prepared when they reenter civil society? Otherwise, they are left to spend the rest of their lives in and out of prison, committing another crime, to another conviction, and back to prison again.

Our focus should be on helping individuals find a productive path as contributing members of society, and that involves making sure returning to prison doesn’t happen because there is no alternative. By implementing job training, drug rehabilitation, and mental health treatment, we can focus and save taxpayer dollars, lower crime and incarceration rates, decrease recidivism, and most importantly, we can help people change their own lives for the better.

Joining State and local officials at the forefront of this are groups like Prison Fellowship and the Texas Public Policy Foundation, which create programs for inmates, such as the Prison Entrepreneurship Program—or PEP for short—which teaches prisoners how to start and manage their own businesses when they begin life on the outside. You would be amazed by individuals who started their own businesses through the PEP program and turned their lives around in the process through the mentorship and fellowship that these programs provide.

I hope we can learn from the laboratories of democracy, known as the States, where we implemented successful criminal justice reform programs—this time, in our prison systems—where we will all benefit. Taxpayers benefit because we will have to incarcerate fewer people because they won’t continue this cycle of release, offend, and
reincarceration—at least a certain percentage of them won’t. We can help people whose lives are in a tailspin because of drug or alcohol addiction or who feel as though they are on a dead-end street because they simply don’t have the job skills or the education in order to compete in the economy.

I hope we can follow the lead of successful experiments in our States, such as Texas, and implement these commonsense, bipartisan reforms in our Federal prison system.

Mr. President, let me say in conclusion that I know the administration is very interested in engaging on criminal justice reform. Last year, we worked on a sentencing and prison reform bill that unfortunately seems to not be going anywhere. While the prison reform component of it seems to have a consensus of support here in the Congress and I think could pass and be signed into law, the sentencing reform piece is a little more controversial and I know has been the Reform, the Republican conference, and I am not sure what it does with the Democratic conference. But I believe we ought to start on a step-by-step basis, get what we can get done, and get it to the President for his signature while providing these tools to inmates who are incarcerated through the Bureau of Prisons, and then keep working on the other parts on which we perhaps have not yet been able to build consensus.

I hope our colleagues will work with us on this important piece of legislation as we work to reform our criminal justice system in ways that make sense and that save taxpayer dollars.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TAX REFORM

Mr. BLUNT. Mr. President, yesterday in the middle of the day, the Presiding Officer and I and the Senator from Texas had a chance to meet with the President and talk about tax relief. It seemed to me very clear that the President and those of us who are advocating tax cuts right now are on the same wavelength, which is, let’s have tax cuts for hard-working families, and let’s do the other things we need to do in the Tax Code to ensure that those very same families have better jobs.

As I said on the floor of the Senate last night, there are two ways to increase take-home pay. One is to start taking less out of the paychecks people are getting now, and another one is to give them an even better paycheck in the future. We need to look at both of those ways to increase the opportunity for working families and working individuals.

We are now into the eighth year of almost no economic growth. If there is no economic growth, there is very little incentive for your job to be a better paying job than it was the previous year no matter what has happened to your other costs, and we clearly see that happening.

We are into the first year of this new administration. We are looking at 3 percent annual growth after 8 years in which growth didn’t exceed 2 percent. Anytime you begin to talk like an economist, people begin to wonder: Well, what does that do to me? Let me just say that for taxpayers generally, for working families generally, the more growth you have, one, the more revenue that comes in that takes care of problems like the deficit. The way you take care of those problems—the best way—is to grow the economy. Two, people are much more focused on keeping the workforce they have, getting the best of the workforce that is coming on board as their workforce moves on for retirement or relocations or does other things.

Three percent economic growth is not good enough. The post-World War II average—that is more than seven decades now of average—is, I think, almost 3½ percent. There are very few countries in our country that today wouldn’t be made substantially better, including our own Federal deficit, if we see growth exceed or even get to the 70-year average. There is no reason to believe that can’t happen.

Yesterday the President was talking about the two ways to immediately relieve pressures on families. One is more take-home pay, and two is a better job that also increases take-home pay. But the first step we can achieve immediately by the kind of tax relief we need.

There have been 8 years of stagnant wages. Half of the families in the country are living paycheck to paycheck. Very few families can face an emergency that is even $500 without having to restructure what they are doing and how they are doing it. We can do a better job at this. We need more jobs. We need higher wages. And the two principal goals of this tax bill should be to do exactly that: more take-home pay, wages now, more take-home pay now, and create an environment in which we are going to be more competitive. Simplifying the Tax Code is one way to meet that first impact, having a tax code that people understand better, that they think is fairer. A tax code where people think they are being treated fairly is much more likely to be complied with than a tax code where people see that somebody else who makes the same amount of money as they make is paying a lot less taxes than they are paying. The American tax system is probably the greatest voluntary compliance. Sure, there are laws that require people to comply, but most people are never impacted by those laws. They know they could be, but the American people have shown a willingness to pay their fair share if they know that their fair share is, in fact, their fair share. A simpler tax system, a more easily understood system, would have fewer people paying more and fewer taxes than the seven different tax brackets that people pay today are things we can and should achieve.

Doubling the standard deduction helps a lot when people look at the $12,000 deduction they have now. For a couple, as they look at that deduction and realize that deduction, that standard deduction, has doubled, suddenly, if you are a couple filing jointly, you are paying $24,000 on the first $24,000 you earn. If you are a single individual, you are not paying any taxes on the first $12,000 you earn. Keeping enough of the family-benefiting exemptions helps make the family do what they believe they would like to do. If they would like to give to their church and charity? There is no discussion saying we wouldn’t keep the standard charitable deduction as a deduction. There is no discussion that we wouldn’t keep home mortgage as a deduction so we are encouraging homeownership or looking at how to make the child tax credit bigger rather than smaller.

Many of the early analyses of what this Tax Code would do say that for a family of four, they would make more than they are paying now up to a certain income level. Generally, that will turn out not to be the case—certainly, at the middle-income levels and below if you factor in the child tax credit, which we haven’t been able to do for 2 years.

Our tax-writing committee will be looking at that child tax credit as an important addition to the individual exemptions because it costs money to raise kids. The Congress surely should not do anything that would impact the deductions. Just like we are doubling the deduction for individual earners, we also have to look at what that child tax credit should look like.

Tax policies that benefit homeownership, tax policies that encourage contributions to charities and community activities and church and synagogue and mosque—your religious activities—all would continue to be a part of this Tax Code.

Also, when talking about sending kids to school, one way to not have student debt is to encourage families to have ways to better prepare for what they, in most cases, would hope would be a goal or an expenditure their family would make. We can do things like expanding the Pell grants for poor families, but for families who don’t qualify for that, we can do things that allow the deduction early on for putting money into a fund that prepares people to go to school.

Keeping well-paying jobs at home and encouraging more jobs to come here is also an important part of the goal. You can’t have the highest corporate rate in the world and expect that you are going to be as competitive as you would be with other countries. A corporate rate of 35 percent, in 1986, was fairly near the middle when that rate was arrived at with President Reagan and others working on it the tax code. We did a model and it was right in the middle of where we should be. However, now the situation is we see that right in the middle is no
longer 35 percent; it is about 20 percent. Ireland just revised its 15 percent rate to 8 percent. Great Britain is reducing their rate to a little less than 20 percent. They have been, I think, a little more than 20 percent. We need to be sure the products we make here and the companies we work out of the marketplace, doesn’t make us less competitive.

A territorial tax system will be one of the things we are going to hear talked about a lot. For most of us, that doesn’t seem to have any impact. We earn our money here, we pay our taxes here, but we also want to be sure that if American companies sell products somewhere else and earn money there, that they can, should, and would bring that money back to the United States to reinvest it in the kinds of things that create jobs here.

I think this doesn’t have to be that complicated. We need to understand what the core principles are. We need to get the core principles. We need to get this done this year so people are planning, in the first months of next year, on how to take advantage of a new, simpler, fairer, and more competitive Tax Code. This needs to be job one of this Congress for the next few weeks. We need to get that done so job one for the country, beginning at the end of this debate, is what we can do to create more and better jobs and create more take-home pay for hard-working families.

I am joined by some of my colleagues who are going to talk about this same topic, I hope, and others. We need to be focused. I can tell, with the President’s comments yesterday, he is focused on this. We are focused on this. This is a job we need to do.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Alaska.

Mr. SULLIVAN. Madam President, I wanted to reinforce and underscore some of the comments made by my colleague from Oklahoma, Senator LANKFORD, on what is happening in the Senate right now. It is actually really important for the American people to understand what is going on. Madam President, we will finally get the press, who sit up there above your chair, Madam President, to write about this topic.

Right now, we are debating a very well-qualified district court judge nominee—a Federal district court judge nominee from Oklahoma. Senator LANKFORD was down here, and he obviously knows the nominee, Scott Palk. He is so qualified that the vote for cloture to move forward on this nominee, who, by the way, was nominated by President Trump to go for a Federal district court position but was previously nominated by President Obama with fairly bipartisan support—was 79 to 18. That is really strong bipartisan support. It just happened about an hour ago on the Senate floor.

So what are we doing? Well, we are still going to be debating for 30 hours. We are not really debating the nominee because this is what we are doing in the Senate, supposedly. Anyone watching, you know we are not debating him because he is very well qualified, but we are still going to burn 30 hours. Why is this? We need to lay off this issue of the tactics that are happening on the Senate floor right now. The minority leader and his colleagues will not come down and explain what they are up to.

I gave a speech on this a couple of weeks ago, and I just asked: Come on down. Let the American people understand why we are spending all this time on nominees who are very well qualified and have enormous bipartisan support. Why are we required to go an additional 30 hours? Those are the rules, but normally there would be unanimous consent to move forward. What is happening now hasn’t been explained, but it definitely hurts the American people, whether you are a Democrat or a Republican. What is happening now is, every single nominee from the Trump administration, whether Federal judge or Assistant Secretary for Health and Human Services, is being delayed. Here are the numbers. President Obama had about 66 percent of his nominees confirmed at this period in the fall of his first term. People were working through them. If you didn’t like the nominee, you would just vote against them, but you wouldn’t say we are going to burn half the week of the Senate to debate somebody who is not even controversial. This judge, when we finally get through the 30 hours, is going to pass with 80 Senate votes, but we are talking through it anyway. President Obama, 8 years ago, had 66 percent confirmed. The number for President Trump 8 years later is 33 percent. Imagine our friends in the media—the New York Times—if Republicans were doing this to President Obama during his first few months in office. There would be front-page stories every day. The Republican Party is trying to undermine the new President—delaying, delaying, delaying. You don’t hear a peep from our national press. They don’t write about it.

It is a problem because we have work to do in this country. I have asked the minority leader to just come down and tell the American people why you are doing this. We have had numerous judges, very non-controversial, very bipartisan, where we essentially spent the whole week “debating” them. We are not debating this judge, but we are going to spend 30 hours on him.

Why are they doing that? And why are my colleagues on the other side to actually work on these other issues, this is what we are doing. We are just burning time.

The minority leader will not come down and explain it. I don’t know if he can explain it, but that is what we are doing. Again, if the shoe were on the other foot, the press would be going crazy. Right now, they just let it happen. My view is, it would be great if one of my colleagues from the other side could go down and explain why: Here is why we are wasting all of this time. Just let us know.

As Senator LANKFORD mentioned, this judge was nominated by the President in May. Now we are going to spend most of the week “debating” him, when that is not what is going on. It is just a delay tactic. My view is, we should just say: OK. You want to play ball like that? We will stay here 24/7 and keep the Senate open 7 days a week. Let’s get to work. Let’s stay up and keep the Senate open. Senate Minority Leader and his team keep doing that, keep delaying. I think we should call their bluff.

Right now, the delay tactics—which nobody on the other side wants to explain—in my view, are not defensible, and they are not helping the country. Whether you are a Democrat or Republican, you want to seat the government. You want to get good people working for the American people. Right now, that is not happening. I think I just wish the other side would either explain it or stop doing it. Let’s get to work for this Nation.
Thank you, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, I fully associate myself with the statements just made by the Senator from the great State of Alaska. We have to get to work here.

**TAX REFORM**

Mr. President, I am here to talk about one of the most pressing issues we have to deal with. Yesterday, I had lunch where the President spoke about why tax reform was so critical for healing the economy and really having our Nation rise to its full capabilities in terms of economic performance and global competitiveness. You read the headlines. The headlines read like: Republicans are for the big guy, for the corporations, not for the little guy.

You will hear them talk about policies that will have us drowning in red ink. You will hear them talk about unsustainable economic policies. I saw all of those headlines before, about 6 years ago, in the North Carolina statehouse when we inherited a disaster for an economy. It was after the 2008 crisis. We had a tax code that was drowning in red ink, with a $2.5 billion structural deficit. We had a tax code that was absolutely out of sync with our competition, and we set about to fix it.

This is what we ended up doing. All of the headlines looked exactly the way the headlines looked today, but we had members on both sides of the aisle, Democrats and Republicans, who recognized that North Carolina should be one of the fastest growing, most competitive States in the Nation. So we went about trying to figure out how to make that happen. We determined, for one thing, that there was an undue burden on individuals and working families. So we had to simplify the tax code, reduce the tax burden on the individuals. We all recognized that our corporate tax rate was preventing us from getting the job expansion opportunities. The States like South Carolina, Tennessee, Alabama, and Virginia were winning time after time after time.

By the time I came in as the speaker of the house, there had been a long time before we had any major economic development opportunity in North Carolina. And we were able to put together a corporate tax cut, an individual income tax cut, and, in our case, even a sales tax cut, which all of the pundits said was going to be a disaster. It ended up engineering and serving as the basis for one of the most significant, economic turns that we were able to do together a corporate tax cut, an individual income tax cut, and, in our case, even a sales tax cut, which all of the pundits said was going to be a disaster. It ended up engineering and serving as the basis for one of the most significant, economic turns that we were able to do together.

When I was speaker, I had to go look to see what Texas was doing—I see the Senator from Texas is here—and say: What could we do to be more competitive with Texas? We looked at Iowa. What could we do as a matter of tax policy that would make us more competitive with Iowa? Let’s say, agriculture? Those were our peer competitors. And I was looking at my peer competitors in their States.

For our corporate tax policy, we look at China, at Russia, at Europe, and we look at our competitors and make it very clear that we are on the same step. As Senator BLUNT said, years ago we weren’t out of step, but we are today. We are not competitive with people with whom we should be cleaning their clock in terms of economic expansion. You only get that done if you lower the corporate tax rate. If you actually get people who will invest that capital and hire more people, provide more opportunities for working families, and create more demand for jobs so that wages go up, that is how you ultimately get this economy moving where we create the resources to also ultimately pay down the debt. I still consider that to be the single greatest threat to our national security.

Along the way, the reason I know our tax policy was at work when it needed to be was that virtually every lobbyist in Raleigh was mad at me—and I mean all of them.

If you look at 1986, the last time we did meaningful tax reform, virtually everyone in Raleigh was mad at the folks who voted for the bill, and that was on a bipartisan basis. So we have to have Members who are willing to go big, who are willing to actually reduce the corporate tax rate, to work on the tax burden for working families, and to recognize that it is on us.

We are in a historic opportunity to turn this economy around and to take advantage of the fact that other countries are not heeding the call. They are heaping taxes on their businesses. They are adding more taxes in some cases. This is a historic opportunity for us to just blow past the competition and ultimately create the resources to retire our debt and provide the critical resources we need for so many other things that we need to get here, like strengthening our international defense, making sure our homeland is safe, and securing the border. All of these kinds of things can be done, but they can only be done if we have the capacity to move forward with tax cuts and tax reform.

I hope that all of my Members, before Thanksgiving, are in this Chamber and have an opportunity to vote for a bold reform package but, more importantly, for the fulfillment of a promise that we made to the American people if we had majorities in the Senate, in the House, and in the White House. We have it, and it is time for us to act.

I don’t care what the headlines read because I have seen those headlines before. I don’t care what the special interests want in terms of exemptions and exceptions because I have had those meetings in my office before. At the end of the day, every single one of those folks who wanted to pick apart one exception or an exemption have come back into my office and said: You know what; you have protected us from ourselves, because if you had listened to them, you would be drowning in red ink. Far less than you were capable of doing.

There is nobody who follows State politics that would question what was done in North Carolina. It has been an extraordinary turnaround. Now it is time for the same thing for this great Nation.

I hope that all of my colleagues would set aside the distractions, mute the voices of the special interests that will want their special exemption or exception and fulfill the promise that we made to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I rise today at a time of extraordinary opportunity. The American people have entrusted us with something, historically, is quite rare: a Republican President, Republican control of every executive agency, and Republican majorities in both Houses of Congress. Now it is incumbent on us to stand up and lead, to deliver on the promises we made to do what we told the American people we would do.

We have before us right now an opportunity for historic tax cuts. Just last week, this body voted out a budget resolution that is the vehicle for adopting tax cuts. I urge every Member of this body to come together in support of a strong, bold tax plan that cuts taxes on every working man and woman and that brings back jobs and economic growth.

Growth is really fundamental to every other challenge we have in this country. If you look historically, since World War II, our economy has grown on average about 3.3 percent a year. Yet, from 2008 to today, we have grown only 1.2 percent a year—a third of the historic rate of economic growth.

If we don’t turn that around, none of our other problems are solvable. If you care about the national debt, if you care about the deficit, if you care about rebuilding and strengthening our military, if you care about strengthening and improving Social Security and Medicare so that they are there for the next generations, we have to have growth. With economic growth, every one of those is possible. Without growth—if we stay mired in the stagnant Obama 1- and 2-percent GDP growth, none of those problems are solvable.

