small businesses—and manufacturers, and that is what I have been working for. Unfortunately, this is not the plan being presented today by Senate Republicans.

Let's be honest with the American people. This bill is largely a tax giveaway to the wealthiest few and big corporations, while millions of middle-class families will get a tax hike. With this partisan bill from across the aisle, big corporations get permanent tax breaks—permanent—while middle-class families will see tax increases. In fact, most Americans earning less than $75,000 a year will see tax increases. That is simply not fair.

It is also not fair that the top 1 percent will end up with over 60 percent of the benefits, and in exchange, 13 million more will lose health insurance. Healthcare premiums will increase by 10 percent, and Medicare and Medicaid have been put on the chopping block to pay for it.

In addition, with the Senate Republican plan, powerful corporations can still deduct their State and local taxes, but they completely eliminate the State and local tax deduction for individual taxpayers. This deduction ensures households aren't taxed twice by the Federal Government on money they have already paid in State and local taxes, including property taxes. But with the current Senate plan, nearly one in three Wisconsinites will lose their personal income, sales, and property tax deductions. A recent study shows that it could decrease the value of home ownership. The average deduction in Wisconsin is $11,653, and nearly $10 billion of Wisconsinites' paychecks would be subject to a double tax—all to pay for a plan that favors those at the top. What is more, by the latest estimation from our own congressional scorekeeper, this plan will add $1 trillion—$1 trillion—to our deficit, breaking our promise to the next generation and sticking them with the bill.

Our Tax Code ought to reward hard work more than it rewards wealth. It doesn't do that today, and it will not do that tomorrow if this bill passes. In fact, this Republican plan's primary purpose is to reward Fortune 500 corporations who will simply reward the wealth of shareholders, not the hard work that drives productivity and growth across our economy.

The primary promise of this legislation makes the same promise that has not been kept to workers for decades. Trickle-down economics has not worked in the past, and it is not going to work now. American workers know that. But my colleagues, rushing to pass this legislation, don't seem to care, because the only thing that matters is delivering for donors, who have too much power and influence in Washington.

I want to see loopholes closed, like the one that favors Wall Street hedge funds and allows them to pay a lower tax rate than many Wisconsin workers pay. Earlier this year, I introduced the Carried Interest Fairness Act to close the carried interest tax loophole for millionaires and billionaires on Wall Street.

The carried interest loophole allows certain investment managers to take advantage of the preferential 20 percent long-term capital gains tax rates on the income they get for managing other people's money, rather than the ordinary income tax rates of up to 39.6 percent that American workers pay. My legislation closes the carried interest tax loophole by ensuring that income earned by managing other people's money is taxed at the same ordinary income tax rates as the vast majority of working Americans pay.

As a candidate, President Trump included closing the carried interest tax loophole in his tax reform plan. While campaigning in Detroit last year, he said: ''We will eliminate the carried interest deduction and other special interest loopholes that have been so good for Wall Street investors, and for people like me, but unfair to American workers.''

Then this May, after being asked why his tax reform outline didn't mention carried interest after campaigning on its closure, the President responded by saying:

> It's out. Done . . . carried interest was great for me, but carried interest was unfair and it's gone.

I agree that it is unfair and it should be eliminated. However, it is not gone with this legislation. This loophole for Wall Street is still in the bill. Why? Is it because my Republican colleagues on the other side of the aisle simply do not believe a word this President says? Is it because Wall Street lobbyists, big banks, and hedge funds have such a grip on Washington? Is it because these are the very donors that this legislation is meant to serve with a win?

Today I am offering a motion to close the carried interest tax loophole once and for all. It is simply unfair for Wisconsin workers to pay higher income tax rates than a billionaire hedge fund on Wall Street.

If you agree, you will support this motion. If you want to help President Trump keep his promises to the American people, you will support this motion. Let's do right by the American people and close this tax loophole for the wealthy on Wall Street. Let's make sure that our Tax Code rewards hard work as much as it currently rewards wealth. If that isn't simple and fair, I don't know what is.

I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 10:36 a.m., recessed subject to the call of the Chair and reassembled at 11:34 a.m. when called to order by the Presiding Officer (Mrs. CAPITO).

TAX CUTS AND JOBS ACT—CONTINUED

The PRESIDING OFFICER. The Senator from Florida.

