



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, MONDAY, NOVEMBER 13, 2017

No. 185

Senate

The Senate met at 4:03 p.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

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

Let us pray.

O God, our Father, in these turbulent and uncertain times use our lawmakers to live to bless others, bringing glory to Your Name with their sacrificial service. Lord, give them wisdom to persevere through the difficult, to stay calm when facing the irritating, and to experience Your peace even when things go wrong. Enable them to be helpful to the challenged, kind to the needy, and sympathetic to those whose hearts are bruised by life's setbacks. Surround our Senators with Your protection and the shield of Your Divine favor, bringing them to Your expected end.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 13, 2017.

To the Senate:

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

appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

TAX REFORM

Mr. McCONNELL. Madam President, for too long many in America's middle-class families felt left behind by the Obama economy. Paychecks seemed to stagnate, good-paying jobs seemed harder to find, and opportunities seemed difficult to come by.

Our country can do better for hard-working families, and that is exactly what we are working to deliver as we continue our efforts to pass tax reform. It is a once-in-a-generation opportunity, and it is the most important thing we can do today to get our economy really growing again and going again.

Last week, the House Ways and Means Committee passed its proposal to lower taxes and to boost economic growth. I would like to commend Chairman BRADY for his efforts to get the bill approved by the Committee and to the floor of the House.

Here in the Senate, we also remain focused on tax reform this week. Today, the Finance Committee began its mark-up of the tax reform proposal released last week. Under the leadership of Chairman HATCH, the committee will consider this plan that really has been many years and dozens of hearings in the making.

The Finance Committee's tax plan will help hard-working Americans keep more of their own money. It will help

create more jobs here at home, and it will help increase opportunities for the middle class. Consider this from a recent news report titled: "Middle class biggest winners in Senate tax plan, study says."

"Moderate-income people would consistently see the largest percentage declines in their tax bills," the article says, "according to an analysis released late Saturday by the official, nonpartisan Joint Committee on Taxation."

"In 2019," the article continues, "people in the middle of the income spectrum earning, between \$50,000 and [\$75,000], would see their taxes fall by 7.1 percent. Those earning between \$20,000 and \$30,000 would see a 10.4 percent decline."

Here is another recent article, titled: "Senate bill would cut taxes by \$1.78 trillion, create [925,000] new jobs, study finds."

The article noted that the Finance Committee's bill "would boost the economy, creating 925,000 new jobs and raising wages by 2.9 percent over 10 years, according to a new analysis released Thursday by the Tax Foundation." According to that study, families in my home State of Kentucky can see a boost to after-tax incomes for middle-income families," of nearly \$2,000.

Earlier today, I had an opportunity to meet with a number of Kentucky small business owners and workers to hear from them about the importance of tax reform. We discussed how this effort can help provide relief to small businesses and middle-class families by making taxes lower, simpler, and fairer. Tax reform can help provide real relief to families and small businesses that felt left behind by our economy.

The proposal that the committee will take up today is the product of years of listening to people across the country who are calling out for relief. It is from careful study of our current Tax Code, understanding what it gets right and what it too often gets wrong.

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



Printed on recycled paper.

S7169

The Senate's Tax Cuts and Jobs Act represents the consensus views of the Finance Committee members and it reflects the values shared by the House, the Senate, and the Trump administration, put forward in our unified framework earlier this year. Chairman HATCH has shown impressive leadership to craft this proposal, and I look forward to his continued guidance of the committee under regular order.

Today, members will have the opportunity to give opening statements and provide their insights on the proposal. During this process, the committee will consider amendments from both sides. As of this morning, more than 300 amendments have been filed by both Republican and Democrat members. Additionally, all Senators will have the chance to share their opinions here on the Senate floor. This is an open process.

It is time to reform our Tax Code and provide much needed relief to the hard-working men and women of this country. The Finance Committee's proposal would do just that.

In a related action this week, the Senate Energy and Natural Resources Committee, under the leadership of Chairman MURKOWSKI, will begin to mark up legislation supporting our Nation's energy security. Further developing Alaska's oil and gas potential in an environmentally responsible way is an important effort to help create new jobs, generate new wealth, and provide for our energy future and energy security.