Growth is foundational. I would like to lay out three principles and then seven key elements that I think should guide this body in tax reform. No. 1 is growth. When we make tax cuts, we should focus directly on jobs and economic growth and focus on the reforms that produce jobs, that expand
economic growth, that grow our economy, that create more opportunity, and that raise wages.

Working men and women in this country are hurting. We need wages going up. We need more jobs. We need young people coming out of school with two, three, four, or five job opportunities. That is what tax cuts are all about. No. 1, we start with growth. I will point out that we can do this. From the economy grew 0.9 percent a year—less than 1 percent a year on average. If you look back in history to the previous 4-year period when growth averaged less than 1 percent a year, it was 1978 to 1982. It was coming out of the Jimmy Carter ad-

ministration. It was the same failed economic policies—high taxes, high regulation, high spending, and high debt.

In 1981 Ronald Reagan came into the White House. The Reagan Presidency focused front and center on tax cuts, with major tax cuts in 1981, and then following it up in 1986 with major tax reform. And what happened? When Reagan came in 1981 with across-the-board tax cuts and tax cuts for everybody, Demo-
crats screamed, the media screamed, and yet the economy took off.

The fourth year of the Reagan Presi-
dency. GDP growth wasn’t 3 percent. It wasn’t 4 percent. It wasn’t 5 percent. It wasn’t even 6 percent. It was 7.2 percent in 1984—7.2 percent, those are numbers you hear in the developing world. Those are numbers you hear in China and India.

All of our learned economists who are so world weary and all of our media reporters who are so world weary tell us: No, no, no, that kind of growth is not possible in America anymore. Ac-
cept the new normal of 1 and 2 percent growth, from two to one would be even better, and from three to two is even better, and three is an improvement, and going up under BERNIE and the Democrats’ vi-
sion. My vision is every bit as simple on the other side. If you are a taxpayer, I want to cut your taxes. That is what we need to do—to cut taxes fairly, across the board, so that we can reduce the burden from Washington, and to create jobs and economic opportuni-
ty. I would note that, in that debate with BERNIE, there was one exchange that I thought was particularly nota-
ble. BERNIE, as you know, when he ran in Vermont did not run as a Democrat. Rather, he ran telling the voters he was a socialist. I asked a simple ques-
tion: What is the difference between a socialist and a Democrat on taxes?

That is nonsense. If we want to see more growth, expensing is a powerful engine for jobs and economic growth. It cre-
ates millions of new jobs because that capital has to be spent in the United States. That tractor is United States; that steel equipment is in the United States; that diner with the cooking equipment is in the United States, which means those jobs are in the United States.

I would note, by the way, the people who particularly benefit from imme-
diate expensing are the working men and women of this country—the men and women with callouses on their hands, and the men and women who particularly benefit from imme-

diate expensing are the working men and women, particularly in heavy manufac-
turing, that steel factory moves its legal headquarter, moving their legal domi-

nantly powerful when it comes to tax reform. Bold simplicity has enormous power and, in particular, allowing every American to fill out their taxes on a postcard. I believe that should be an integral element of what we pass. It is what we have been pressing for many years, and what I would continue to urge my colleagues here in the Senate and in the House to do, which is to sim-
plify the Tax Code so that we don’t spend millions and millions of hours and dollars on compliance. Make it a postcard. Make it simple.

Then the third objective is fairness. We want a tax system that is fair, that isn’t arbitrary, that isn’t Washington picking winners and losers and decid-

ing: OK, this industry we like; so you are going to hurt. We are going to pick between them.

We need to cut everybody’s taxes. Last week, I debated BERNIE SANDERS on tax reform. BERNIE, to his credit, was very candid. He said he wanted to raise your taxes. If you are a taxpayer, your taxes are going up under BERNIE and the Democrats’ vision.

No. 3, allow immediate expensing. What does expensing mean? It means that if a business makes a capital ex-
penditure, right now, they physically have to amortize it over a number of years. Instead, what we should do is allow full and immediate expensing.

If a farmer in the Presiding Officer’s home State of Iowa buys a new tractor, that farmer should be able to expense it immediately, that year. If a steel factory buys new equipment and hires new workers to operate that equip-
ment, that steel factory should be able to expense that new equipment imme-
diately.

One side of this Chamber wants to cut your taxes if you are a taxpayer. The other side of this Chamber wants to raise your taxes if you are a taxpayer in America.

What are the elements that should reflect those principles? There are seven critical elements of No. 1, I believe we should create a simple, low, flat rate. Currently, there are seven indi-

vidual rates with the top rate at nearly 40 percent. Ideally, what I believe we should have is one simple, low, flat tax rate. When I was campaigning for Presi-
dent, I campaigned on a simple, flat tax rate of 10 percent for every individual and every family in this country, 16 percent as a business flat tax, and to abol-
ish every other Federal tax. To abolish the corporate income tax, to abol-
ish the death tax, to abolish the alter-

native minimum tax, and to abolish the 

payroll tax. Everyone pays a sim-
ple, flat 10 percent for individuals and 16 percent for businesses. Simplicity has power.

It may be the case that we don’t have the votes to go to a simple, flat tax today. If that is where we are, if we don’t have the votes to do it today, then the closer we get to that the bet-

ter. Why is that? The reason is the first principle I started with: simplicity.

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ing: OK, this industry we like; so you are going to hurt. We are going to pick between them.
highest corporate tax rate of any developed country in the world. We have created a tax environment that tells American businesses: If you simply get the heck out of Dodge, if you simply move somewhere other than America, immediately your profitability will jump—what does that do to the capital rate, and in some instances, more than twice as high as our competitors.

Look at Ireland. Ireland used to have high corporate taxes. They cut their corporate tax rate. Then they cut it again, and they are seeing businesses flood into Ireland because of the low corporate tax rate, and they bring with them jobs.

Our focus should be jobs. If we cut the corporate rate so that it is low—so that it is at least as low as our competitors and ideally even lower—we will create an environment where more businesses want to do business in America where there are more jobs.

I asked Hillary Clinton, who said during the Presidential campaign season: Don’t let anybody tell you that corporations or businesses create jobs. Even in the world of politics, that was a particularly asinine statement. The last time I checked, you have to work to run a business—unless you start your own business. You either start your own business or you go to work for another business. That is what gives you jobs. We need to create that environment.

I recall having talked about corporate inversions, companies fleeing America. Our friends on the Democratic side of the aisle have all these ideas to punish the companies that flee America. Their approach is: We are going to tax you so high that you can’t do business in this country, and then, when you try to survive, we are going to punish you on top of that with fines and penalties. It is actually reminiscent of their approach to ObamaCare, where people who can’t afford insurance after driving premiums through the roof.

It is a much better idea to cut our corporate tax rate. Let’s create a tax and regulatory environment in America so that businesses want to be here and create jobs. It is my hope that 3, 5, 10 years from now, other countries—European countries and Asian countries—are complaining about corporate inversions because their companies are fleeing our countries and coming to America, because there is no place on Earth better to do business than America, because we will have honored our commitment on tax reform and cut taxes and created an environment where businesses can thrive.

No. 5: encourage repatriation. Right now, Federal tax law subjects American businesses to punitive double taxation at the highest rates in the developed world if they bring capital back here from overseas. U.S. companies have roughly $2.7 trillion in capital overseas, and our tax system irrationally incentivizes them to keep the money overseas, which means—what do they do with the money overseas? It means they build factories in China, in Mexico, in India, and countries overseas that aren’t America, and then they hire people overseas. Why? Because if they bring the capital back here and hire Americans, our tax punishes them. That doesn’t make any sense.

I want to see that $2.7 trillion come back to America. I want to see that money back in this country. I want to see new stores, I want to see new businesses, and I want to see new jobs. We need to encourage repatriation, not put a punitive tax on the money coming back. Do you want to talk about patriotism? There is a reason it is called repatriation. It is patriotic to use that money to hire Americans.

Our Democratic friends just want to yell and scream and insult them. That is not the approach to patriotism. It is my hope that 3, 5, 10 years from now, our friends on the Democratic side of the aisle have all these ideas to punish the companies that flee America. Our approach is: We are going to cut our corporate tax rate, and they bring with them jobs.

The Presiding Officer and I have both voted, but we ain’t getting vote No. 50 from that side of the aisle, which means the employees all get laid off; they lose their jobs. It is much better to have those small businesses growing, to have those farmers prospering, and to have those ranchers prospering.

Finally, I want to make a plea to the Members of our conference, to the Republicans. We may get some Democrats to support us on tax reform. It is possible. We may get one or two. Sadly, we are in a different world than we used to be. In 1981 and 1986, Democrats actually used to be willing to work with Republicans on taxes.

Tip O’Neill, a Democrat, was Speaker of the House when Reagan passed massive tax cuts. Bill Bradley in this body, a liberal New Jersey Democrat, helped lead the effort for tax reform. There are no Tip O’Neills or Bill Bradleys left. There is not a single Democrat leading the fight for tax reform—not a one.

You may get one or two Democrats at the end of the day who cast a vote after everything is done is because they are afraid of the electoral consequences in November. But I will make a prediction right now that if we don’t have 50 votes on this side of the aisle, not a single Democrat will provide the 50th vote. They might be the 52nd or 53rd, but we ain’t getting vote No. 50 from that side of the aisle, which means that for tax reform to happen, our conference has to get our act together. We have 52 Republicans, and we have to get 50 on the same page.

Listen, we are at a time when we are seeing personality battles, and we are seeing nastiness. This is a strange time in politics. Any three Republicans can torpedo tax reform. I am making a plea to all 52: Don’t be selfish and petulant. Don’t put personal animosities above the good of the country.

Let’s honor the promises we made. Let’s cut taxes, bring back jobs, bring back economic growth, and demonstrate to the voters...
there is a reason they elected Republican majorities. If we don’t, if we can’t get our act together, then I fear the consequences will be catastrophic, both as a policy matter and a political matter. If we do nothing, let’s do what we said we would do. Let’s cut taxes. Let’s bring back jobs. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I rise today to talk about the dire humanitarian situation in Puerto Rico and to challenge this country to end a century of discrimination against the Puerto Rican people.

While the fleeting media attention may have waned, the desperation of the people of Puerto Rico has not. The lackluster response from the Trump administration is an outrage. It has been more than three months since Hurricane Maria destroyed Puerto Rico, and 80 percent of the island’s electricity is still out. Roads and bridges have collapsed. Homes have been destroyed. Of the 67 hospitals that are open, less than half of them are operating with electricity. Families are searching far and wide for clean drinking water, and some have been drinking water from wells at a superfund site.

This kind of inhumane response would never ever be permitted in a U.S. State. But one doesn’t even have to look at other States to evaluate this response; we can look abroad. Within 2 weeks of the earthquake in Haiti, there were 17,000 U.S. military personnel on the ground in that country. Two weeks after Hurricane Maria made landfall in the United States, the United States had deployed only 10,000 troops to respond to the disaster in both Puerto Rico and the U.S. Virgin Islands.

News broke yesterday that the state-owned electric company on the island, PREPA, refused to operationalize municipal water, and some have been drinking water from wells at a superfund site.

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News broke yesterday that the state-owned electric company on the island, PREPA, refused to operationalize mutual agreement with electric companies on the U.S. mainland. That is a standard step in normal disaster response. Fault lies with PREPA, but how on Earth did FEMA and the Trump administration allow that to happen, leaving millions of Puerto Ricans in the dark and in danger for almost a month? It is beyond comprehension, and it speaks to the failure of the U.S. Government’s response.

The truth is, the hurricane Maria exposed far more than just immediate physical damage; the hurricane also laid bare a very simple truth that is plain to every resident of the island and every Puerto Rican living in my State. The truth is this: the United States has been screwing Puerto Rico for over 100 years, and this is just the latest, most disgusting chapter.

There is an undercurrent in the discussion about Puerto Rico that is as pernicious as it is historical. You will hear people, like President Trump, say that Puerto Ricans are wholly responsible for the financial mess they find themselves in and that Puerto Rico should just pull itself up by its bootstraps. The rewriting of history ignores the fact that the Federal Government and Congress have had our hands tightly wrapped around those very bootstraps since 1898. The rewriting of history ignores the fact that the Federal Government and Congress have had our hands tightly wrapped around those very bootstraps since 1898.

The United States acquired Puerto Rico from Spain through the Treaty of Paris in 1898, when the United States defeated Spain in the Spanish American War. Puerto Rico didn’t want to be part of the United States; we acquired the island. A century ago, Congress extended U.S. citizenship to Puerto Ricans. In 1950, Congress recognized the island’s limited authority over internal governance. And Puerto Rico became formally known as the Commonwealth of Puerto Rico. Being a Commonwealth or a territory is permanent second-class status. Without access to the same healthcare system as other States, Puerto Rico starts every single race 50 feet behind the rest of America. These built-in disadvantages are designed to hold Puerto Rico back. They have been a 100 years to keep Puerto Rico from being a true economic competitor with the mainland.

Believe me, the Puerto Rican people have done everything they can to overcome this discriminatory treatment. There is an entrepreneurial, never-say-die spirit in Puerto Rico. I know this because no State has a greater percentage of residents with Puerto Rican roots than Connecticut. But despite the strength of the Puerto Rican people, they are stuck because Washington has tied their hands behind their backs by taking away the right to vote in Federal elections, virtually guaranteeing that the discriminatory economic advantage will never ever be remedied. It is a black hole from which Puerto Rico may never escape.

Puerto Ricans are U.S. citizens—despite the fact that recent polling suggests that half of Americans don’t know this—but they can’t vote for President. They have no voting representation in Congress. Think about it this way: Americans with a mainland address can vote if they move to Mongolia or Sierra Leone, but if they temporarily take up residence in a United States territory like Puerto Rico, they miraculously lose their right to vote. There are historical, geographical consequences to this lack of representation. We are watching the most egregious example right now. Do you really think that if Puerto Rico had two U.S. Senators, 80 percent of the island the way President Trump has for over a month after the hurricane? By the way, Puerto Rico has more citizens than 21 States that have a total of 42 Senators in this body. Do you think a President would denigrate and insult Puerto Rico the way President Trump has if it had electoral votes?

The botched response to Maria is just the latest attack on the island, perpetuated by a Congress that can afford to ignore a big part of the United States that has no voice in Congress to object. For over six decades, the U.S. Navy pumped the island of Vieques, just off Puerto Rico’s coast, with ordinance, using it as a bombing range for military exercises. Those weapons allegedly contained uranium, napalm, and Agent Orange. Today, people who live on Vieques are eight times more likely to have cardiovascular disease and seven times more likely to die of diabetes than others in Puerto Rico. Cancer rates on Vieques are much higher.

If you want to know why Puerto Rico has been in a decade-long recession, look no further than Congress. More than 50 years ago, the U.S. Government launched several initiatives to help spur economic growth on the island. It was a good thing. Ironically enough, the initiatives were collectively called Operation Bootstrap. One of the tools that were used to spur economic growth was a tax break to allow U.S. manufacturing companies to avoid corporate income taxes on profits that were made in Puerto Rico. Manufacturers descended on the island in droves, and the entire economy in Puerto Rico was oriented toward companies. But what Congress gives, Congress can take away, especially if the entity you are taking from has no meaningful representation in Congress. In 1996, Congress phased out the tax break. Guess what? It sucked the island’s tax base away, cratering Puerto Rico’s economy for the next two decades.

It is worth noting that Puerto Rico is not blameless for the financial situation that it is in. There definitely has been a fair share of mismanagement on the island. Bad decisions have been made. Saying that Puerto Rico is only a victim of schemes of the mainland is not true. But the same can be said of the mismanagement of decisions in other U.S. States. But a century of underinvestment in Puerto Rico has been a big part of the story as to how they arrived at this situation. And unlike all those other U.S. States, Puerto Rico has no way of rectifying the past misdeeds because its toolbox to reckon with its past is limited to what Congress sticks in the toolbox, and that toolbox doesn’t provide access to the Bankruptcy Code.

As a result, Congress passed PROMESA, which created this financial oversight board on the island. Puerto Rico bondholders on Wall Street, who bought the bonds for pennies on the dollar, are now challenging the current oversight board’s legitimacy, with the hope of being paid before the island gets relief. These practices of the bondholders, who have been circling the island for years, are made more menacing because they are spending boatloads of money lobbying Congress. I am here today, alongside others from Washington, DC, to see their ads. They know that the people of Puerto Rico have no voice here, have no votes here.
Now it looks as though other predators are circling. News came out this week that a small, two-person company in Whitefish, MT, somehow, some way, got a no-bid $300 million contract to restore power in Puerto Rico from the island’s treatment—thus, the power authority that refused the help of experienced electric companies that actually know how to turn the power back on. How does something like this happen? It turns out that the little town in Montana is the home of the new Secretary of Interior—two people employed at that company—is just a scratch on the surface of what is to come.

Puerto Rico has been getting screwed for decades. None of this is new. None of this is bad. If you think this is just one century-long string of rough luck, you are ignoring the last critical aspect of Puerto Rican history.

Back in 1901, when the U.S. Supreme Court decided that even though residents of the territories lived in the United States, they shouldn’t be able to enjoy full constitutional protections, the Supreme Court was pretty explicit about why these citizens in places like Puerto Rico deserved this second-class treatment. Justice Henry Brown, who authored the separate but equal doctrine, held that Puerto Rico and the other territories didn’t need to be afforded full rights under the Constitution because the islands were “inhabited by alien races, differing from us in religion, customs, laws, methods of taxation, and modes of thought.” That, my friends, is racism defined.

