

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 ask unanimous consent to speak in morning business.

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

REPUBLICAN TAX PLAN

Mr. DURBIN. Mr. President, this week many things will happen in Washington, but the focus in the Senate Chamber later in the week will be the Republican tax plan. It is a plan that has come upon us really quickly—in a matter of weeks—and it literally will affect the economy of the United States and virtually every taxpayer. There is hardly a measure we can entertain that has such broad and far-reaching impact on the future of this country and its economy.

What we are trying to do now is to analyze this plan. It has been put on a fast schedule. I can guarantee, as I stand here, that because of this hurry-up approach on tax reform, when it is all said and done, if anything is enacted into law, we can look back with regret for not having taken the time to do this carefully, not having measured the impact of any tax changes on individuals, families, and the economy, and, certainly, on our national debt.

So far we have a plan that was considered and passed by the House of Representatives, also on a fast schedule, and one in the Senate as well. The one in the Senate will be up for consideration this week. It is going to be a procedure, which was established in the Senate years ago, called reconciliation. For the outsider, it is a long word, which, by Senate definition, means that a simple majority vote is all that is necessary to pass this measure. It will not be subject to the traditional filibuster in the Senate nor to the need for 60 votes, as in most instances.

It was designed, in its inception, to be a way to reduce the budget deficit. Ironically, what we will see happen with the proposed Senate tax plan is an increase of our national debt instead of a reduction. But that seems to be the intent of the sponsors, and it is what we will consider.

We took a look at some of the proposals in the Senate Republican plan. It is no secret that this plan would bankroll massive tax cuts for the wealthiest people in America and the largest corporations, and it would raise taxes on middle-income families. If that seems like contrary thinking to what most Americans were looking for, it is.

Time and again we are told that the average American needs a helping hand. I certainly understand that in Illinois and across the Nation. This tax plan by the Republicans will not help working families. At best, it gives them a temporary tax cut, which later ends up as a tax increase.

However, if you happen to be among the wealthiest of Americans, there is good news in the Republican plan. There will be substantial tax cuts in permanent law. So the help for working families is temporary, the help for wealthy families is permanent, and the help for corporations is permanent.

To put it in perspective from the corporate point of view, we can understand those who argue that lowering taxes on businesses will incentivize them to expand their businesses. Yet there are a couple of things we have to acknowledge. As a percentage of the gross domestic product, corporate profits in America have never been higher. As a percentage of gross domestic product, corporate taxes paid have never been lower. Profits are at their highest, taxes are at their lowest, and the Republicans come to us and say: Well, clearly, what we need to do is to cut corporate taxes again. I disagree.

I asked Secretary Mnuchin at a hearing: Shouldn't our goal be to not only have a growing economy but to have more fairness in the economy for working families who continue to put in the hours and put in the work and watch their own wealth and their own income really fall behind against the expenses they face? Well, he agreed with my conclusion, but he couldn't explain how the Republican tax plan would meet that goal. I don't think it does.

I do not exaggerate when I say that this is a tax cut by the Republicans for the wealthiest. The nonpartisan Joint Committee on Taxation analysis of the Republican bill shows that by 2027, as corporations are enjoying a huge tax cut, on average, taxpayers who earn less than \$75,000 a year will see their taxes go up under the Republican plan.

You think: Oh, that must have been a press release from the Democratic National Committee. No, it was an analysis by the Joint Committee on Taxation, a nonpartisan group that we turn to in order to measure the impact of tax legislation. It is not the wealthy taxpayers, not a few taxpayers, not a couple of unfortunate exceptions; on average, taxpayers at every income bracket earning less than \$75,000 would see their taxes increase under the Republican plan.

How would the wealthy fair? Well, it is no surprise that under the Republican plan, the largest tax cuts under the bill go to the wealthiest households. I get a lot of letters and emails, telephone calls and contacts. There aren't a lot of rich people calling me and saying: We need a tax break, Senator. They are not asking for it. But they don't have to ask for it when the Republicans are writing a tax bill.

As Republicans throw huge tax breaks to the wealthiest 1 percent of Americans, here is what they do: They eliminate the alternative minimum tax, they lower the top income tax bracket, and they double the exemption for the estate tax. They go straight after a deduction that helps one-third of all taxpayers lower their

taxes—the State and local tax deduction. They cut that, but they give these tax breaks to people who are already millionaires many times over.

The Republican plan would eliminate the State and local tax deduction—a deduction that helps millions of middle-income families avoid being taxed twice on their hard-earned income—once at the State and local level and again at the Federal level. The State of Illinois is an example—and most other States—where people pay a State income tax. Currently, taxpayers can deduct that State income tax paid from any Federal tax liability. The premise is simple: You shouldn't be taxed on a tax. The Republicans turn that upside down. They would tax the tax you paid at the State and local level.