These committee markups are positive steps toward growing our economy and helping the middle class.

NOMINATIONS

Mr. McCONNELL. Madam President, the Senate will continue its progress in confirming the President's nominees. Last week we confirmed multiple nominees to a number of Federal agencies. Soon they will get on the job for our country.

This week we will start by considering two nominees for the Department of Transportation. Later today, the Senate will vote to confirm Derek Kan to serve as the Under Secretary of Transportation for Policy. Mr. Kan has experience in a wide range of transportation matters, from Amtrak to ride-sharing platforms. His career in both the private and public sectors will serve him well as he works to develop important policies related to our Nation's infrastructure. I will be supporting Mr. Kan's nomination, and I would urge all Senators to join me.

Next, we will consider the nomination of Steven Bradbury to be general counsel of the Department of Transportation. During Mr. Bradbury's service at the Justice Department in the Bush administration, he advised the executive branch on various legal and constitutional questions. I am grateful that he has chosen to serve our Nation once again.

Next up will be David Zatezalo to serve as the Assistant Secretary of Labor for Mine Safety and Health and, then, Joseph Otting to be the Comptroller of the Currency. Finally, we have two more talented and qualified nominees to serve as Federal district court judges, Donald Coggins and Dabney Friedrich.

Thoughtful consideration of President Trump's nominees is an important responsibility of the Senate, and we will continue to move swiftly so they can get to work for the American people. I look forward to considering each of them this week, and I would urge all of our colleagues to join me.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the Kan nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

PRESIDENT'S TRIP TO ASIA

Mr. SCHUMER. Madam President, I am going to spend the bulk of my time this afternoon focusing on the tax plan, but first I must address President Trump's trip to Asia.

Without exaggeration, the President's trip to Asia has been one of the most embarrassing foreign trips a President has taken in my memory. It shows when it comes to foreign policy, President Trump is not ready for prime time.

After a campaign in which he routinely criticized China—rightly, in my opinion—for rapacious trading practices that have stolen American jobs and depressed American wages, Presi-

dent Trump went to China and gave them a get-out-of-jail-free card. Instead of speaking sternly and truthfully to the Chinese leaders about the realities of our unbalanced and unfair trade system—where we play by the rules, and they do not; we lose jobs, they gain them—President Trump tried to appease the Chinese and their leader.

Instead of demanding concessions on trade, instead of demanding the same equal access to markets we provide Chinese firms, instead of addressing the sordid history of intellectual property theft and extortion, President Trump was eager to let China off the hook, saying it was "not their fault" but rather the failure of American Presidents. Imagine blaming America for the Chinese trade imbalance and letting China get off scot-free. Is that putting America first?

President Xi flattered President Trump, and he fell for it hook, line, and sinker. From each of his interactions with President Xi, President Trump has only gotten flattery, pomp, and circumstance but nothing for the American worker—nothing.

If he keeps this approach up with a growing economic power like China, President Trump will be the author of a new international reality: America second.

Concerning the situation on the Korean Peninsula, instead of working toward a new meaningful understanding of how to best deal with North Korea, President Trump traded petty barbs with the President of North Korea on Twitter. Close your eyes for a moment and imagine if this was the way Roosevelt behaved toward Stalin or Eisenhower toward Khrushchev or Kennedy toward Castro. This is below the dignity of the Office of President of the United States, and it erodes America's power in the world.

Worst of all, again, President Trump seemed to instinctively accept the word of President Putin against 17 U.S. intelligence agencies about whether Russia interfered in our election. We know that Russia interfered with our elections. Our entire intelligence community—17 agencies—has concluded it. Why does President Trump continue to give President Putin the benefit of the doubt while discrediting and demeaning American intelligence officers? It is shameful, unpatriotic—deeply unpatriotic—and he only halfheartedly walked back his comment after the fact. Every American should wonder why President Trump goes to such great lengths to avoid criticizing President Putin.

After 8 years of Republicans questioning President Obama's toughness with foreign leaders—an attack that I give no credence to by repeating—it seems that President Trump, not President Obama, is the one who is afraid to take on America's adversaries. He forgives China and cozies up to President Putin.

For the steelworker in Ohio or in Upstate New York whose job is on the line