And it is both past and present when it comes to the rationale for the historical and continued mistreatment of the people of Puerto Rico.

It is time for that mistreatment to change—not just by doing right by Puerto Rico at this moment, at their hour of need. Yes, it is time for President Trump to command that FEMA and the U.S. military and the powers that be in Puerto Rico turn the lights back on right now. Congress should give Puerto Rico every cent they need. I am glad that we came together this week for the latest round of emergency aid, but it is long past time that we addressed the second-class treatment we have given the people of Puerto Rico for decades. Even that racist 1901 Supreme Court decision contemplated that the territories’ unequal status could only be justified temporarily. It is time to unite the hands of the Puerto Rican people and ensure that they have full economic and political rights.

I hope my colleagues will join me in this conversation in the coming months. It is just as important as the one we are having on emergency response because if anything good can come from the disaster of Hurricane Maria, maybe it is that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, Republicans have spent months trying to repeal the Affordable Care Act. They knew that tens of millions of Americans would lose their care, they knew it would betray our Federal trust responsibility to our citizens, and they knew it would throw one-fifth of our economy into chaos. TrumpCare failed because the American people opposed it. Americans spoke out against it in record numbers. TrumpCare failed to pass four times. We hope that now we have put that to bed and we can move on.

But rather than listening to millions of Americans, President Trump has reversed course and is now supporting the Affordable Care Act. His reckless behavior is already causing chaos in the marketplace. His actions have hyped up the cost of premiums. He has sent out-of-pocket costs through the roof. Instead of helping get affordable, quality healthcare, he has put it out of reach for millions.

I commend my colleagues Senator ALEXANDER and Senator MURAY. They have found a bipartisan solution to this new healthcare crisis by our President. I urge Leader MCCONNELL to put it onto the floor.

The Affordable Care Act isn’t the only healthcare program at risk. The President and Republicans are letting funds run dry for other critical health programs. Last month, the Children’s Health Insurance Program expired. CHIP insures almost 9 million children across the country, including over 130,000 children in New Mexico. The Community Health Centers Program also expired last month.

Republicans failed to extend the Maternal, Infant, and Early Childhood Home Visiting Services. That is one of the most effective programs that we have. Without it, more than 1,000 New Mexico parents could miss out on home visits. They will not get crucial information about how to nurse their newborns, recognize healthy behaviors in infants, and teach basic skills to their children. The Special Diabetes Program for Indians is also set to expire in December.

I urge Republicans to work with us to reauthorize these critical healthcare programs. We need to act urgently. We can get this done by Thanksgiving or earlier if we work together.

Madam President, I want to talk about CHIP first.

CHIP is a proven and comprehensive health insurance for kids whose families do not quite qualify for Medicaid but who cannot afford private insurance. CHIP covers basic medical care, like immunizations, prescriptions, routine check-ups and dental visits. Thanks to CHIP, the rate of uninsured kids in America has dropped from 14 percent to 4.5 percent.

CHIP has been a lifesaver for some families. This is Colton. He is from the small town of Anthony, NM. Colton was 8 years old when he was diagnosed with cancer. Fortunately, the cancer was treatable, and he was insured by CHIP during the time that his treatment and medications were covered. Without CHIP, Colton’s family would have had to have paid hundreds of dollars a month for his treatment, which is the cost of a month’s rent.

They should not have to choose between lifesaving care for their children and a roof over their heads.

Colton’s father wrote to the Santa Fe New Mexican, and it read:

Watching my son battle for his life was almost more than I could bear. I couldn’t imagine dealing with the stress of scraping together everything we had to cover the medical bills if we didn’t have coverage. Hav-
Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BARRASSO. Mr. President, President Trump has been in office now for more than 9 months. For this entire time, Senate Democrats have been trying to obstruct him from doing the very job that he was elected by the American people to do. The President has laid out his agenda to create jobs, to grow the economy, and to help hard-working American taxpayers. Yet Democrats will do everything they can to stop the President from putting his team in place to accomplish these goals.

They have tried to stop the President’s legislative agenda because they know that his policies will actually work. When Republican policies become law, Democrats know that the people will be how successful these Republican policies are. I think Democrats are worried that they may never win another election again once we get these policies into place. That is why we have seen a record number of delays and obstructions by the Democrats in the Senate. They have even blocked the President from filling some of the most basic jobs within his administration.

It started on day one. Normally, on Inauguration Day, the President gets a substantial number of people confirmed to his Cabinet. The idea is to let the President get his team in place so that he can hit the ground running. President Obama had six of his Cabinet Secretaries confirmed on Inauguration Day. President Bush had seven Secretaries confirmed on Inauguration Day. These confirmations were by voice vote, but that was not the case with President Trump—just two with rollcall votes on Inauguration Day.

If Republicans did not do anything to try to block the Cabinet Secretaries for President Obama, for we understood that it was best to give a new President a chance and for all of us to work together when we could. With George W. Bush, it was seven. That is how it usually works, but not anymore—no, not with this group of Democrats in the Senate. They really were never interested in giving President Trump a chance. They really do not see him as a true partner. Last January, President Trump had two people confirmed to the Cabinet on Inauguration Day—the Secretary of Defense and the Secretary of Homeland Security. They were the only two jobs that the Democrats allowed the President to fill.

In President Trump’s first 9 months in office, Democrats have continued to block the way. They have allowed just 185 of his nominees to take their jobs. That is how ridiculous the Democrats have been in trying to keep President Trump from putting his team in place. By this far into the administration at the same time, President Obama had 364 nominees in place. The Democrats have blocked judges, Cabinet Secretaries, and other high-ranking officials. Now, it is interesting because you have seen this. Many of these nominees even have Democrat support, and they are not controversial at all, but Democrats are doing everything they can to slow down the process. During President Obama’s first 9 months, he had 364 confirmed. So President Obama had gotten 2 for every 1 that President Trump has gotten confirmed.

There are 81 of President Trump’s nominees who have gone through the committees and another some number today. They are 81 people who have been nominated by the President for positions in the government who are just waiting right now for a vote on the Senate floor. Many of these people got through the nomination process in June but are still waiting and being blocked by Democrats in the Senate. It is outrageous.

Do Democrats really think that these are not important jobs—that they do not need people in those jobs to do the important work that they have been assigned to do?

I believe that we should confirm as many of them as possible today. There are 13 judges waiting for confirmation. There are 8 U.S. attorneys waiting, including the U.S. attorney from my home State of Wyoming. These are important jobs.

We all understand that there is a process that we need to go through to fill these positions—to make sure the people are vetted and to make sure they are the right people for the jobs. All of these people have followed the process. They have been doing everything they have been asked to do in that they have filled out the paperwork, filled out the disclosures, and have gone through the committees. Now it is time for the Senate to get its work done. I would say let’s do it today.

Interestingly enough, in August, the Democrats finally allowed a significant number of people to be confirmed. More than 60 people were confirmed by voice vote on one day. That is the kind of thing that used to be very routine in the Senate—letting a large number of noncontroversial nominees be approved all at once. It is now time to do it again. There is a significant backlog. So I want to get these folks confirmed now. It is time to clear the deck and let these people get to work who have been nominated and vetted, who have gone through the committees and been approved.

We need to move these nominations because we have more nominations on the way. We are going to have to deal with the nominations of two Cabinet Secretaries for positions that are currently vacant. President Trump has nominated Kirstjen Nielsen to be Secretary of Homeland Security. It is an important job, and she is very qualified for it.
Do the Democrats plan to block her confirmation to be Secretary of Homeland Security? Do the Democrats plan to obstruct this qualified woman from doing the important job she has been nominated by President Trump to do?

The Forest Service reserves to have his team in place. The Senate has an obligation to get that work done. The Department of Homeland Security serves to have a Secretary in place to keep us safe. That is how it has worked in the past and how it should be working now.

These people manage major Departments of the government. They manage many career workers. We know that the Washington bureaucracy has grown tremendously over the years and that it is very difficult to eliminate people who aren’t doing their jobs properly. We have seen it in the scandals over the years. Remember the Gold King Mine disaster? President Obama’s EPA—the group who is supposed to protect the environment—actually dumped 3 million gallons of toxic wastewater in a river in Colorado. Remember the scandals involving bureaucrats in the Department of Veterans Affairs, the IRS, and the General Services Administration. During the Obama administration? We need Presidential appointees in place overseeing these federal workers to make sure that the government of the people is accountable to the American people.

The other to be involved in providing oversight through our power of advice and consent. Democrats don’t want that to happen. They have been keeping the Senate from providing that oversight, dragging out the process, making sure that the bureaucrats whom they seem to have more faith in are accountable to the American people rather than those whom the American people voted for on election day.

These are important jobs, and we have to make sure they are ready to do the work. Democrats have delayed for 9 months. It is time to break that logjam today. Thank the Presiding Officer. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

WESTERN WILDFIRES

Mr. MERKLEY. Mr. President, I am coming to the floor to talk about the challenge we have with forest fires that have been raging in the West, in Montana and Idaho and Washington and Oregon and California, and periodically we have devastating fires in Colorado, New Mexico, and Nevada.

We have to figure out how we do a better job in a multitude of ways. First, it is very important that we quit treating terrible fire years, enormous fires, as if they are some ordinary event because there is currently no FEMA-style reaction to terrible forest fires.

We respond with FEMA for tornadoes and for floods and for tidal waves and for hurricanes but not forest fires. Well, the result is, the Forest Service runs out of funds to fight the fires in a bad year, and then they have to drain all the other programs they own, including the programs to prepare for future timber cuts, the programs to thin the forests, the programs to repair the infrastructure in the Federal forests, all these other efforts, and then they can’t resume those efforts until we have restored their funding, which can come often far later.

This fire borrowing has to end. That is why we absolutely need to support the bill Senator Wyden, Senator Crapo, and others have been working on to say: Let’s create a FEMA-like structure for these worst fires so we end this fire-borrowing devastation of the fire accounts. That absolutely needs to happen.

Right now, there are three funding issues we need to address. First, we need to help out the communities that have been impacted economically by these devastating fires. Some have been burned directly, others have been profoundly affected by the smoke in the community, others have been affected by highways being shut down, and others have been impacted by tourism dropping dramatically. So it is very important and a message to the Department of Agriculture, the Small Business Administration, and the Department of Housing and Urban Development to say: Use your emergency programs to assist these communities. We really should make sure these Federal workers to make sure that the government of the people is accountable to the American people rather than those whom the American people voted for on election day.

These are important jobs, and we have to make sure they are ready to do the work. Democrats have delayed for 9 months. It is time to break that logjam today. Thank the Presiding Officer. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

October 25, 2017

CONGRESSIONAL RECORD — SENATE

S6795
taken out from below. They often call that mowing. It has had prescriptive fire in it, which means after you have thinned it, you may go 10 or 15 years, and then let fire burn up the shrubs at the base. Therefore, on this side of the road, undamaged.

In fact, I went out to this area outside of Sisters, OR, this last weekend. It is just remarkable how the area that had been thinned and treated with mowing prescription fire had been very resistant to the fire that was sweeping toward Sisters. It really helped the Forest Service fight the fire because they could easily maneuver through the area that had been thinned with the area that hadn’t been thinned. So that Milli fire was stopped before it got to Sisters, thankfully. In other places where the forest hadn’t been thinned, the outcome might have been very different.

Let’s not succumb to the traditional timber wars of the past. After fires like this, there are those folks who come along and say: We just need to clearcut everything. Let’s do a 10,000-square-foot timber sale in no environmental review and allow everything to be cut. That was the 1950s. In fact, we have a bill in this Chamber that says: Do exactly that, and you can take out the old growth and the big trees. The irony of that is those are the trees that are actually fire resistant. Those are the trees you want to leave.

This is a solution that brings the environmental world and the timber world together, which provides a supply of sawlogs for our mills. Let’s make that type of vision happen. But to do that, we have to fund the effort. We have to have the funds to be able to go in and do that thinning and mowing and fire prevention. That is why we are asking for about $600 million to help thin the forests of Montana, Idaho, Washington, Oregon, California, Nevada, New Mexico, and wherever else there is a forest that has gone through that environment and is ready for action. Let’s put Americans to work in those forests in this win-win strategy.

Three things we need to do: Help our communities that are scorched, proceed to invest in emergency repair of the damaged infrastructure on our forest lands, and invest a significant $500 to $600 million in thinning the forests that have already gone through environmental review.

Thank you.

The PRESIDING OFFICER. The Senator from Indiana.

HEALTHCARE

Mr. DONNELLY. Mr. President, for years, I have been calling on Democrats and Republicans to work together to improve the healthcare law. There are some, like me, who recognize the benefits of the existing healthcare law, as well as the areas that need fixing, and I have proposed that we partner together to strengthen our healthcare system.

For the first time, we have legislation in the Senate that has broad bipartisan support and would improve issues with our healthcare system by stabilizing the individual marketplace and lowering premiums for Americans. This is what I have long pushed for. Today, it is more important than ever that we act to pass this bipartisan legislation. I want to take a few minutes to explain why.

Beginning next week, on November 1, millions of Americans, including Hoosiers, can sign up for healthcare coverage through the individual marketplace. We must ensure that consumers can prepare to shop for health insurance plans, there is uncertainty and instability in the marketplace and confusion and higher prices for consumers. That wasn’t the case earlier this year, as both public and private analyses showed that individual marketplaces were relatively stable and improving.

For the last 10 months, though, the administration has worked to make it harder for Americans to access affordable health insurance by eliminating the individual marketplace. For many months, the administration refused to commit to continuing important cost-sharing reduction payments that reduce costs for consumers and, even worse, played politics with these important funds culminated with the administration’s announcement earlier this month that it would discontinue cost-sharing reduction payments. This decision came only weeks before open enrollment.

There is no disputing a simple fact: The administration’s actions created uncertainty for insurers, causing some to significantly raise rates and others to leave the market altogether. As a result, many Americans will be forced to pay more for healthcare plans through the individual marketplace.

For example, CareSource, an insurance company that offers insurance to Hoosiers through the individual marketplace, told me earlier this year that rates would rise if the Federal Government committed to continuing cost-sharing reduction payments. Because the administration refused to do so, rates for CareSource plans are on average now 20 percent higher for Hoosiers than last year.

Centene, the other insurer offering coverage in the marketplace, will have average rate increases of nearly 36 percent. In addition to higher rates, it will be harder for Hoosiers to find help enrolling in healthcare plans because the administration slashed 22 percent of Navigator Program funding for my home State of Indiana—the deepest cut of any State in the country.

Consumers also have a shorter period to enroll than in past years. The administration plans to do maintenance and shut down Healthcare.gov for 12 hours on all but one Sunday throughout the open enrollment period.

It does not have to be this way. As I have said for years, there is another path—a bipartisan path. We should work in a bipartisan manner to improve our healthcare system, all Americans working together. I have pressed the administration to commit to providing stability for health insurance markets and to working together on bipartisan solutions that reduce healthcare costs and ensure access to quality medical care.

Over the past several months, I have engaged in bipartisan conversations in meetings with my colleagues to discuss ways we can partner together to stabilize our healthcare markets. We have talked to a range of healthcare experts. There has been a good-faith effort to find common ground. But we can take to lower costs for families. That is what we should be doing.

After participating in this effort, I was pleased that Senators LAMAR ALEXANDER and PATSY MURRAY reached a bipartisan agreement last week. It makes improvements to our healthcare system and helps reduce costs for our families.

I am proud to cosponsor this legislation. It continues cost-sharing reduction payments that reduce consumers’ deductibles. It also reduces copays for two years and restores funding to help Americans navigate signing up for health insurance. It enables more flexibility for States without undermining essential health benefits or harming people who have preexisting conditions.

If this legislation came to a vote today, I am confident it would receive more than the 60 votes needed to pass out of the Senate. It has wide-ranging support from both Democrats and Republicans. It has bipartisan support, not only in the Senate but also from Republican and Democratic Governors all across the country. We have heard from groups, including the American Medical Association, the U.S. Chamber of Commerce, and AARP, urging Congress to move forward on this proposal because it is common sense. It benefits families. It helps stabilize the insurance markets.

It is our job to protect families from unnecessary increases in the cost of healthcare, particularly those within our control. We have an opportunity to do that with the bipartisan Alexander-Murray agreement that we achieved by working together.

The healthcare debate should not be a political game. The stakes are way too high for that because healthcare impacts the well-being and the economic security of millions of Americans.

I have said over and over that the American people expect us to work together to try and make life a little bit better. At the very least, we should do no harm. The Alexander-Murray agreement not only provides relief for families, it actually helps put them in a better place. There is no doubt we have more work to do, but this proposal is an important first step. Let’s strengthen the healthcare system and make healthcare more affordable with this bipartisan solution.

I yield back.

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. MERKLEY. Mr. President, I ask unanimous consent that the order for the question of adjournment be agreed to.

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

ROHINGYA HUMANITARIAN CRISIS

Mr. MERKLEY. Mr. President, I thank my colleague from Indiana for joining us today to raise the awareness of the ethnic cleansing that has been occurring on the other side of our planet, ethnic cleansing by the Burmese military against the Rohingya Muslim minority.

Just last week, together we sent a letter to U.N. Ambassador Nikki Haley. It was signed by 21 of our colleagues. It called for “tangible actions against the Burmese government to end the violence, to help the Burmese people understand that there will be consequences for those who commit such atrocities against civilians.”