Eliminating this vital deduction makes it more expensive for families to fund local services such as schools, police departments, fire departments, and local roads and bridges. In my State, which has the fifth highest number of taxpayers claiming this deduction, nearly 2 million Illinoisans would no longer be able to claim more than \$24 billion in State and local tax deductions, as they did in 2015.

So what is the Republican motivation for eliminating this deduction that is so important for middle-income families? Well, that is how they pay for the tax cuts for those at the highest income levels, and that is how they help the largest corporations cut their tax bills.

This is wrong. If there was ever a question about who the Republicans are writing this plan for, look no further than the changes made during the committee session when they decided that they wouldn't stop at merely raising taxes on millions of middle-income families in order to pay for permanent corporate tax cuts, but they also were willing to raise families' health insurance premiums. It is not bad enough that tax bills are going to go up for most middle-income families. Under the Republican plan, they have devised a way to increase health insurance premiums at the same time. What a breakthrough.

Republicans can't help themselves. Even in the face of opposition from the American people, hospitals, patients, nurses, seniors, and faith leaders, their tax bill would pay for tax cuts for the wealthiest 1 percent by repealing part of the Affordable Care Act.

This change alone means that 13 million Americans will lose their health insurance, and it means that the health insurance premiums paid by many others will increase by at least 10 percent a year—perfect. Not only are they going to raise taxes on working families, but they are going to raise the cost of health insurance for those buying policies and eliminate health insurance protection for 13 million Americans. Thirteen million Americans lose their health insurance, and millions more see their premiums spike—all to give corporations and the wealthiest people in America a tax cut.

To my Republican colleagues I ask: When is it enough? Haven't we helped the wealthy enough? At least for a day or two, shouldn't we focus on middle-income families?

Sadly, the threat to working families doesn't stop with a hike to their tax bill. In order to find even more money to fund tax cuts for corporations and the highest earners in America, Republicans agreed to add \$1.5 trillion to the national deficit—\$1.5 trillion. How many times have we heard Members of Congress—usually on the Republican side of the aisle—come to the floor and pose for holy pictures when it comes to the national debt? Well, they certainly have a lot of sermons to deliver when they have a Democratic President, but they suffer from political amnesia when they have a Republican President. Now they are going to add \$1.5 trillion to the national debt to give tax breaks to wealthy people and big corporations.

I have served in this body for many years. I have heard lecture after lecture from Republicans, until they are red in the face, about the importance of fiscal responsibility. I have listened to my Republican colleagues speak at length about the need for spending offsets. They wanted spending offsets for food stamps for hungry Americans. They wanted spending offsets for Hurricane Sandy victims when the hurricane hit the New York, New Jersey area. They wanted offsets for Meals on Wheels for seniors.

Where are these deficit hawks now? The Director of the Office of Management and Budget, Mr. Mulvaney, who made a name for himself while in Congress railing against increasing the debt ceiling, is now advocating for the Republican tax plan saying: "We need to have new deficits." Spare me.

I have heard the calls from Majority Leader McCONNELL, who once asked: "At what point do we anticipate getting serious here about doing something about deficit and debt?" Those are the words of Senator McCONNELL.

To that Senator and my Republican colleagues I say: How about now?

So-called fiscally conservative Republicans are hiding behind widely debunked economic growth projections and the so-called "dynamic scoring," arguing that what looks like a \$1.5 trillion increase to the deficit will not actually be one.

The appropriately named "Laffer Curve" suggested that if you cut taxes on the wealthy, everybody gets well. It didn't work then, when he proposed it. It hasn't worked since, and it will not work now. Yet the Republicans find this as the only refuge for their increase to the deficit.

Over the weekend, however, it was announced that the Joint Committee on Taxation wouldn't have the time to produce a so-called dynamic score for the bill before the Senate.

So let me understand this. Not only did Republicans vote to explode the deficit, but now they don't want to

wait to see whether their weak defense for this fiscally irresponsible plan will actually work? This is hypocrisy. Maybe it is because Republicans know, as well as the American people, just how hollow their promises are on junk economics.

Do you want a preview of what dynamic scoring will hold? Last week the Penn-Wharton Budget Model released an analysis that shows that the Senate bill would fail the Republicans' own test, even when using their so-called dynamic scoring. Make no mistake, once this happens, Republicans will waste no time in making up the difference by calling for devastating cuts to America's vital programs.

The Republican budget even spells this out for us—where they are going to turn when their approach falls apart. Here is how they are going to do it. They are going to do it on the backs of hard-working Americans, with more than \$1 trillion of cuts in Medicaid, and—hang on tight—\$470 billion worth of cuts in Medicare.

The harmful impact to seniors and low- and middle-income families and some of the Nation's most vulnerable from these budgetary cuts apparently justify to them the \$1.5 trillion deficit hole they are going to create with this tax plan helping the wealthiest people in America.