MOTION TO COMMIT

Mr. NELSON. Madam President, the matter that is before the Senate is the motion I have offered. It simply is, in this tax bill, the corporate rate is reduced from 35 percent down to 20 percent, and that is permanent, but the modest, middle-class tax breaks are not permanent, and in 7 or 8 years they cease to exist. They sunset. So, in this tax bill, you want to give permanent, huge corporate cuts, from 35 down to 20. By the way, if the American corporation is doing business overseas, it is basically a zero tax rate, which is an incentive to go overseas, send jobs overseas. American jobs are lost while giving those huge corporate breaks at the same time it is giving modest breaks to the very people who need the tax cuts; that is, hard-working American families, the middle class. Then, oh, by the way, in 7 or 8 years, vamoose, it is gone, no tax break. It goes back up. It is a tax increase. That is simply not fair.

So this little motion simply says go back to the Finance Committee and correct this inequity. Go back to the Finance Committee, make the middle-class tax cuts permanent, and then get the Finance Committee to offset those with revenue from someplace. Do you know where that someplace should be? It ought to be the huge corporate tax cuts. That is where the revenue ought to be taken back from to give that revenue or tax cuts to the middle class. It is a simple issue of fairness.

I am delighted to be joined by my colleague from Minnesota.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I thank Senator NELSON for his leadership on this motion. It is a very simple motion for a very simple proposition; that is, that the Tax Code should be simpler. That is true. We should make it more streamlined. That is true, but our focus should be helping the people of America.

Our problem with the bill that is on the floor right now is that it is weighted much too heavily in terms of helping the wealthiest among us and not the middle class. Senator NELSON's amendment, which I am a proud cosponsor of, gets right to the meat of this, to the bread and butter, to helping the middle class with their groceries—since I used meat and bread and butter—but also with their mortgages, with paying for college, with everything they need to do. Our problem with the bill right now is that too much of it goes to the top.

In fact, when you look at the numbers, it is quite startling. The first thing you notice for the middle class is that $1.4 trillion in additional debt comes out of this bill. Now, our colleagues were claiming until yesterday, well, that is going to be offset with all this economic growth we are going to see. What did we find out? Even when you consider that—and this is by the nonpartisan Joint Committee on Taxation that looked at this. They are like the umpire. They do the scorecard. They looked at this, and they said: Yes, it is about 1.4, $1.5 trillion in debt. It does produce some economic growth, but guess what. The net is over a trillion dollars in debt.

Now, whose shoulder is that going to be on? That debt is going to be on the middle class and their kids and their grandkids, and that is the No. 1 reason why I am so concerned about this bill and why I stood with 17 other Democrats, including Senator NELSON, just this last week and said: Come to the table. This is your moment for our colleagues on the Republican side of the aisle. While the White House is busy sending out tweets and going after this person and that person and this group and that group, someone has to govern, and this is their moment to govern, to work with us on a bill that doesn't add this debt that gives the middle class more than just a lump of debt in their stocking.

What Senator NELSON's amendment smartly does is, it says: Let's go back and actually have hearings. Let's go back and in a deficit-neutral manner help the middle class. That is what we have to do.

Even though we appeared to be very close to voting on this bill, we still don't know what exactly is in the final version of this bill. We know what isn't in it. Where is this Buffett rule that would make it more fair for everyone? What are we doing about the oil giveaways? What are we doing about the carried interest loophole? None of this is in the bill. Instead, there is $1.4 trillion in debt. So that is why I strongly support Senator NELSON's amendment.

I would also add other amendments that should be considered that I have submitted: savings for servicemembers to help lower the out-of-pocket costs for National Guard members, an amendment that would help address the cost millions of people face when they are providing elder care for loved ones, an amendment that would make it easier to use 529 education savings accounts to help workers develop the skills they need for 21st century jobs, and also other ones related to agriculture.

Senator NELSON's amendment and all these amendments are geared and focused on the middle class. We are living in a time when the wealthier have been getting wealthier and the middle class have been losing ground. They may have jobs now because our economy has rebounded, but the cost of things has gotten so expensive, whether it is their cable bill, whether it is the cost of sending their kids to college, and, with this tax bill this is our opportunity to address that.

A tax bill should be the value statement for our government, the value statement for America. So I ask my colleagues to come back to the table, to come back to the table to talk about a bill that would bring down that corporate rate. I am all in favor of that.