I am pleased to partner with my colleague on this. I think he will share some remarks, and then I will follow up with some remarks of my own.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I thank my colleague for his leadership on this issue. It has been a pleasure to lead a subcommittee in the Foreign Relations Committee with Senator MERKLEY. We have always worked in a constructive fashion on some consequential issues and none more consequential than the one before us today.

With respect to the crisis in Burma, we recently met with the lead person on an international NGO who just returned from camps in Bangladesh. He briefed us on some of the horrible circumstances facing these individuals who have been displaced out of Burma.

This last Friday, as Senator MERKLEY indicated, we also led a letter to Ambassador Haley regarding the Burma crisis. I would also note that we had an important hearing on this topic yesterday in the full Foreign Relations Committee. I commend our leadership for putting that together.

I want to share some of my thoughts about this crisis. Before I do, I would like to acknowledge folks back home in the state of Indiana. I happen to represent a significant number of Burmese Americans. These are patriotic fellow Hoosiers, who have played an instrumental role helping to educate me and members of my team on this crisis, and I am happy we can be responsive to their concerns.

It is important for all Americans to understand what is happening in America and everything outside our shores. Burma is a country that doesn’t typically capture the imagination of attention of people in the United States, but, right now, in light of this humanitarian crisis, it requires all of our attention.

The Burmese military has conducted a deplorable campaign of violence against the Rohingya Muslim minority, including the systematic use of arson, murder, and rape. Our State Department tells us that nearly 300 villages have partially or completely destroyed by fire just since August 25 of this year by the Burmese military. That is more than half of the approximately 470 Muslim villages in northern Rakhine State.

Ambassador Haley has indicated that the Burmese military’s actions constitute a sustained campaign to cleanse the country of an ethnic minority—ethnic cleansing. The U.N. High Commissioner for Refugees has referred to this situation as a textbook example of ethnic cleansing.

We have seen more than 600,000, who are mostly of the Rohingya ethnic minority, flee the violence in the Rakhine State to seek refuge in Bangladesh. They travel on foot for days, carrying what they can of their belongings, carrying their young children. It is mostly women and children who make this trek. In Bangladesh, we have been briefed that many of them require immediate lifesaving assistance.

To put this severity in some measure of context, yesterday, our Department of Justice and U.S. Agency for International Development characterized the resulting population movement as “almost unprecedented”—almost unprecedented—amidst all of the other challenges we have seen in recent years, including this Arakan crisis coming out of the Middle East and across the shores of the Mediterranean. Some research suggests the refugee flow from Burma has been swifter than the exodus from Rwanda in 1994.

Many Americans ask, you know, honestly, we have a lot of challenges in the world. Why should I care about this one? Well, here is why: In Burma, we see a group of people—the Rohingya—being systematically targeted because of their ethnicity. This, of course, runs afoul of our basic values, the principles upon which our country was founded. These principles inform the rules of the international order that has existed for some number of decades now. These rules are the mortar that holds the order together. We simply cannot allow certain rules of international behavior to be violated or that will encourage other bad actors, and they will continue to undermine, thus, undermining our national interests.

Recent history demonstrates that the systematic violation of fundamental human rights sooner or later engenders security threats to America and our collective interests—think of Tunisia, think of Syria, think of the countries of Yemen or Nigeria. There are almost countless examples just in recent history where rogue states have been or are seeing rising right now, threatening our basic human rights. That, in turn, is undermining our values and our national interests.

Let me apply this observation about the linkage between our values and our interests—not just domestically but internationally—to the situation in Burma. We know the past and present Burmese Governments have systematically deprived the Rohingya population of their most fundamental human rights. Not surprisingly, this has compelled a small number to join the Arakan Rohingya Salvation Army, ARSA.

The most recent wave of ethnic cleansing began after ARSA conducted a coordinated attack on Burmese security outposts, and the Burmese military responded with disproportionate military actions and deplorable attacks on civilians.

Here is a point: the Burmese Government and the Burmese military must understand. By refusing to treat the Rohingyas as full, equal citizens and by attacking their own people who just want to live in peace, the Burmese Government is only going to increase the number of Rohingyas who will be radicalized, exacerbating the very problem the Burmese military says it is trying to address. So this is not in Burma’s interest. I can’t emphasize this enough.

Before the most recent iteration of this crisis, in December 2016, the International Crisis Group—an international nongovernmental organization—issued a report titled “Myanmar: A New Muslim Insurgency in Rakhine State.” The report said a number of things, among them that the “continued use of disproportionate force that has driven tens of thousands from their homes or across the border to Bangladesh... could create conditions for further radicalizing sections of the Rohingya population that transnational jihadists could exploit.”

As we saw in Syria—to choose just one comparative example—when the government fails to respect basic human rights of its citizenry, then conflict ensues. It can lead to far wider radicalization. The conflict becomes a magnet, a magnet for international terrorists. It becomes a factory that creates more international terrorists.

In short, when governments commit systematic and large-scale violence, oppression, and injustice against its own people, it creates a fertile ground for Islamist terrorist recruitment and radicalization. This is contrary to the interests of everyone, including the Burmese Government.

Further, if left unaddressed, the humanitarian and security situation in Burma and Bangladesh will worsen and increasingly threaten regional stability and U.S. national security interests.

The United States must continue to lead. There has to be an international response in Burma. We need other partners to step up and participate in that response, but the United States must continue to lead. Part of leading comes down to clarity. What do we want of the Burma Government? I see at
least four things the Burmese Government must do.

First, the Burmese Government and their military must immediately end its ethnic cleansing campaign against the Rohingya. Second, the Burmese Government must immediately hold responsible the perpetrators of this atrocity by implementing the recommendations of a U.N. panel, the so-called Advisory Commission on Rakhine State. Third, the Burmese Government must permit safe access for journalists, humanitarian aid agencies, and for a United Nations fact-finding mission and all of their personnel so we can figure out precisely what is going on and who is responsible. Finally, the Burmese Government must facilitate the safe and voluntary return of all these individuals who have been displaced.

When I leave the Senate floor today, I am scheduled to immediately visit with Ambassador Haley to the United States. This points out just where I mentioned are points I intend to reiterate directly to that Ambassador.

Moving forward, the United States should lead efforts to document atrocities, I say in whatever we can hold the perpetrators can be held accountable. I also support the administration's announcement yesterday that it is exploring accountability mechanisms that are already available under U.S. law, including the so-called Global Magnitsky targeted sanctions.

I call on countries like China and Russia to support the suspension of all international weapons sales to the Burmese military. They should not be transferring weapons to this murderous regime.

In conclusion, as Senator MERKLEY and I stated in our letter on Friday to Ambassador Haley, now is the time. Now is the time to take bold and effective action against the Burmese Government to end the violence, not just to help the Burmese people but to help stabilize the region and protect U.S. national security interests. Now is the time to take the fundamental steps, the values, frankly, of civilized nations. Now is the time to work with this administration and colleagues on both sides of the aisle to make sure we can reach as peaceful and as positive a resolution to this horrible situation as possible.

I want to close by once again acknowledging the tremendous leadership of Senator MERKLEY. I thank him for his partnership in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the comments of my colleague and the opportunity for us to work together to help shine a light on this moment of great atrocities in the world. A great deal of what we are calling for is for America to do more to shine a light on it and for the world to work together to help shine a light on it but to end it and to proceed to have as much healing as can possibly take place.

I thank my colleague from Indiana for being deeply in this conversation. It is a real pleasure to work on the Foreign Relations Committee together.

We must address this situation. According to a report from the U.N. High Commissioner for Human Rights, “government forces and Buddhist extremists in Burma have carried out a well-coordinated, systematic campaign of human rights violations against the Muslim Rohingya in Myanmar’s Rakhine State,” with a “strategy involving widespread fear and trauma—physical, emotional and psychological—and the Rohingya population.” This comes after the commissioner’s statement that this “security operation,” as they refer to it, in Burma was “a textbook example of ethnic cleansing.”

As we wonder international relations, we see from time to time that one group, somewhere in the world, will respond to deep tribal impulses and prejudices to wipe out another group. These are horrific moments in history, and we have seen this movie—this situation—occur time and again. After such atrocities, the world has said “never again” “never again,” meaning that we will respond when we see this happening. We will apply great pressure. We will coordinate with the world to make sure it stops, because such effort to wipe out another ethnic group is so unacceptable and it is such a crime against humanity. But here we are, and it is happening right now in Burma. It is happening with a Buddhist nation.

We normally associate the Buddhist religion and that main emphasis on peaceful conduct. Yet this tribal impulse—these deep prejudices are so powerful that they overcome whatever peaceful impulse there is, and they have resulted in a massive effort to wipe out the Rohingya people. In the course of these events there has been an enormous number of rapes. There have been children killed right in front of their mothers. There have been villages surrounded by soldiers and then the village huts set on fire, and then they have been shot as they flee. This is about as inhumane as it can get.

Something close to 300 villages have burned to the ground. By some estimates, 3,000 civilians have been killed. A few weeks ago, we were talking about 400,000 refugees pouring into Bangladesh. Now the number is 600,000 Rohingya refugees.

Roughly half the Rohingya live in Burma, and those refugees include 300,000 children. Think about the type of trauma those children have just experienced and the challenges they will have regaining a foundation to thrive. Then there are those who are internally displaced inside of Burma, who have been driven out of their villages but haven’t been able to make their way to Bangladesh. This is the challenge we face.

There is an area of Bangladesh called Cox’s Bazar. That is where these two main refugee camps are. International aid groups are working to quickly get as many resources as they can into this area so that people do not starve and so that medical wounds can be addressed. But there is still a significant lack of food, a lack of clean water, and an absence of sanitation facilities. That condition is ripe for spreading diseases—diseases like cholera.

When I was home in Oregon, I met with a group of Rohingya refugees who had come and settled in Oregon. As we can imagine, they have a very personal connection to what is happening. Some of them have distant relatives still there. Some have immediate family members. They don’t know exactly what has happened to everyone in the middle of this chaos.

We also heard about villages that didn’t get burned down but where the military was blocking people from leaving the village to go to the fields to harvest crops and then forcing people from leaving the fields and going back into the village, probably responding to international outrage over villages being burned and essentially resorting to a strategy of starving out the villagers. I drive through Bangladesh and see one of those villages being trapped in one of those villages, knowing what is happening to village after village, knowing what we have been raped and often killed, and many of them have been killed. Desperation is enormous.

I heard firsthand accounts of conditions of refugees from Reza Uddin, who had just returned from a 2-week trip to visit them. He told powerful and moving stories about children who had been brutalized, children who had been separated from their parents, children who might possibly now be orphans because it is not clear if their parents are still alive or, if alive, where they are. Then he told us that Бои international community has not done enough. The community of nations has not done enough to address this unspakable brutality. Bangladesh should be complimented for accepting these refugees fleeing for their lives. They have been cooperative. It is a challenge for them, and we should acknowledge that. We should continue to ask them to do everything possible and to give the U.N. High Commissioner for Refugees and various aid organizations full opportunity, full access, and full authority to be in and assist those in these refugee camps.

The United States, the United Kingdom, and the United Nations have condemned the actions of the Burmese, and that is certainly appropriate, but we haven’t done enough. We have not taken the steps to which my colleague referred to strengthen sanctions or coordinate international countries to all weigh in. The only thing that will make a real difference here is pressure and that pressure has to be on the Burmese Government. We can criticize the civilian government in Burma, and many have, and they have been unable to stop what
from the civilian government in Burma: We will let them come back if they show they are citizens. No. 1, they have never been granted citizenship. No. 2, after a horrific situation like this, if they did have papers, they wouldn’t have papers now. They would have burned them both in the villages. There needs to be a change in attitude, a change of heart among the Burmese civilian leadership, and certainly among the military, to lead an effort in the peaceful tradition, the Buddhist one of nonviolence, not this horrible, brutal, oppressive governments and the return of these people to their land.

Former U.N. Secretary General Kofi Annan now serves as chairman of the Advisory Commission on Rakhine State. He and his team have laid out a report with very specific actions—actions that will help end the cycle of radicalization and the cycle of violence. We need to work to try to make sure those things are implemented, to show opponents and the rest of the world that the world will not stand—that the world will respond, and respond aggressively, in a coordinated, forceful way when ethnic cleansing occurs. That is the best deterrent we could conjure for future atrocities.

Again, I thank my colleague for being in this dialogue and for his support to shine this light and take a compelling, more forceful action. Like him, I look forward to meeting with the ambassador from Burma later today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absentees are the senators named on the list?

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

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

REMEMBERING PAUL AND SHEILA WELSTONE

Ms. KLOBUCHAR. Mr. President, I wish to speak this afternoon to honor the memory of Paul and Sheila Wellstone. Today marks 15 years since we lost Paul and Sheila, their daughter Marcia, and staff members Tom Lapic, Mary McEvoy, and Will McLaughlin. Because Paul was such a memorable and incredible person, it is hard to believe that it has been 15 years since we lost all of them.

For those of us, for so many Minnesotans, it is impossible to forget the moment that we first heard about their plane going down. It is impossible to forget the wait to get the final news that there were no survivors. That is how much Paul and Sheila meant to the people of our State.

I get my own special reminders every day. First, I get a reminder from the employees at the Capitol who were around when Paul graced these halls. They remember him because he treated everyone with dignity. Whether it was the tram operator, the elevator operator, or the police at the front door, he treated them as though they were Senators. I also have the flags in my office from his Senate office. Every day, they are a reminder of me for Paul and all that he did for the people of our State.

Marcia and Sheila, and Sheila were always on the move. They were full of joy. They were persistent in their fight against injustices, small and large. During his lifetime as an educator, as an activist, and as a U.S. Senator, Paul Wellstone showed the lives of people throughout Minnesota and across the country. That is because his philosophy was simple. A lot of people, he said, would have people paid to represent them in Washington, but he was going to represent the other people. As he said in one of his famous campaign ads, he wasn’t there to represent the Rockefeller’s; he was there to represent the “little fellers.”

If you go to any local mental health group, they remember Paul. If you go to any community on the Iron Range in Minnesota, they remember Paul—both the man and what he did.

Paul was my friend and mentor. He told me that I should run for office, and, as he did with so many others, he taught me that politics should have a purpose. He also taught me how to campaign on city buses. This is how he would do it. At Nicotell Mall—being from a nearby State, the Presiding Officer is aware of Nicotell Mall in the city of Minnea-

Paul Wellstone worked it bus by bus, block by block, precinct by precinct, and he made a lasting impression on people in a way that others believe and know that getting involved in politics could make a real difference in their lives. He had an unending sense of optimism—optimism that maybe people he didn’t agree with in this Cham-

He made a lot of friends here, on both the Democratic and Republican sides of the aisle. That was the message Paul taught us—new citizens and everyone looking to get involved. He told them that working in public serv-

He had many passions. He fought for everything from campaign finance reform to improving our rural economies. He fought against veteran homeless-

He truly believed, as he famously said, that “we all do better when we all do better” and that politics is simply about improving people’s lives.
Anyone who ever met or talked with Paul found out that he had a special passion for helping those struggling with mental illness. That was shaped by his own family. As a young child, Paul watched his brother Steven’s trauma turn into mental illness. In college, his brother suffered a severe mental breakdown and spent the next 2 years in hospitals. Eventually, he recovered and graduated from college with honors, but it took his immigrant parents years to pay off the hospital bills.

Paul would always talk about how, when he grew up, his house was dark because no one wanted to talk about mental illness back then because it had so much stigma. He wanted to get it out in the sunlight. He knew that there were far too many families going through the same experience, too many devastated by the physical and financial consequences of mental illness. He knew the system would not get better. For years as a Senator, he fought for funding for better care, better services, and better representation for the mentally ill, and he fought for mental health parity in health insurance comprehensively.

Even years after his death, Paul’s voice was heard loud and clear. Congressman Ramstad from Minnesota, a Republican Congressman at the time, took up the cause in the House. I had the opportunity to work closely with Sheila and, of course, Ted Domenici, who had paired up with Paul on this important bill.

Finally, in 2008, we passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. The bill requires insurance companies to treat mental health on an equal basis with physical illness. For Paul, this fight was always a matter of civil rights that we had won and we should do no better. For years as a Senator, he fought for funding for better care, better services, and better representation for the mentally ill, and he fought for mental health parity in health insurance comprehensively.

That is my last memory of Paul as he stood before those immigrants, telling about his own story, embracing them. I will remember him in that way, but I will also remember the joy he felt for politics, how he would run around that green bus of his, with people running alongside him on the parade routes.

In the last year of his life, he told the public he had cancer, and he could run like that anymore. So he would stand in the back of the bus with Sheila and wave. That was so amazing about it was that he had energized so many people in those green Wellstone shirts to run and to find that you didn’t even notice he wasn’t running. He had given them the energy and the hope to carry on his work, and they were doing it for him.

Now, 15 years after we lost Paul and Sheila, it is our job to carry on and run around that bus. That is organizing, that is politics, and that is the gift of joy in improving people’s lives that Paul, Sheila, Marcia, and those other beloved staff members left for us.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. FRANKEN. 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.

Puerto Rico and U.S. Virgin Islands Recovery Effort

Mr. FRANKEN. Mr. President, I rise to talk about the devastation in Puerto Rico and the U.S. Virgin Islands and the need to rebuild the electric grid in a more resilient and sustainable way.

Over the last few months, communities around the country have been devastated by natural disasters. We have had terrible hurricanes in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands, as well as tragic wildfires across the West. We have seen communities need immediate help, and that is why the disaster supplemental appropriations bill we passed yesterday is so important. I am glad this bill provides nearly $19 billion to replenish FEMA’s emergency disaster accounts that help communities start to rebuild. It is just a downpayment. As we know, it will take a lot more Federal assistance.