Under our current law, known as the pay-as-you-go law, harmful cuts could start as soon as January, if this bill is passed.

Republicans are determined to have a "win" before the end of the year. That is because if you were suffering from insomnia and following the Senate business over the course of last year, you have to wonder why we were here. In the course of the year, two things happened of any moment. No. 1, there was filling a vacancy on the Supreme Court, and I will save my analysis of that for another day. No. 2, there was the passage of the Defense authorization bill. That is it—two things, 1 year.

So the Republicans, before we leave for the so-called holiday recess, want to have a feather in their cap. They want to be able to point to the fact that they have actually passed something. They are saying to their Members that this is a life-or-death proposal: We have to pass this or we will not be able to point to hardly anything that we did during the course of 1 year under Republican control of the Senate. That is why they are determined to do this, and do it quickly.

The Republicans' irresponsible deficit spending under this plan will trigger \$150 billion in automatic cuts to mandatory spending each year for the next decade. It includes regular cuts to Medicare.

To my colleagues on the other side of the aisle, you just can't have it both ways. You can't claim to be fiscally responsible and then vote for a plan that includes billions of dollars in budget gimmicks that would explode the deficit by up to \$1.5 trillion over the first

10 years and beyond, even with this great dynamic scoring theory that you are trying to sell. You can't claim to make a tax plan that prioritizes small business and then spend hundreds of billions of dollars giving huge multinational corporations—already enjoying record profits—a massive tax cut as well.

I might add that the Republican tax bill creates incentives—incentives for American corporations to move overseas, to take American jobs overseas. Why in the world would we create a tax code incentive for that to happen?

You can't choose to make the corporate tax cuts permanent at the expense of protecting working Americans and then still claim that this plan is going to help those same families. It is based on nothing more than a wink and a promise to extend half a trillion dollars in middle-income tax cuts that no one wants to pay for.

You can't pretend to be above special interest and then include a provision in this tax bill—in the tax bill—that would open drilling leases for 800,000 acres of the Arctic National Wildlife Refuge—one of America's last pristine, untouched wilderness places, home to more than 200 wildlife species, and deserving of preservation.

I have come to the floor over the course of many years in debate about the Arctic National Wildlife Refuge. Senator Ted Stevens used to sit in that chair, and he couldn't wait until I finished my speech. He would stand up and say: The Senator from Illinois—he would point at me—doesn't even know where the Arctic National Wildlife Refuge is. He has never been there. He has no idea what is going on up there. So he should not stand up on the floor and say things that he can't back up with his own personal experience and knowledge.

What I did at that point was that I decided I was going to call his bluff. So I picked up and went up to the Arctic National Wildlife Refuge. I took a bush plane in and camped out overnight in the refuge. I trekked around. I took a look for myself so that I could back up some of the things I said on the floor.

We were right on the Canning River. You could look across the river at parts of the Refuge that were managed by the State of Alaska. On this side of the river where we camped, it was managed as a national wildlife refuge. There was a dramatic difference. Roadways had been built on the State side but not on the Federal side. We had a pristine refuge area. The net result was really beautiful and impressive.

I couldn't wait to get back to the floor to debate Senator Stevens since I had been there. I came back for the next debate. He never raised the question again about whether I had been there. So I didn't get to give the speech on the floor.

To give up all of this land to drill for oil at a time when we are saying to the Middle East that we don't need their oil as much as we have in the past, to

drill for gas when fracking is finding natural gas in areas all over the continental United States hardly makes sense. It certainly doesn't if you have ever been there and seen this beautiful piece of real estate.

I think the American people know what the Republicans had in mind with this plan. It really does help their deep-pocketed donors. Some Republicans in the House have been very open about this. One New York Republican Congressman said: Our donor said don't come back unless you give me a tax break. He is very honest about that, but, as far as I am concerned, that shouldn't be the motivation for passing tax reform.

One of the Republican donors I referred to—and I quote him directly—said: "My donors are basically saying, 'Get it done or don't ever call me again.'" Another one said: "Financial contributions will stop" if the Republican tax plan doesn't pass. Thank goodness for their honesty and candor.

There are special interests that will do well under this Republican plan, and wealthy people as well, but I think it is time for us to look at this plan, look at it clearly, and understand the negative impacts it is going to have on working Americans.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THANKING THE SENATOR FROM ILLINOIS

Mr. SCHUMER. Mr. President, I want to thank my friend, former roommate, and colleague in leadership for, as usual, his articulate and on-the-money remarks about the tax bill.

ISSUES BEFORE CONGRESS

Mr. SCHUMER. Mr. President, we have a long to-do list before the end of the year, and time is running short. We had hoped to make progress with the administration on these issues in a meeting this afternoon. Unfortunately, this morning, instead of leading, the President tweeted a blatantly inaccurate statement and then concluded: "I don't see a deal." The President said: "I don't see a deal" three hours before our meeting, before he heard anything we had to say.