One thing we need to focus on is the electric grid. Hurricanes Harvey, Irma, and Maria demonstrated the risks the electric grid faces from extreme weather. The communities hardest hit in Texas and Florida undergone days—sometimes much longer—without any power, and when this happens, it is a serious risk to the safety and health and everyone in the area.

Now, American citizens in Puerto Rico and the U.S. Virgin Islands are facing a major humanitarian crisis, and the Federal Government needs to do everything it can to assist.

More than a month after Hurricane Maria hit, only 25 percent of Puerto Rico has access to electricity, and it will take many months to get power back to those communities. That is completely unacceptable. Without electricity, the pets can’t supply drinking water to households. In fact, 25 percent of the island still lacks access to potable water. Without electricity, wastewater treatment facilities can’t operate, which means raw sewage is contaminating rivers and streams. Without electricity, cell towers cease to function, making communication with first responders difficult. Without a stable electric grid, hospitals have to rely on backup power to keep lifesaving equipment working. That backup power runs on generators that require fuel, which is in short supply.

Given the dire situation, it is no surprise that we have already seen tens of thousands of Puerto Ricans leave the island, with nearly 60,000 arriving in Florida alone.

The majority of the transmission and distribution lines were destroyed in Puerto Rico and the U.S. Virgin Islands. We need to rebuild, and I think we can all agree they should be rebuilt to withstand the next disaster. So let’s rebuild the electric grid in a more resilient and sustainable way that reduces future threats and future costs.

I have been talking with my Republican colleagues, and the leaders of the administration, and everyone agrees this is a good idea. That is why I want to work with my colleagues on both sides of the aisle to include language in the next supplemental disaster aid package that does exactly this.

I am talking about investing in a more modern and more decentralized
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, it is nice to see the distinguished Senator in the chair presiding. I am not sure, in my 183 “Time to Wake Up” speeches, I have yet had the pleasure of speaking while the Senator was presiding.

I am here to once again call for us to wake up to the corporate capture of Congress and this administration—the capture of governance by the fossil fuel industry that keeps us from honestly addressing climate change. There is a saying that “personnel is policy.” Well, the fossil fuel industry has inserted their hacks into government offices.

You know, when Senators asked questions for the record in the Environment and Public Works Committee about CO2, they got a straight answer from the EPA—''No, we don’t have the data to know if this is the Soviet Union or the government offices. It is not just at EPA. Here is today’s exclusive headline: “The Interior Department scrubs climate change from its strategic plan.” I can act as if this is the Soviet Union and the government is allowed to tell scientists what they can say and not say and pretend that this is not happening.

I am the son and grandson of Foreign Service officers. I grew up serving in countries that did that, where the government could tell the scientist: No, you don’t say that. No, you don’t go there. No, this is the party line. I never thought that would happen in the United States of America—and here we are.

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Public Works Committee nomination hearing on Wehrum and Dourson, these captured nominees played dumb about the central issues and programs they will oversee if confirmed.

For instance, I asked Dourson if he agreed that “the tobacco industry has manipulated and obfuscated scientific evidence into the dangers of smoking for decades.” Dourson, who conducted scientific studies designed, reviewed, and paid for by the tobacco industry and whose name is all over, in hundreds of places, discovery records of the tobacco industry’s denial operation, replied: “I do not have firsthand knowledge to comment.” I “do not have firsthand knowledge to comment”? This is the President’s selection to run the office that protects Americans from dangerous chemicals who doesn’t know the tobacco industry’s history of falsifying science? Please. He worked for them. He was part of it.

Remember that the tobacco industry was taken to court by the U.S. Department of Justice—back when the Department of Justice would take an industry to court—and the Department of Justice won a judgment declaring that the tobacco industry was engaged in a fraud and conspiracy to deny tobacco’s harms. Dourson sees no evil. He knows nothing.

I asked him whether he believes that hydrofluorocarbons are greenhouse gases and play a role in global warming potential of methane. His response: I am not sufficiently familiar with the definition of greenhouse gases and do not have the expertise to answer these questions.

He is not familiar with the definition of greenhouse gases? This is basic high school science. Every one of us has a home State university that teaches this stuff. This has been science for more than 100 years.

On to Huck Two: Bill Wehrum. When I asked Wehrum about carbon dioxide’s role in the observable effects of climate change, he replied: “The degree to which manmade greenhouse gas emissions are contributing to climate change has not been conclusively determined.” This claim just doesn’t match the scientific record.

The EPA—the very Agency to which Mr. Wehrum is nominated, along with NOAA—states that “carbon dioxide is the main greenhouse gas that is contributing to recent climate change.” This consensus is held by published climate scientists, by scientific agencies and societies, by all of our National Laboratories, and by universities in America and around the globe.

As I said, every one of us in this room—I haven’t found an exception yet, and I have looked, but I expect every Senator has a home State university that doesn’t just know this to be true, but it teaches it in its curriculum. But back Two sees no evil. He knows nothing.

Wehrum’s disregard for well-established science provides a grim preview of what we can expect from him if confirmed. His predictable dodging falls in lockstep with Administrator Pruitt, who has stated he does “not agree that [carbon dioxide] is a primary contributor to the global warming that we see.” That puts him in a very small circle of people. I think is connected by money to the fossil fuel industry.

I asked Mr. Wehrum what he believes is a healthy standard for ozone. Now, bear in mind that one of the goals of the Clean Air Act is to set national ambient air quality standards for ozone, that the office to which he is nominated oversees this ozone standard, and that the EPA has had ozone standards in place since 1971, more than 45 years.

In response to my question, Wehrum answered: “I am not familiar with the current science on the health effects of ozone, so I cannot comment on your question as to the appropriate level of the standard.”

I asked Wehrum whether he agreed with EPA’s 2009 finding that the current and projected concentrations of greenhouse gases in the atmosphere threaten the public health and welfare of current and future generations. I asked if he would commit not to narrow or weaken the EPA’s endangerment finding. Wehrum wrote back that he had not read the endangerment finding or the record prepared in connection with it. Therefore, he said: “I currently do not have a view.” I currently do not have a view? That is funny.

I bet he had a view when he was being paid by the Rubber Manufacturers Association, the American Forest & Paper Association, and the American Petroleum Institute. I guess it was the miraculous, evaporating view.

Maybe these “see no evil” nominees, Dourson and Wehrum, don’t know the basic, simple, problems they would confront. Maybe they just don’t know, but let’s not be fooled here. Polluters have paid these nominees well for their services over the years. They were expert enough to be hired by industry groups as lobbyists and consultants. We know where their allegiances lie. We know who has been paying them. We know whom they will serve.

A preview of coming attractions, coming up before the EPW soon is Andrew Wheeler for the EPA’s second in command. Wheeler was a top lobbyist for the coal mining behemoth, Murray Energy. Not only did this company support Trump’s campaign and provide $300,000 to help pay for his inauguration, Murray Energy has also donated to Pruitt-affiliated political action committees to the tune of hundreds of thousands of dollars. I can’t wait to hear his answers on the role of coal in climate change, childhood asthma, and mercury pollution.

The sad part of all of this is, the polluting interests that own these nominees also throw their weight around in Congress. So good luck getting an honest look at this mess through congressional oversight.

Over and over, appalling nominees get through confirmation with no Republican dissent, more “see no evil.” It is just wrong.

For now, the American public will pay the price of dismantling these regulatory safeguards. They will pay the price in poisonings and carcinogenic exposures, in risings in wildfires, in childhood asthma and northbound tropical diseases. Mark my words, one day there will be a reckoning for all of this.

When captured EPA officials put payback to their donors, first and clean air and public health a way distant second, it stinks. It is crooked by any reasonable definition of the term. It is corrupt in exactly the way the Founding Fathers understood corruption.

The fossil fuel industry will one day be held to account for this binge of corruption and manipulation. ExxonMobil, Koch Industries, Arch Coal, Murray Coal, Peabody Coal, you own this just as the Republican Party does. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HEALTHCARE

Mr. GARDNER. Mr. President, I come to the floor this afternoon to talk about the Healthcare Tax Relief Act, legislation I introduced to delay the health insurance tax that was created by the Affordable Care Act.

This tax is often referred to as the HIT tax. The HIT tax imposes fees on health insurance coverage to consumers. It is a pretty simple business concept that this HIT tax results in. If a fee increases on an insurance policy and the fee goes up—there is a fee charged to the company that issues this insurance policy—then that fee gets passed on to the consumer. It is the consumer, then, who pays the fee in the form of higher health insurance costs.

As is the case with most excise taxes, whether it is an excise tax on food or beverage or any other item of personal good, if this health insurance tax takes effect, costs will be passed on to consumers directly in the form of higher premiums. That is confirmed by the Congressional Budget Office.

This is one of the cost drivers that was built into the Affordable Care Act. Without this health insurance tax would directed have increased the premiums of the consumer’s insurance product. This tax was supposed to begin a few years back in 2014. It was going to start at $8 billion, and by 2018 the tax would reach $14.3 billion. However, Congress recognized that this tax would have a significant impact on the price of coverage and, as a result, suspended the tax from taking effect in 2017. Without congressional action to delay or stop or prevent this ObamaCare tax from taking effect again, this tax will take effect in 2018.

According to nonpartisan actuarial analysis conducted by Oliver Wyman,
an estimated 157 million Americans will be affected by this massive tax. Even more middle-income earners across this country, 157 million Americans and working Americans, are expected to shoulder the weight of this tax.

Oliver Wyman estimated that premiums will rise by 3 percent in each year; 2018, 2019, and 2020. That is 3 percent each year. That is 9 percent over 3 years.

To put this in simple perspective, in Colorado alone, premiums in the individual market rose by 34 percent from plan year 2017 to plan year 2018. Adding an additional 3 percent every year for those 3 years would leave those on the individual market paying nearly 49.3 percent, on average, more year to year if combined with the 2018 increases at the end of that 3-year, 9-percent increase run.

What is more, according to the Department of Health and Human Services, individual market premiums have increased by 165 percent from 2013 to 2017. Think about that. When the Affordable Care Act passed, when ObamaCare was passed, a promise was made that the average family could see a 50 percent decrease in their healthcare costs of $2,500 per family, but, instead, from 2013 to 2017, they saw a 165-percent increase in costs. If the health insurance tax takes effect, as planned by ObamaCare, then we would see an even greater increase over the next several years on top of that.

Without congressional action to delay this tax, estimates show that costs will rise between $200 and $300 annually for individuals and $500 annually for families.

To put that into some perspective, 25 percent of Americans don’t have access—emergency access—to $100. In an emergency, 25 percent of Americans don’t have immediate access to $100. Yet here we are talking about a mandated law—you have to have insurance coverage under the Affordable Care Act—but this law would then increase costs $200 to $300 on an individual and $500 annually for families.

Statistics from the Federal Reserve show how much of a hardship this would create. The Federal Reserve found that 46 percent of Americans did not have enough money to cover a $400 emergency expense. Yet the ObamaCare HIT tax would increase family insurance costs by $500. Forty-six percent of Americans don’t have access to $400 in an emergency. Yet the ObamaCare HIT tax would increase it by $500.

This tax has the potential to push over half of Americas into financial ruin, and it would be negligent for Congress to allow this tax to take effect. The financial threat this tax imposes on hard-working families is a far cry from that bold promise that was made to reduce costs by $2,500 per family—one of the biggest Pinocchios, so to speak, of the Affordable Care Act. At a time when we know that almost half of Americans could not shoulder a $400 emergency expense, it would simply be irresponsible to allow this ObamaCare HIT tax to take effect.

Furthermore, the impacts of this tax could touch our seniors who have earned their benefits as well. For seniors enrolled in Medicare Advantage plans—and Medicare Advantage is one of the most popular aspects of Medicare—premiums are expected to rise by roughly $370 a year because Congress doesn’t find a resolution. In many cases, these are fixed-income individuals who would see their premiums increase by $370 a year because of the ObamaCare HIT tax.

In addition, seniors enrolled in Medicare Part D prescription drug plans can expect their premiums to increase as well. Hit them on their Medicare plans and hit them on the prescription drug plans—higher costs due to this ObamaCare HIT tax.

Even more, the impacts of the health insurance tax have large-scale consequences in the workplace as well. A study by the National Federation of Independent Business found that allowing this tax to go into effect would result in job losses for as many as 283,000 people by 2023. This tax could have the impact of costing 286,000 jobs by 2023. Research and analysis from our most respected actuaries continue to validate the negative consequences of the health insurance tax.

On behalf of all hard-working Americans, I call upon my colleagues in the Senate to join me in cosponsoring this common sense piece of legislation, the Healthcare Tax Relief Act. Healthcare plans are being finalized right now for the 2018 rate year, and it is urgent for Congress to take action so that consumers are not saddled with yet one more cost that they can’t afford.

Mr. President, the time has come. The PRESIDING OFFICER. The Senator from Michigan.

RECOGNIZING THE UNIVERSITY OF MICHIGAN’S BICENTENNIAL

Mr. PETERS. Mr. President, I rise today to recognize the bicentennial of the University of Michigan. The university has adopted the motto “Always Leading, Forever Valiant” for its bicentennial—a motto that captures its 200 years at the forefront of American academic excellence.

The genius and the founders of the University of Michigan predates the founding of my home State of Michigan.

On August 26, 1817, Lewis Cass, Governor of the Michigan territory, enacted a charter to create the University of Michigan, aligned with territory judge Augustus Woodward’s envisioned System of Universal Science.

In 1852, the university’s first president, Henry Philip Tappan, pioneered a model of higher education in which schools were not existing fields of knowledge but actively pursue new knowledge through rigorous science. This approach solidified the university’s enduring legacy as a center for scientific research and discovery.

The university has paved the way for future innovation with many firsts throughout the 19th and 20th centuries. It was the first university with a chemistry laboratory, the first to teach aeronautical engineering, the first public university with dental and pharmacy schools, and the first with a program in human genetics. Perhaps the most game-changing first—it was the first university to open its doors to both men and women.

Today, faculty and students continue to reach new firsts by answering important research questions that will affect future generations. Take, for instance, how the university has laid the groundwork for breakthroughs in American mobility.

In 2015, Mcity, a public-private partnership led by the University of Michigan became the world’s first connected and automated vehicle test environment. The 32-acre simulated urban and suburban landscape is designed to support rigorous, repeatable testing of self-driving car technologies before they are deployed on public roads and highways. This hub of innovation reflects our State’s legacy as the heart of the American auto industry and will lead help our country into the next era of transportation.

A similar nexus between our past and future is true across nearly every discipline that U of M’s research touches—engineering, medicine, social sciences, humanities, and more. Students and faculty are developing new cancer treatments, creating energy-efficient batteries, engaging in cutting-edge environmental science to protect the Great Lakes, and building prototypes of engines to take us to Mars.

That is just to name a few.

The history of Michigan’s drive to pursue knowledge is its drive to put that knowledge into action for the greater good. At its core, the university’s mission is to serve society. This has been demonstrated by its history of activism and civic engagement.

The university commemorates one such event that occurred on October 14, 1960. Senator John F. Kennedy, whose former desk is just a few feet in front of me here today, delivered an unprepared speech on the steps of the Michigan Union at 2 a.m. He challenged University of Michigan students to work abroad in developing nations in an effort to promote peace. These remarks laid the blueprint for the U.S. Peace Corps, which was established in 1961.

The University of Michigan continues to have a truly global reach. It provides a world-class education to a diverse student body of 63,000 students on its Ann Arbor, Dearborn, and Flint campuses, educating instate, out-of-state, and international students alike. They are drawn to the university’s unfaltering endeavor to expand our
base of knowledge and empower individuals to leave a lasting and positive impact on the world around them.

With more than 572,000 living alumni—including my daughter Madeline, who just graduated this past May—the University of Michigan is one of the largest alumni networks, full of artists, astronauts, business and government leaders, entrepreneurs, and humanitarians, as well as Nobel laureates in economics, medicine, and science.

The University of Michigan’s many illustrious alumni include U.S. President Gerald R. Ford, Swedish diplomat and humanitarian Raoul Wallenberg, Pulitzer Prize-winning playwright Arthur Miller, actor James Earl Jones, civil rights leader Mary Frances Berry, Google cofounder Larry Page, and author and scholar Robin Wright. Many more alumni will follow in these footsteps. They share a drive to make what is affectionately known as the Michigan Difference and, of course, cheer for the Maize and Blue.

I would like to congratulate the University of Michigan on its bicentennial as we look forward to a future driven by Michigan innovation. With that, I will close with something Ted Blum said: “Go Blue!”

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

OPIOID EPIDEMIC

Ms. HASSAN. Mr. President, I rise today to discuss an issue that is devastating families and communities in my home State of New Hampshire and across the country: the fentanyl, heroin, and opioid crisis. This crisis is the most pressing public and safety challenge that New Hampshire faces. It does not discriminate. It affects people in every community and from every walk of life.

In 2016 alone, 485 people in New Hampshire lost their lives as a result of this epidemic. The rising use of synthetic drugs like fentanyl is making matters worse, killing people faster with less contact. Last year, 72 percent of drug-related deaths in New Hampshire involved fentanyl. Behind those numbers are real people—moms and dads, sons and daughters who are dying. Their loss reverberates in pain and suffering for the family and friends whom they have left behind.

The people of my State have a long-standing tradition of sharing their stories and their priorities with their elected officials who represent them. Everywhere I go, I hear stories from those families and friends of people who have been affected by this crisis. Granite Staters are stepping forward and explaining what they have gone through, all in an attempt to break down the stigma of addiction, push for solutions, and hope that they can help others by making their voices heard.

Earlier this year, Greg and Linda of Derry, NH, reached out to my office to share the story of their son, who was also named Greg. They wrote to say:

"If you were to put a name and face to this disease, it would be that of the devil. Let’s change that. Let’s put a face of hope and humanity to the disease of addiction. If it is possible, doing so, even if just one life is saved, it is worth it."

I would like to share some of Greg’s story today. Greg was born on November 16, 1985. Greg and his brother Neil were raised in a caring and loving home, where their parents did their best to teach them right from wrong, stressing the importance of being considerate, polite, and kind.

When Greg was 15, his parents moved to Derry, where he attended Pinkerton Academy and graduated with honors in 2004. During his senior year, like so many other students his age, he applied for college, eventually deciding on Keene State, pursuing a major in biochemistry. He had a dream of becoming a physician.

He excelled academically, but his mom Linda said that during his transition between his freshman and sophomore year, something began to appear off. She wrote:

"I saw firsthand that something was off about him. He was very quiet and withdrawn. He was showing obvious signs of depression which runs in my family.

Even as his depression progressed, Greg battled through. He graduated cum laude with a bachelor’s degree in biochemistry. After graduating and moving back home, his parents urged him to seek help, but Greg held back. During this time, he had an outpatient surgery, after which he was prescribed an opioid-based painkiller. His mom said that after he was prescribed that opioid, he went from bad to worse.

Eventually, he tried to help. He saw a physician and was prescribed an antidepressant. His mom said he seemed to be coming back around; he seemed happier. He took steps to advance his career, hoping to find a job with his biochemistry degree that would offer him a reimbursement on tuition so that he could continue to pursue a career in medicine. Though the job market was tough, his mom said:

"Hands down, I have to say that one of the happiest days of my life was when he finally got a decent job. . . . The dark cloud was lifted—temporarily.

Unfortunately, Greg eventually lost that job, and then things spiraled out of control. His mom wrote:

"The years following were a nightmare to remember. Just imagine a loved one slowly losing all sense of themselves. Legal trouble, bouncing from one job to the next, losing his license to practice medicine, we drove Greg back and forth from jobs—some an hour away.

A restraining order here, a night in jail there. Debt collectors were getting paid. Fits of rage, fights, a lack of interest in family, friends, and basic hygiene."

She said:

"By the time our worst fears were confirmed, he was using heroin, we basically lost the soul of our son.

Greg’s last few years were filled with back-and-forths. He had overdosed, his mom found him in the backyard of their home. Tired of being dependent on heroin, he sought help, signing up for a methadone clinic, entering rehab, and giving his parents hope that he would make progress.

Unfortunately, he started to use again but was getting ready to enter a drug court program. After joining his family on a vacation to visit an ailing relative, he decided to clean up his act, going to the gym and eating right.

Tragically, though, his mom wrote:

This was short lived however, as the demon snuck into his room and stole him from us. All he left for us was a lifeless body on the floor behind a locked door.

Greg’s death and his heartbreaking story is the story of far too many people across New Hampshire and across the country, of people with dreams, hopes, and aspirations, whose lives are cut short as a result of this illness. Greg wanted to be a doctor. He wanted to be a husband and a father. He loved dogs and video games, and to watch Patriots games on Sunday with his mom, his dad, and his brother. As his mom put it:

"Brilliant and head strong, he was to be reckoned with, and as his parents, we will never stop trying, nor stop trying, to see that there is an end to this epidemic.

His parents wanted to make clear that his substance use disorder really grew as a result of the opioid he was prescribed following surgery, a pain-killer that was originally manufactured for terminally ill patients. They believe that pharmaceutical companies marketed this drug at the expense of their son, saying: “Given to ease pain and suffering, ironically, it has caused incredible pain, suffering, and death.”

We can never thank families who have lost loved ones enough for speaking out about this issue and for working tirelessly and courageously to try to prevent others from suffering as they have. Nor can we forget to thank law enforcement and first responders who are on the frontlines of this epidemic.

I want to make a special mention of Greg’s father, Greg senior, who is a firefighter in Nashua, working as a first responder every day the havoc that this crisis wreaks on other families and living with the reality of his own family’s loss too.

Greg’s mom said that at the moment of his death, she vowed that she would ensure that his life would not be in vain. His family reached out because they wanted to make a difference. I am grateful for their efforts to do this because they do, in fact, have the ability to make change.

Speaking up helps break down the stigma that prevents too many from seeking help and prevents too many others from offering it. It provides a
voice to the voiceless, making those who have died more than just a statistic. It gives us a perspective from which we can learn, and it pushes us to take action.

While thanking these families for their bravery, it is simply not enough. Their bravery and their struggle must be marked by constant vigilance and urgent action. We must continue to focus on an “all hands on deck” approach at all levels of government and with those on the frontline in order to make progress, save lives, and end this epidemic.

I am going to continue fighting and working with Members of both parties to combat this crisis, and I will continue sharing the stories of the people of my State. It is up to all of us to stop this from happening to more families. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

HEALTHCARE

Ms. WARREN. Mr. President, on September 30, the Children’s Health Insurance Program expired. It has now been 25 days since the Congress has put our children’s health and well-being on the back burner. So we have come to the floor of the Senate to spend the afternoon speaking up for kids.

Thank you to everyone who joins me today to say that we should not wait any longer to make sure that children, community health centers, and new mothers have access to the healthcare programs that they need.

Republican control Congress. It is up to them what we vote on and when we do it. So what was more important to the Republican leadership than the health of little kids? Republican leaders blew through the days before the children’s healthcare deadline by trying to repeal healthcare for millions of Americans.

Once the Children’s Health Insurance Program had already expired, Republican leaders burned through more time before ignoring votes on a budget with giant tax cuts for billionaires and giant corporations that would also gut Medicare, Medicaid, and a bunch of programs that help working families. Republicans jammed through their terrible budget without a single Democratic vote last week. 19 days after blowing past the deadline to fund healthcare for kids.

Last night, 24 days past the deadline to make sure the kids had healthcare coverage, what were Republican leaders doing? Republican leaders stayed up late into the night holding a vote to make it easier for financial institutions to cheat people.

The days continue to tick by—24, 25. Tomorrow Members of Congress will leave for the weekend, 26 days past the deadline, and still there will be no vote to fund this critical program.

Senator Ted Kennedy and Senator Orrin Hatch, a Democrat and Republican, wrote this legislation together back in the late 1990s. The Children’s Health Insurance Program, also called CHIP, provides health insurance to low-income children and to pregnant women. Senator Kennedy and Senator Hatch knew that providing healthcare coverage for children would make them healthier as children and healthier even after they grew up. They knew that some children were slipping through the cracks, and this was their solution. The children covered by CHIP didn’t qualify for Medicaid, they weren’t covered by employers, and they couldn’t afford to buy private insurance.

In 1997, 15 percent of all the children in this country lacked any form of health insurance coverage. Today, because of the CHIP program and the Affordable Care Act, that number has shrunk to 5 percent of children. CHIP works with Medicaid to provide health insurance for one out of every three kids in this country.

States choose whether or not they want a CHIP program. Here is the deal. Every single State has chosen one because it realizes the value of providing their children with healthcare coverage. In Massachusetts, the percentage of children with healthcare coverage is even higher than the national average. It is at 99 percent. We are doing something right here.

The original program was set for 10 years, and since then, every few years, Congress has had to act to reauthorize the program so that children can continue to get healthcare coverage. The CHIP program has been reauthorized four times since 1997, and not one of those times has Congress missed the deadline—not one—until now. In fact, in past years, Congress has made sure to reauthorize the program many months ahead of its expiration in order to give States the time they need to plan their budget. It sounds like a pretty sensible thing to do—but not this year. We are 25 days past the deadline for reauthorizing CHIP—25 days and counting. This isn’t fair to States, to kids, or to their families.

So what actually happens now?

Well, the money runs out. Eleven States are set to run out of their CHIP funding by the end of 2017, and the others, soon after. Republican Governor in Massachusetts sent me a letter on day 3 past the CHIP deadline, and he wrote:

Parents are already afraid that their children’s insurance may be lost in the near future. With each passing week, their fears continue to grow.

My Governor is right. States have to start making tough decisions. They may have to decrease enrollment, turning away sick little kids who qualify for coverage but don’t make it through the door on time. They could start kicking kids off of their insurance saying: Sorry, we just can’t help anymore. Or they could be forced to make tough choices in order to help the one child for whom the wheelchair you need to get around. There is no physical therapy or no prenatal care until the funding comes through again.

That is just flat out immoral. Tax cuts for billionaires shouldn’t come before making sure that a sick kid gets the help he or she needs. Mothers are lying awake at night. Fathers are tossing and turning, worrying about their healthcare coverage. What is the Republican leadership doing? Tomorrow they will be heading home for the weekend without lifting a finger to fund a bipartisan program that has been reauthorized four times over the past 20 years.

If that isn’t bad enough, September 30 wasn’t just the deadline for Congress to reauthorize CHIP. We also blew past the deadline on several other healthcare programs to help children, to help pregnant women, to help older Americans, and to help people with disabilities.

Tomorrow Members of Congress will leave for the weekend without lifting a finger to fund the Community Health Center Fund and the National Health Service Corps, which funds health centers and supports healthcare workers that provide care to children, to pregnant women, to help older Americans, and to people with disabilities.

We blew past the deadline to reauthorize the Maternal, Infant, and Early Childhood Home Visiting Program, which funds home visits to new and expectant parents to give them help keeping a new baby healthy and safe. We blew past the deadline to reauthorize the Special Diabetes Program, which funds diabetes research that could offer hope to many children living with diabetes.

When a kid is sick, moms and dads move Heaven and Earth to get them the care they need. They don’t wait 25 days to go to the doctor and check to see if something is wrong. They stay up all night to make sure their little ones are all right. They wait outside the hospital room, pacing until they get an answer, but Republican leaders in Congress just don’t seem to care. They don’t seem to care if these families have the health insurance coverage they need so they can get an x ray or pay for an antibiotic or run some tests.

Twenty-five days, 26 days, 27 days—it just doesn’t seem to matter to Republican leaders, but it sure matters to moms and dads and kids in Massachusetts and all over this country.

Senator Kennedy used to say: “The test of greatness for a nation is how it cares for its children.” Right now Republican leaders in Congress are failing that test. My colleagues have come to the floor today to say that time is up. We need to fight for kids.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.
Mr. COONS. Mr. President, I rise in support of my colleagues who have come to the floor to urge the Senate to quickly pass funding for the Children’s Health Insurance Program, known as CHIP.

CHIP provides comprehensive health insurance to 9 million low-income children who don’t qualify for Medicaid, including 18,000 children in my home State of Delaware. Lots of other States would also have a stressful time, a small number, but in Delaware that is a significant population. Bluntly, whether it is 1 or 100 or 1,000 or 18,000, how can we allow inaction in this Chamber to put at risk the healthcare of millions of children across our country?

It has now been more than 3 weeks since funding for CHIP expired. While some States have enough money in their accounts to carry them through to the end of the year or just beyond, some States have enough money in their accounts to carry them through to the end of the year or just beyond, the uncertainty about when or if CHIP funds will be reauthorized is causing chaos, concern, and anxiety across the country. Some States will have to start issuing notices to households that they will face the loss of CHIP benefits.

Folks, I urge that we work together in a bipartisan way. We should not be using children’s access to healthcare as a bargaining chip. We should be taking up these two bills to provide reauthorization immediately for both CHC and CHIP funding now and without hesitation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, as you know, the Children’s Health Insurance Program expired on September 30, in large part because we spent much of this year and the days leading up to that date debating the Affordable Care Act, instead of focusing on bipartisan priorities like the Children’s Health Insurance Program. As a result, the program known as CHIP expired and the health of 9 million children, including some 340,000 Pennsylvania children, is at risk. CHIP is not just a bipartisan program but a successful program with a Pennsylvania history. It was modeled after a State program in Pennsylvania that was signed into law by my father when he served as Governor in the early 1990s. The program provides affordable health insurance to children whose family incomes mean they don’t qualify for Medicaid but still struggle to find affordable health insurance options. It is a program that working families rely upon and that provides peace of mind to parents.

Many families turn to CHIP during times of economic hardship, such as when a parent loses his or her job. At such a stressful time, I have heard from parents over and over how they have peace of mind knowing that their children will get the healthcare they need.

Some parents who rely upon CHIP for their children are, in fact, students, working and going to school so they can make that leap into stable, middle-class life. They may not have a job with health insurance or they may not be able to afford the insurance, but they know that their children will get the healthcare they need.

Regardless of what drives families to the CHIP program, it is thanks in large part to CHIP that the United States of America has the highest rate of insured children in our Nation’s history. According to the Census Bureau, 95.5 percent of children had health insurance in 2016. CHIP is also a popular program, as repeated studies have demonstrated. Parents think CHIP is a valuable program, and they are satisfied with the coverage and with the care their children receive.

Unless the Senate acts and acts very soon, we will have betrayed all of those children and all of those families. There is no reason for CHIP to have expired and no reason why we shouldn’t pass the bill right now, if not in the next couple of days—certainly, in the next 2 or 3 weeks—to ensure that not one single child loses his or her health insurance.

We have taken important steps to extend the program. The Finance Committee marked up the bipartisan Keep Kids’ Insurance Dependable and Secure Act of 2017, known by the acronym K-KIDS, or KIDS. The KIDS Act came out of the Finance Committee, which reauthorizes CHIP for 5 years, and that happened some weeks ago. I am proud to be a cosponsor of that bill.

So it is time to act. We have a commonsense, bipartisan, successful bill in the Senate that is ready to go. It is out of the Finance Committee. So I would urge my colleagues to join me and to join others who have come to the floor today and on earlier days to take swift action to pass the KIDS Act.

I yield the floor.

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

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

Mr. BROWN. Mr. President, healthcare for our Nation’s children is something we ought to be able to all come together on, but this Congress, which has not done much of anything, is always able to find a way to help Wall Street. Think about the middle-of-the-night vote last night, where the Vice President of the United States came to the rescue of Equifax and the rescue of Wells Fargo and the rescue of Wall Street overall. Think of the celebrations last night on Wall Street because of that tie vote, which stripped consumers of their consumer rights.

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This, as we stand together protecting Medicaid and as we stand together protecting the Affordable Care Act. He tells us that there is still a little bit of money left over in Ohio to get us through these next few weeks until Congress does its job. But that isn’t mean—parents don’t worry about their children possibly losing their health insurance.

Kids on CHIP are a little more likely to have asthma or a little bit more likely to have an illness, in part because low-income kids and they may live near a bus line and the air they breathe may not quite be so good. Or they live in Appalachia, where they might not be able to get to the doctor quickly. Those kids are more at risk, and those parents are worried, even though Governor Kasich assures them and I assure them we are going to do this.

Congress worked into the middle of the night last night and debated for hours on helping Equifax, which abused the public trust of 145 million people—5 million in my State. They bailed out Wells Fargo, which fraudulently attacked, for want of a better term, 3.5 million customers. Congress can bail them out, but it can’t pass the Children’s Health Insurance Program?

Because of CHIP, 209,000—1 said more than 200,000 before, more precisely, 209,000 Ohio children have access to affordable healthcare today—healthcare they may not have received otherwise. That is the importance of this program. It used to be bipartisan until this Congress, always in its rush to help Wall Street, forgot about these children.

This program provides peace of mind for parents. Regardless of income, when a parent knows that a daughter or a son has health insurance, it provides a shield. They know if their child has a sore throat or earache, they don’t have to wait until the child is so sick they take her to the emergency room. They won’t have to hesitate or wonder if they can afford the doctor visit or antibiotic. They get the care their kids need.

Most of us in this body are parents. Most of us in this body have insurance provided by taxpayers. Wouldn’t you think that this would be important enough to reach—Medicaid, and leaders of the body, and to President Trump and to Speaker Ryan? Wouldn’t you think it would be important enough?

We talk about loving our kids. We talk about grandchildren. Most of us are at least one of the many of us who have grandchildren. We don’t care enough about these children as we get insurance from taxpayers. We don’t care enough about these kids to do this?

It has already been 3 weeks since CHIP expired. CHIP means a child in Cincinnati or Dayton or Portsmouth or Akron or Youngstown or Mansfield can see a family doctor when they need it, preventing a costly ambulance ride and emergency room visit. CHIP means getting vaccines and shots. It means having dental coverage. We know what happens to low-income kids who don’t get good dental care.

The State of Ohio probably has enough money to help protect CHIP kids through the end of the year, but Congress needs to act now.

I have met with CHIP families across Ohio. Let me tell you some stories. Josh is in Cleveland—his children were covered by CHIP when he was laid off from his job. He said, “The ability to take health insurance out of the equation, feeling confident that my family will continue to get the same quality of care they had while I was working, was a huge weight lifted.”

Think about that.

This father, knowing that he has insurance—he had plenty of things to worry about. He lost his job. Who knows what that means about their home, and their family, and their family? But at least he knew he could rely on insurance—until now. Look what this Congress has failed to do.

Think about Noble from Columbus, who came to my office earlier this year and was covered by CHIP, with children. Noble relies on CHIP for coverage for the five pediatric specialists he sees at one of America’s great hospitals, Nationwide Children’s Hospital in Columbus. My colleagues need to think about Josh and his kids in Cleveland and Noble and his mom in Columbus. We need to think about the mother of a son with diabetes, worrying about whether her son will be able to see the same doctor next year or about a father with a daughter with asthma, praying she doesn’t lose her inhaler on the playground because in a few months they might not have insurance to pay for that inhaler.