Given that the President doesn't see a deal between Democrats and the White House, Leader PELOSI and I believe the best path forward is to continue negotiating with our Republican counterparts in Congress, instead. Rather than going to the White House for a show meeting that will not result in an agreement from a President who doesn't see a deal, we have asked Leader MCCONNELL and Speaker RYAN to meet with us this afternoon.

We don't have any time to waste addressing the issues that confront us. So we are going to negotiate with Republican leaders who may actually be interested in reaching a bipartisan agreement. If the President, who already earlier this year said that "our country needs a good shutdown," isn't interested in addressing the difficult-year agenda and wants to make the government shut down, we will work with those Republicans who are interested in funding the government, as we did in April.

We have so many things to do. We have to fund the government. We have DACA. We have the Children's Health Insurance Program. We must reinstate cost sharing for health premiums and out-of-pocket costs. We have to deal with disasters. We have to fund our defense and our nondefense sides of the government in a reasonable way. There is so much to do. We are eager to get that done in a bipartisan way. Obviously the President isn't, but hopefully Leader MCCONNELL and Speaker RYAN are, and we look forward to sitting down with them to resolve this in an amicable way, as we did in April. When the President wasn't involved, we got it done.

REPUBLICAN TAX PLAN

Mr. SCHUMER. On the Republican tax bill, we are only a few days away from a final vote, but from all reports, the Republicans are still debating significant changes to the text of the bill. Some are angling for a change to the passthrough provisions, feeling that a gargantuan new tax loophole for many high-income individuals needs to be widened even further. Right now, it is reported that 70 percent of these passthroughs go to the top 1 percent. The changes that are being proposed would make it even worse.

Help small business, yes. Don't open a giant loophole for wealthy hedge funds, big-shot law firms, and lobbyists. We don't need that.

Others are rightly worried about the impact this bill would have on the deficit and debt. What I would remind my Republican colleagues is that, with any more changes, it is virtually certain you will be voting on a bill without any expert analysis of its impacts; you will be voting without any estimate of whether it will grow or shrink the economy; you will be voting without a good sense of the long-term impacts of the changes you are making to the Tax Code.

Certainly, 1 week of markup in the Finance Committee, with only one expert witness, is not a satisfactory process, particularly considering the changing nature of this bill. Changing the Tax Code in broad brush is a difficult thing. There are so many unintended consequences.

If our Republican colleagues should pass this bill and it becomes law—and I hope it won't—week after week, we are going to find new things in this

bill—some intended, some not intended. The people who voted for it are going to regret it. The public will ask: Why didn't you know? With a tax bill, it is impossible to know all these things unless you let it sit out there in the Sun and bake so that people, experts from around the country—there are tens of thousands of tax lawyers paid to figure out ways around our Tax Code and help the wealthy, who are their clients. Unless you examine the bill carefully in sunlight, unless you have a lot of hearings, unless you hear from all kinds of witnesses, the result is usually quite bad for America, with so many unintended consequences.

Our Republican colleagues, in their rush to get a bill done, are legislating in an irresponsible way, especially when it comes to something as important and complex as the Tax Code. If the product were a great one, that would be one thing. We all know this is not a great product. We don't even hear our Republican colleagues bragging about this product, with a few exceptions. Everyone says this could be better, that could be better.

Every independent analysis has shown that the tax bill will end up raising taxes on millions of middle-class families, despite the early intentions of the President and Republican leaders. The Tax Policy Center estimates that 60 percent of middle-class families will see a tax increase—60 percent of middle-class families will see a tax increase—by the time the bill is fully implemented, while folks making over \$1 million a year would get an average tax cut of over \$40,000.

Some would say: Well, they are making more money; they should get a bigger tax break. No. I would like to take every dollar of that \$40,000 a millionaire gets and give it to the middle class. They are the ones who need the help, not the wealthy people. They are the ones who buy the products and keep the economy humming. They are the ones who, throughout the 1950s, 1960s, and 1970s, created the best economy America has ever had, not just the few millionaires. It is astounding.

If the President and Republicans in Congress set out to pass a middle-class tax cut, as they claim—if that is where they set out, this bill completely misses the mark. Meanwhile, the big winners—big corporations, the very wealthy—are doing great already. Estates worth over \$11 million get a tax break? Why is that? Why is that, when average middle-class people are struggling? Corporations get a permanent reduction in their rates, while individual tax breaks expire after a few years. The bill would even open up drilling in the Arctic National Wildlife Refuge because this tax bill wouldn't be complete unless they help Big Oil too.

All of this to saddle the next generation of Americans with larger deficits, even larger debt—something many of my friends on the other side of the aisle have labored against their whole