My colleagues need to think about Josh and his kids in Cleveland and Noble and his mom in Columbus. We need to think about the mother of a son with diabetes, worrying about whether her son will be able to see the same doctor next year or about a father with a daughter with asthma, praying she doesn’t lose her inhaler on the playground because in a few months they might not have insurance to pay for that inhaler.

This process is taking too long. Josh and Noble and Ohioans and 9 million children across the country are in a situation in which their parents are unsure of whether they will have insurance through the end of the year and next year and the year after. It is time for us to come together to ensure that the families we work for have the healthcare they need for their children.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. President, Donald Trump and the Republican Congress have spent most of the past year pushing their misplaced priorities, no matter the direct and collateral damage it has caused for millions of Americans across the country.

There are many examples to choose from to illustrate this point. Just last night, the Vice President had to come in and break a tie to protect huge corporations from the victims of the frauds they perpetrated. Now they are putting together a huge tax cut for the wealthiest people in our country, and they are trying to sell it as a raise for the middle class. In Hawaii, we call this shiburi—or B.S.

But there is perhaps no issue in which Donald Trump’s dangerous agenda has caused more harm than his quest to deprive millions of Americans the healthcare and the health insurance they need. Noble, his first attempt at repealing the Affordable Care Act would have thrown as many as 30 million people off of their health insurance.

Thanks to the combined efforts of so many people—active people, engaged people across the country—we defeated this proposal.

A few months later, continuing the assault on healthcare, Donald Trump renewed his attack on our healthcare system under the so-called Graham-Cassidy, a bill that would repeal the Affordable Care Act would have thrown as many as 30 million people off of their health insurance.

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A few months later, continuing the assault on healthcare, Donald Trump renewed his attack on our healthcare system under the so-called Graham-Cassidy, a bill that would repeal the Affordable Care Act. Mr. President, this is time for us to come together, putting together a huge tax cut for the wealthiest people in our country, and they are trying to sell it as a raise for the middle class. In Hawaii, we call this shiburi—or B.S.

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Nearly 30,000 children in Hawaii who rely on CHIP for their healthcare are being affected by our inaction. Primarily covering children from low-income families who earn too much to qualify for Medicaid, CHIP provides critical and much-needed care for children with complex medical conditions. Although existing funding has allowed States to stretch budgets to keep the program in place, money is quickly running out. If we don’t take action soon, as many as 4 million children could lose their health insurance entirely—4 million children.

Congress cannot and should not be complicit in what I would call gross negligence. It is not neglect; it is gross negligence.

CHIP has traditionally enjoyed bipartisan support. In fact, it emerged from the committee with bipartisan support. I am glad Senators Wyden and Hatch have come together to create the KIDS Act, which I have cosponsored. This bill will extend CHIP’s authorization and funding through 2022 and provide much needed certainty to millions of families across the country.

If we brought this bill to the floor right now, it would pass. It would clear votes to pass. The only question is, Why don’t we do it? Why don’t we provide healthcare to millions of children in our country, for Heaven’s sake?

I cannot believe that my colleagues on the other side of the aisle are afraid to risk incurring the wrath of a vengeful President. I cannot believe that is what is keeping them from doing the right thing.

I encourage the majority leader to bring this bill to the floor for a vote as soon as possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. MARKEY. Mr. President, this summer the Children’s Health Insurance Program, or CHIP, turned 20 years old.

I served on the House committee that created this bill and was proud to support providing the affordable comprehensive health insurance to low-income children and pregnant women. It is a bipartisan program, and it is an effective program. Last year alone, CHIP covered more than 9 million children throughout the country. In Massachusetts, CHIP has been instrumental in achieving near-universal coverage for our children in the Bay State.

Yet, instead of celebrating CHIP’s success and the last two decades, congressional Republicans have placed CHIP in programmatic purgatory. That is because they allowed CHIP to expire at the end of September. Instead of focusing on reauthorizing this critical healthcare lifeline, Republican leadership chose to waste months of time trying to repeal the Affordable Care Act. They let just one of these successful programs lapse while they tried unsuccessfull to end another. They were willing to take their children’s healthcare away from millions of Americans and taking a machete to Medicaid rather than protecting our Nation’s children.

We should not forget that CHIP stands on Medicaid’s shoulders. Any fundamental changes to how Medicaid operates—which it is block-granting or capping the program—will hamstring CHIP’s ability to serve children as effectively and efficiently as it was intended to do, but instead of immediately returning attention to ensuring that this lapsed deadline is not effective, House Republicans have further delayed action by inserting partisan policies to pay for the program. This has made it virtually impossible to reauthorize CHIP, but it has dragged CHIP onto the political game board, turning it and our children into pawns in their ruthless game of partisan chess.

CHIP has traditionally enjoyed bipartisan support and should be above such games because CHIP is not just an insurance program, it is a reinsurance program. It reassures States that they can provide comprehensive healthcare coverage to some of the most vulnerable children. It reassures doctors that their patients will be able to access care and treatment, it reassures teachers that their students can be healthy enough to learn, and it reassures Mom and Dad that their children can still get well in the face of financial hardship.

Continued inaction on CHIP is dangerous and damaging. Every day we delay reauthorizing CHIP is another day parents across the United States live in fear that their children may soon lose their health insurance. They panic at the thought of leaving their child’s asthma untreated, skipping a trip to the dentist, or delaying a doctor’s visit because they can’t afford to pay for the treatment or medication that may be prescribed. If we don’t act soon, this fear may become a terrible reality for families. In Massachusetts, CHIP funding will expire early next year. This could impact coverage for 160,000 children in the Commonwealth, potentially denying access to treatment and services that could have ramifications into adulthood.

In Congress, we are celebrating the 20th birthday of a successful children’s insurance program by effectively threatening to end it. That is what Congress is now doing to the State of Massachusetts. That is what they are saying to the State of Massachusetts; that they are going to effectively try to shut down a program that for 20 years has served the children in our State. That makes no sense.

I urge my Republican colleagues to put their partisan games aside to provide certainty and stability to States, to providers, and to reassure families by reauthorizing CHIP. When President Trump says he wants to make the healthcare system in America better, when President Trump says he wants to make families and patients take more control of their children, we have a program that does that already. It is successful, and families and the States love it. All we need is Republicans in the Senate to work together in order to make sure that program continues for the health of our children in our country.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, the Senate is currently considering the nomination of Scott Palk to a lifetime appointment as a Federal district court judge on the Western District of Oklahoma. I voted against Mr. Palk’s nomination in the Judiciary Committee, and I will oppose his nomination on the floor.

While his nomination was pending for a lifetime appointment to be a Federal judge, Mr. Palk changed his membership with the National Rifle Association to take a leadership role in the organization. When I asked Mr. Palk about this change, he asserted he expects to maintain this “lifetime member” status, even if he is confirmed, and he refused to commit to recuse himself from any cases where the National Rifle Association has taken a legal position.

What I find disconcerting about this is Federal judges must be impartial. Federal judges must not have any appearance of conflicts of interest. When individuals come before a court, they need to trust that their case will be heard fairly and on the merits.

Every American must believe that they will get a fair, unbiased hearing no matter who their judge is. Federal judges must follow applicable laws and regulations that severely limit the kinds of organizations they can participate in. For example, the code of conduct for Federal Judges says, “[A] judge should not participate in extrajudicial activities that detract from the dignity of the judge’s office, interfere with the performance of the judge’s official duties, reflect adversely on the judge’s impartiality, lead to frequent disqualification, or violate the limitations set forth below.”

That is why members of the Senate Judiciary Committee often ask judicial nominees at their hearings what steps they will take to prepare for the bench. It is the committee’s duty to determine whether a nominee is prepared to leave their former roles and personal beliefs at the door and instead serve in an impartial arbiter.

In fact, when nominated for lifetime appointments, most nominees try to rid themselves of conflicts and limit their affiliations, especially with advocacy organizations. However, Mr. Palk not only chose to maintain his membership with the NRA, he chose to extend his membership for life.
The fact that we are considering this nominee, given this issue with his background, just 3 weeks after the Las Vegas shooting, should really give us all a reason to pause. Las Vegas is now the deadliest mass shooting committed by an individual in the United States. It happened since the Pulse Nightclub massacre in Orlando, which was previously the deadliest mass shooting in our Nation’s history. It has been only 5 years since 20 6-year-olds and 6 adults were murdered at Sandy Hook Elementary School in Newtown, CT. What happened after each of those shootings?

After Sandy Hook, the NRA opposed any legislation that would have restricted high-capacity magazines or military-style assault rifles. After the Pulse Nightclub shooting, the NRA opposed any legislation to expand background checks on gun buyers or to prevent gun sales to people on terrorist watch lists. After the Las Vegas shooting, the NRA, despite initial statements to the contrary, has come out opposed to any legislation to ban “bump-fire stocks,” even though such devices allow guns to function as machineguns, which are already banned under the law.

The NRA has never supported any commonsense gun legislation. The NRA’s views on gun control issues could not be clearer, which is why it is so problematic that a judicial nominee chose to double-down on his NRA membership while his nomination was pending, rather than extricate himself from his prior commitments and then refuse to commit to recusing himself on cases where the NRA has made its views abundantly clear. This should trouble all of us.

Our job in evaluating judicial nominees is to ensure our Federal courts are not restricted by the gun lobby and that judicial nominees will safeguard their own impartiality. I think all of my colleagues feel that way.

That is not what Mr. Palk has done. Instead of taking steps to separate himself from strong political views, he has proactively taken steps to increase his commitment to specific views of the law.

I will vote against Mr. Palk’s nomination and urge my colleagues to do the same.

Mr. MARKEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AFRICOM, FOREIGN POLICY, AND OUR MILITARY

Mr. INHOFE. Mr. President, I came back just a week ago from visiting our troops stationed all around the world, in all the commands—AFRICOM, EUCOM, CENTCOM—and talked to them about the threats in all these regions.

At a time when I hear colleagues across the aisle and political pundits ask the question, Why do we have troops in various places like Africa, it is important to remember the strategic importance of Africa.

I remember 10 years ago we didn’t have a command for Africa. It was part of three commands: Pacific Command, Central Command, and European Command. Now we have AFRICOM. It is its own command. It seemed a little unreasonable that we were treating Africa as somewhat of a stepchild when that is the breeding ground out there for a lot of the things happening in terms of terrorism.

Despite our military’s reach and influence, our Nation’s shrinking defense budget has put AFRICOM at risk during a time when commanders are saying we face the most dangerous world we have ever had.

I have often said that I look wistfully back at the days of the Cold War, when we had two superpowers and they were predictable. We knew what they had. They knew what we had. You have people in the world who are putting together equipment that we never dreamed they would have.

We have just gone through 8 years of another administration. I don’t say this critically of him, but one thing about President Obama was that he was a committed, sincere liberal. Liberals generally don’t pay a lot of attention to the military. Now we find ourselves in a situation where we are hurting. A lot of people assume that we don’t have any problems militarily.

Sometimes I remind people that up until about 1962, we spent more than half—52 percent in 1962—of all of our revenues on defending America. What is it today? It is 15 percent. When I tell people that and they think that we are in the situation we are in, we have terrorist groups in Africa—such as ISIS, al-Shabaab, and Boko Haram—and they are all growing in capability and have expanded their areas throughout Africa. This year we have seen horrific events occurring at the hands of these extremists. On October 14, a truck bombing killed 300 people in Somalia’s capital. In Niger—it just happened—we had four of our U.S. soldiers who were killed in action on October 4 by an ISIS group.

We know that we have serious problems. I think it is a great disservice for people to say that we must have known that we had the threat that was out there in Niger, when in fact we didn’t know it. They even compare it sometimes with Benghazi. I remember Benghazi. I was there at the time. I remember Chris Stevens. Chris Stevens was the Ambassador who went there. He was in my office right before he left, talking to the other people that were there, talking about the Taliban, his training there, and talking about organized terrorist activity.

I have to remind people that the persons who are responsible for advising the Secretary of State, who at that time was Hillary Clinton, and the President, who was President Obama at that time, are the DNI—that was James Clapper at that time—the Secretary of Defense, and the Secretary of State—that they were forewarned by more than a month that on the anniversary of 9/11 things would blow up, and it was going to be an organized attack.

Right now there is an investigation going on to determine whether or not there is any way that we could have anticipated that in Niger this would be happening, and so far, that hasn’t come up.

Despite the best of intentions, many of our partners in the region lack the infrastructure and the expertise to adequately defend themselves. People say: What do we have to gain there? This is exactly the same situation that we saw in Afghanistan prior to the war there. The terrorists have to have a safe haven to train in, and that is what has happened.

During my travel, I had the opportunity to meet Prime Minister Benjamin Netanyahu. I have to say this about him. I have never seen him so eclectically his policy means that we refuse to take a significant military stride when we need confidence that judicial nominees could not be clearer, which is why it is so problematic that a judicial nominee chose to double-down on his NRA membership while his nomination was pending, rather than extricate himself from his prior commitments and then refuse to commit to recusing himself on cases where the NRA has made its views abundantly clear. This should trouble all of us.

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The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AFRICOM, FOREIGN POLICY, AND OUR MILITARY

Mr. INHOFE. Mr. President, I came back just a week ago from visiting our troops stationed all around the world, in all the commands—AFRICOM, EUCOM, CENTCOM—and talked to them about the threats in all these regions.

At a time when I hear colleagues across the aisle and political pundits ask the question, Why do we have troops in various places like Africa, it is important to remember the strategic importance of Africa.

I remember 10 years ago we didn’t have a command for Africa. It was part of three commands: Pacific Command, Central Command, and European Command. Now we have AFRICOM. It is its own command. It seemed a little unreasonable that we were treating Africa as somewhat of a stepchild when that is the breeding ground out there for a lot of the things happening in terms of terrorism.

Despite our military’s reach and influence, our Nation’s shrinking defense budget has put AFRICOM at risk during a time when commanders are saying we face the most dangerous world we have ever had.

I have often said that I look wistfully back at the days of the Cold War, when we had two superpowers and they were predictable. We knew what they had. They knew what we had. You have people in the world who are putting together equipment that we never dreamed they would have.

We have just gone through 8 years of another administration. I don’t say this critically of him, but one thing about President Obama was that he was a committed, sincere liberal. Liberals generally don’t pay a lot of attention to the military. Now we find ourselves in a situation where we are hurting. A lot of people assume that we don’t have any problems militarily.

Sometimes I remind people that up until about 1962, we spent more than half—52 percent in 1962—of all of our revenues on defending America. What is it today? It is 15 percent. When I tell people that and they think that we are in the situation we are in, we have terrorist groups in Africa—such as ISIS, al-Shabaab, and Boko Haram—and they are all growing in capability and have expanded their areas throughout Africa. This year we have seen horrific events occurring at the hands of these extremists. On October 14, a truck bombing killed 300 people in Somalia’s capital. In Niger—it just happened—we had four of our U.S. soldiers who were killed in action on October 4 by an ISIS group.

We know that we have serious problems. I think it is a great disservice for people to say that we must have known that we had the threat that was out there in Niger, when in fact we didn’t know it. They even compare it sometimes with Benghazi. I remember Benghazi. I was there at the time. I remember Chris Stevens. Chris Stevens was the Ambassador who went there. He was in my office right before he left, talking to the other people that were there, talking about the Taliban, his training there, and talking about organized terrorist activity.

I have to remind people that the persons who are responsible for advising the Secretary of State, who at that time was Hillary Clinton, and the President, who was President Obama at that time, are the DNI—that was James Clapper at that time—the Secretary of Defense, and the Secretary of State—that they were forewarned by more than a month that on the anniversary of 9/11 things would blow up, and it was going to be an organized attack.

Right now there is an investigation going on to determine whether or not there is any way that we could have anticipated that in Niger this would be happening, and so far, that hasn’t come up.

Despite the best of intentions, many of our partners in the region lack the infrastructure and the expertise to adequately defend themselves. People say: What do we have to gain there? This is exactly the same situation that we saw in Afghanistan prior to the war there. The terrorists have to have a safe haven to train in, and that is what has happened.

During my travel, I had the opportunity to meet Prime Minister Benjamin Netanyahu. I have to say this about him. I have never seen him so eclectically his policy means that we refuse to take a significant military stride when we need confidence that judicial nominees could not be clearer, which is why it is so problematic that a judicial nominee chose to double-down on his NRA membership while his nomination was pending, rather than extricate himself from his prior commitments and then refuse to commit to recusing himself on cases where the NRA has made its views abundantly clear. This should trouble all of us.

Our job in evaluating judicial nominees is to ensure our Federal courts are not restricted by the gun lobby and that judicial nominees will safeguard their own impartiality. I think all of my colleagues feel that way.

That is not what Mr. Palk has done. Instead of taking steps to separate himself from strong political views, he has proactively taken steps to increase his commitment to specific views of the law.

I will vote against Mr. Palk’s nomination and urge my colleagues to do the same.

Mr. MARKEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AFRICOM, FOREIGN POLICY, AND OUR MILITARY

Mr. INHOFE. Mr. President, I came back just a week ago from visiting our troops stationed all around the world, in all the commands—AFRICOM,
how America hadn’t been doing the right thing. Now, all of a sudden, we have changed that around. That is what is taking place now. At that time we didn’t have the threats that are out there today.

We look at North Korea. North Korea is run by a questionable person, totally unpredictable, according to our own military leaders. He is rapidly getting the capability not just of an ICBM—he has already proven he has an ICBM—but with a range not just of Alaska and some states but of the entire continental United States.

On July 4 he launched his first successful ICBM. If that were fired on a standard trajectory, that missile could have reached Alaska. Some experts think it could have reached even further, into the continental United States. In light of that test, the Defense Intelligence Agency updated their assessment of the timeline by which North Korea would have the capability to hit an American city. Instead of being 2 years out and 3 years out, it is now down to 1 year out. Some people say they have it right now. We have that threat that is out there. It is the greatest threat, in my opinion, that we are facing now or that we have ever faced.

Following this, on September 3, North Korea tested what is believed to be a hydrogen bomb. That would be seven times the power of what was dropped on Hiroshima. Even if delivered by a relatively inaccurate ICBM, there would be horrible damage imposed on our continent.

It is important to remember that all of this power is being wielded by an erratic despot, Kim Jong Un. North Korean officials have stated that they are not interested in diplomacy until they have an ICBM capable of reaching the east coast of the United States.

What does that tell you? It tells you that their way. This streases the need for the United States to enhance and accelerate our ballistic missile defense systems and to continue to put pressure on North Korea through every other means we can, diplomatic and otherwise.

My recent travels enforced again what I have been saying for some time; that is, that this is the most dangerous situation we have had, certainly in my lifetime. We have an opportunity to counteract that threat right now. That is why the DoD is working so hard to put the NGFR (Nuclear Weapons Storage Facility) in the midst of our NDAA. One thing about the National Defense Authorization Act is that this act is going to pass. It has passed for 55 consecutive years so we know it is going to pass now. But we need to go ahead and get it done. It is important because the primary constitutional responsibility that we have is to provide for the common defense of our great Nation.

We have serious readiness issues that are going to have to be addressed. If we are not addressed in this bill, I am the chairman of the Readiness Subcommittee, and we have fought hard to ensure that this year’s NDAA takes care of these shortfalls we have had. Our forces are smaller now. We actually had a Readiness Subcommittee hearing, and we had the Vice Chiefs of all of the services there. They came in and said that right now we are in the situation where we have the hollow force following the Carter administration in the 1970s. In January of this year, the Vice Chief of Staff of the Army, General Daniel Allyn, testified before the Senate Armed Services Committee that is where we are going to be too late. Our soldiers arrived too late. Our soldiers required too much time to close the manning, the training, and the equipment we have, and the end result is extensive casualties to civilians and to our forces.

We are talking about death. That is what is at stake right here. Just last week, I met with the Secretary of the Air Force, Heather Wilson, to discuss aviation readiness. Right now we have 1,500 pilots short, and 1,300 of those are fighter pilots. Only 50 percent of the Air Force’s squadrons are actually trained and ready to conduct all of their assignments. One-third of our ground brigades don’t work. They are not ready for combat. As to the aviation brigades, it is the same thing. Right now, as we know, the Marines use our feet of F-18s. Sixty-two percent of them don’t work. They don’t have the parts for combat. We have this situation. That is going to have to be direct. This year’s bill will increase the troop levels. We will do what is necessary to correct these problems. We need to get moving on that and make people aware that help is on the way.

By the way, here is one of my concerns in this bill. A lot of people are interested in the BRAC process. We do prohibit base realignment closings to take place for another year. The reason for that is not that there may be excess capacity right now or excess resources out there, but when we are in a rebuild-mission, we are able to use those resources that aren’t being used now rather than build new ones. One thing is true about a BRAC: it always loses money the first 3 years. Right now we can’t afford to lose any of the money that goes to defending America.

Anyway, of the additional funding, there is going to be $8.5 billion for the missile defense that has been suffering, and we are going to be doing some good things. As we continue the conference process, which started today—we had our first conference meeting today—we need to focus on where we are.

Again, I repeat, the threat is there. We understand that. We know what is at stake. One of the ways the number of troops we have over there— you have to quit using this number of about 6,000—is really 1,300 troops for the entire continent who are not committed on warfighting in some of the Embassies. We need to focus on that. That is why I have another issue I wish to visit. A lot of people are critical of what is happening right now in the Environmental Protection Agency. I feel I have to talk about this because, first of all, I was chairman of the committee that had jurisdiction over the Environmental Protection Agency for about 8 years. I see the things that are happening now, improvements that are being made.

One is by a guy named Scott Pruitt. Scott Pruitt happens to be from Oklahoma. He is doing things now, and I don’t know of anyone who has ever caused destruction or put companies or farmers out of business as Pruitt has. Poor Scott got 675 questions for the record. Anyway, he sustained that. He is now doing great things.

Over the last 8 years, I have had little sympathy, chance to praise the work of the EPA, but I can do it now. After 8 years of being relentlessly targeted by the Obama administration to shut out our farmers, ranchers, manufacturers, and energy industries, we have an administration that will listen to them and work with them. This is what jobs are all about.

There is a lot of talk about the visit that was made to our conference by President Trump yesterday. What he talked about most of the time was jobs. We are in the position to correct it. What have we done to that? A lot of the overregulations have been eliminated. There is the caricature of businesses referred to as greedy, loony boogieymen. But in reality, businesses are run by people who want what is best for America, for their families, and for the stockholders.

Now, like any sector of society, you are going to find a few bad actors, but if you remove the laws and the chance to make sure we go after those individuals. The last administration treated those they regulated as the enemy, not as partners in ensuring that the environment was taken care of, which led to very harmful, unworkable regulations.

All of that is changing right now with President Trump and his administration. The administration realizes that working with those they regulate is not that productive but only listening to those who wish to drive the industry into the ground. Administrator Pruitt has been meeting with farmers, ranchers, energy producers, and other industries to listen to and learn about how regulations affect them and how the rule regulation might be implemented in a way that is producing an unintended harm.

I really cannot see why this is a bad thing, as the goal of the EPA is not to put companies or farmers out of business. It is to put forward policies that protect the environment and do not have a heavy cost, but just meeting with those who have been shut out of
the process in the past has extremes on the left seeing red. I guess they are just upset that they have lost their monopoly and their ability to write rules for the EPA.

Pruitt and the EPA are also moving forward with the unlawful practice of the United States. This is one of the things, if you talk to the farmers throughout not just Oklahoma but throughout America, they will say, of all of the rules and regulations, this is the most harmful. This is No. 1. That is what they say. In fact, Tom Buchanan is the head of the Farm Bureau in the State of Oklahoma, and he says that is the problem.

People are not aware. In my State of Oklahoma, when you get out into Western Oklahoma, it is dry out there. I mean, it is about as arid as any part of the United States. Yet we know, if they were to move that jurisdiction of water away from the States and to the Federal Government, as was proposed in a report during the previous administration, that area in Western Oklahoma would be considered a wetland before it is over. Anyway, that is probably, singularly, the best of the rules that he changed.

By the way, anyone wants to see the rules—a lot of people say the President has not been doing anything. Most of these rules and regulations—there are up to 48 now—that have been costing jobs and putting people out of business, were not even addressed by this administration, by the Trump administration, and very successfully. Right now, we are in the process of getting some of these things done.

The waters rule is going to take a while to get done because that is going to take some hearings and so forth. Another of the rules the EPA is working on repealing is the Clean Power Plan. Now, this is the thing that came from the Paris show. In fact, I have done this before. I've talked about the history of these things that have been put forth for 21 consecutive years now by the U.N., which is that they have these meetings. They get 196 countries together, and they try to see what they can do to get them to reduce CO₂ emissions. When, in fact, they have not been able to do this.

Besides that, 87 percent of the power that is developed to run our country is either from fossil fuels or it is nuclear. If you extract those, as they tried to do, how do you run the machine called America? The answer is, you can't.

Anyway, as far as the Clean Power Plan, that was put together by President Obama, and it was something you could talk about as long as you wanted to, but the fact is, it was not good for the country. The rule was so unpopular that 27 States, 37 rural electric co-ops, and 3 labor unions challenged it in court. The cost of the rule was estimated to be $292 billion, but I have seen estimates that are well in excess of $400 billion.

The plan would raise electricity prices in 47 States; 40 of those States would see double-digit increases, and these increases would be shouldered by American families, many of whom already have to choose between making rent payments and paying their power bills or choosing between putting food on their tables or paying their power bills. The plan would also see the closure of 66 powerplants and eliminate over 250,000 jobs in the coal industry—industry that has already been struggling in recent years.

The goal of this rule was to effectively shut down all coal-fired powerplants, which is a cheap and bountiful energy. What benefit would we get out of this? It would be more expensive energy.

By the way, the whole idea of the Paris thing was not just the Clean Power Plan put forth by our President; it was also what other countries were forced to do. For example, in signing on to this deal in Paris, which everyone was so upset about, China committed to, how low it would try to continue to increase, every 10 days, an additional coal-fired powerplant. Then they would try to reduce them after that. What kind of a deal is that? They look back at the United States and think they know what is going to happen to our manufacturing base. They would go to China if we had to do this thing.

The most ridiculous thing about this is, the President's commitment under the Clean Power Plan was to reduce our CO₂ emissions by somewhere between 26 and 28 percent by 2025. The problem with that is, it cannot be done. We even called in the EPA so they may tell us how this could be done, and they agreed it could not be done.

Anyway, that is something that is behind us now. I commend Scott Pruitt for realizing the legal footing of this rule and seeing that the costs the American people will bear under this rule is not going to happen.

Just last week, the EPA announced that it will end its controversial policy known as sue and settle. This is a good one. It is a policy that has cost the taxpayers an estimated $67 billion in new regulations that stemmed from this practice. How this works is that some extremist group will come in and sue the EPA for not doing something, and so they don't have any agreement with the EPA, and the EPA is in concert with them to come up with the very thing they were not able to get through legislatively. It is called sue and settle. You have heard the President talk about ending that practice. It is one that needs to be ended, and it is going to be. This practice circumvented the Administrative Procedure Act and usually ended up in settlements that were extremely beneficial to extremist groups and got them exactly what they wanted all the time.

My State of Oklahoma was a victim of this practice. In 2011, the EPA used consent agreements that stemmed from court cases in other States, not in Oklahoma, as Oklahoma was not even part of it or aware of it. They do that to overrule the State's Regional Haze Plan to impose EPA's own costly plan on Oklahoma electricity ratepayers.

Now, the plan the EPA is pushing on this State costs an estimated $282 million each year. That is just in our State of Oklahoma, and it is something we would have to pay for.

The regional haze problem has nothing to do with health. It is all visibility. So this was ruining the theme of the Obama EPA. Never mind that regional haze is entirely a visibility issue and not a health issue, never mind that Congress specifically gave States the authority to regulate regional haze under the Clean Air Act in the amendments I strongly supported when they went through because it is a visibility issue and not a health issue. Yet because an environmentalist group did not like how Oklahomans were sensible in running its own business, it sued the EPA in court outside of Oklahoma and did not include Oklahoma as a party to the case. The EPA capitulated and entered into an agreement with some of the extemist groups that required the EPA to impose its own expensive plan on my State of Oklahoma.

So I am glad Administrator Pruitt has announced an end to this policy, and I urge my colleagues to take up S. 1319, it is the Sunshine for Regulatory Decrees and Settlements Act, of which I am an original cosponsor, to ensure that this practice is ended across the government and cannot be implemented by future administrations.

Finally, I would like to encourage the EPA to move ahead with a hinted-at, pending directive that would restrict scientists who receive EPA grants from serving on the Agency's science advisory committees previously expressed concerns over the composition of the Agency's advisory committees for many reasons, including highlighting the fact that many science advisers under the Obama EPA, including a majority of those on the Clean Air Scientific Advisory Committee—that is called CASAC—have received considerable financial support from the EPA. They are calling into question their independence and the overall integrity of panels on which the advisers sit.

The National Academy of Sciences and the EPA's own "Peer Review Handbook" state that grants can constitute a conflict or a lack of impartiality. We are not talking about small grants either; we are talking about millions of dollars in grants. During the last year of the Obama administration, CASAC had six of seven members receiving these. Keep in mind, six of the seven members received a total of $119 million in grants in EPA research grants—and three of the members received in excess of $25 million each. How can the scientists who are making the decisions. There were 22 of the 26 members of the CASAC Subcommittee on Particulate Matter who...
received more than $330 million in EPA grants.

The scientists who receive vast sums of money from the very agencies they are advising certainly constitute a conflict of interest and, at a minimum, give an appearance of a lack of impartiality. As such, I welcome the news that Administrator Pruitt will be seeking to limit this worrisome practice.

I have laid out only a few of the many challenges the EPA is doing right now and what Administrator Pruitt is doing. I got to know him a long time ago. In fact, I flew him around the State in my airplane back when he ran for the first statewide office. He is a guy who is a tiger and who is doing the right thing. I am very proud of what they are doing.

After this morning, the EPA is now advancing five EPA nominees for the EPA general counsel and for the Offices of Enforcement, Air and Radiation, Water, and Chemical Safety and Pollution Prevention. Each of these nominees is needed for the issues I have talked about and for the many others that are on the Agency’s plate.

Scott Pruitt has been working so much of the President’s conservative agenda alone, and he needs help to run these policies. I call on my colleagues and the leadership to prioritize these nominations. You cannot get this stuff done unless you have help. We have never seen a time when we have gotten this far into an administration and have had this large of a number of people who have not been confirmed.

Mr. President, I do want to mention one other thing because, for some reason, the Democrats have decided they are going to run out the whole 30 hours on the confirmation of a guy named Scott Palk. And to say, Scott Palk has been doing a great job. In fact, on the vote that just took place on him, he received 79 votes in the U.S. Senate. Yet, just to be obstructionists, they are still demanding 30 hours.

Scott Palk is an experienced prosecutor with a decade of service. He was the assistant district attorney for Cleveland County in my State of Oklahoma and spent 9 years as an assistant U.S. attorney in the criminal division of the Western District of Oklahoma. He has a reputation for honesty, integrity, and a commitment to fairly applying the law. Mr. Palk will serve Oklahoma with distinction as a principled jurist who will uphold the Constitution.

He is going to be confirmed. We know he is going to be confirmed because he already received 79 votes. There is no reason to delay it, other than to hold people here and be obstructionists. I would urge my friends on the other side of the aisle to go ahead and confirm the guy. He is going to do a great job.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I have remarks that I wish to make, but I will yield at this time to the Republican leader to be recognized after which I will seek recognition.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I thank my friend from Illinois.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 250, on the motion to invoke cloture on Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma. Had I been present, I would have voted nay.

CONGRESSIONAL REVIEW ACT RESOLUTION

Ms. KLOBUCHAR. Mr. President, today I wish to discuss the vote in the Senate last week on the Consumer Financial Protection Bureau’s rule regarding forced arbitration that would protect consumers and make sure they get their day in court when financial institutions violate the law. The floor schedule did not allow me to give these remarks before the vote, so I am giving them today. This rule would have restored the ability of servicemembers, veterans, and other consumers to join together and seek relief through class action lawsuits. I opposed this rule repeal.

In 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act included a provision instructing the CFPB to study mandatory arbitration and write a rule based on what they found. After several years of careful study, the CFPB released a 728-page report in 2015. This year, the CFPB finalized its arbitration rule mandating that consumer financial product contracts no longer include language barring class action lawsuits.

This rule was an important step forward in protecting consumers from the fine print arbitration clauses included in all sorts of contracts, including contracts for credit cards, debit cards, pre-paid bank cards, payday loans, and even cell phones. The 2015 CFPB report found that 93 percent of consumers whose credit cards included forced arbitration clauses did not know that they could not sue their credit card companies.

The CFPB rule enhanced protections for consumers in the military. That is why the American Legion, the Nation’s largest wartime veterans service organization, which represents 2 million veterans, and the Military Officers Association, which represents 5.5 million current and former servicemembers and their families, supported the protections provided under this rule.

I have cosponsored the Military Consumer Protection Act led by Senator REED, which would put the enforcement of the Servicemember Civil Relief Act under the CFPB so that the agency responsible for protecting servicemembers and their families is also able to enforce those protections.

Our servicemembers and veterans face challenges that are different from civilian consumers, especially during deployment. We need to make sure that they have all the protections they earn through their service. That is why I voted against H.J. Res. 111, the resolution of disapproval with respect to the CFPB arbitration rule, and I will continue to fight for our servicemembers, veterans, and consumers to get the protections they deserve.

TRIBUTE TO RICHARD LINCOLN

Ms. COLLINS. Mr. President, throughout our Nation’s history, young Americans have left the comfort and security of home in order to preserve our freedom and to extend the blessings of freedom to others. We set aside Veterans Day to express our gratitude.

One such veteran is Mr. Richard Lincoln of Wayne, ME. Through the story of his service in Italy during World War II is extraordinary, the virtues of courage, sacrifice, and devotion to duty it demonstrates the character of American patriots in all places and at all times.

Now 91 years of age, Mr. Lincoln entered the U.S. Army in 1943 when he was just 17. He served with the legendary 88th Infantry Division, the first all-draftee division to serve in combat during the war. The 88th, known as the Fighting Blue Devils, proved that with rigorous training, able leadership, and unflagging determination, peace-loving Americans could stand up to a battle-hardened, militaristic enemy.

The 88th played a key role at the Battle of Anzio, the long, costly, and critically important amphibious landing on the Italian coast in January of 1944 that eventually led to the liberation of Rome. Mr. Lincoln served as a first scout, an extremely dangerous assignment in a formation in a formation under constant fire, to locate enemy artillery positions. When the Allies liberated Rome on June 4, 1944, the all-draftee