I have 18 Fortune 500 companies. I know how important they are to jobs in my State, but they don't have to go down to the extreme rate that they are. Instead, that money should be used to help the middle class, while bringing down the corporate rate, while bringing in that money from overseas and plugging some of it into this Nation's infrastructure to literally help us with the roads and bridges and rail we have now, but that isn't in this bill.

So we tell our colleagues this is a moment in time where you could actually work with us on something that makes sense for America. Don't squander it.

I appreciate the time from Senator NELSON and his leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, on behalf of the majority, I yield back all time.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, we yield back all time as well.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the Nelson motion to commit.

Mr. WICKER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

[Rollcall Vote No. 290 Leg.]

YEAS—48

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

NAYS—52

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

The motion was rejected.

VOTE ON MOTION TO COMMIT

The PRESIDING OFFICER. The question is on agreeing to the Baldwin motion to commit.

Mr. BARRASSO. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

[Rollcall Vote No. 291 Leg.]

YEAS—48

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

NAYS—52

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

The motion was rejected.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I ask unanimous consent that Senator CARDIN be recognized to offer a motion to commit, which is at the desk, and that the time until 2 p.m. be equally divided in the usual form on the motion; further, that at 2 p.m., the Senate vote in relation to the motion with no intervening action or debate. I further ask that following disposition of the motion, the majority leader or his designee be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

MOTION TO COMMIT

Mr. CARDIN. Mr. President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Maryland [Mr. CARDIN] moves to commit the bill H.R. 1 to the Committee on Finance of the Senate with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) in order to fix and enhance our country's infrastructure, help create jobs, and responsibly use one-time revenue for one-time spending, designate the revenue raised by the deemed repatriation provisions of the bill for infrastructure improvements.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I urge my colleagues to support this motion.

This motion will send H.R. 1 back to the Committee on Finance with instructions to return it within 3 days to deal with one of the principal purposes of this act, and that is to create jobs. I am pleased that I am joined in this effort by Senators FEINSTEIN, BLUMENTHAL, UDALL, CASEY, STABENOW, KLOBUCHAR, and HARRIS.

As I explained yesterday—but I want to just go over this, if I could—this particular motion is based upon a bipartisan recommendation in the last Congress that came out of the Senate Finance Committee. We had working groups that took a look at the different aspects of our Tax Code in areas that we need to reform, and there was general agreement that we need to deal with the fact that American companies have earned earnings overseas, and they have parked those funds overseas and have not brought them back to the United States because of the differential tax rates between our corporate taxes and the tax rates overseas. The American companies were not willing to pay the taxes. So, therefore, they leave the money overseas. To bring that money back is called repatriation. So the money comes back to the United States. We have done this before, and we imposed a lower tax rate in order to get the money back here in the United States.

The challenge with that proposal is a couple things. But, first, it is not a permanent revenue flow. It is a one-time-only revenue flow. We had the numbers on the House-passed bill, which would bring in somewhere around $300 billion of one-time-only revenue.

The problem is that H.R. 1 includes provisions that use those revenues that bring that in as repatriation but uses the money on a permanent basis to give permanent tax relief to businesses and that puts us deeper in a hole as it relates to the deficit of this country.

This bill already is too expensive. We know that. I think my Republican colleagues know that. The American public knows that—that it will add to the deficit. We now have not only the scores that we traditionally use from the Joint Committee on Taxation as to how much it would cost, and we know it is somewhere in excess of $1.5 trillion—closer to $2 trillion if you extend all the sunsets that are in the bill—but, even now, we have the so-called dynamic score that takes into consideration predicted economic changes that try to make it more favorable, and that is in excess of $1 trillion. That is unacceptable. It should be unacceptable to every Member of this body.

This amendment will help us in doing that, in that it will take at least the $300 billion, which is one-time-only revenue, and not allow it to be used in the budget itself. Instead, we wall that off and use it for infrastructure.

I serve on the Environment and Public Works Committee, in addition to the Senate Finance Committee. I can tell you that the unmet transportation needs, water infrastructure needs, and energy infrastructure needs in this country are well documented. We know we need to modernize our transit systems, our roads, our bridges, our water infrastructure, and our energy infrastructure. We need to modernize them, particularly if we are going to be competitive. This motion will set up the right priority for modernizing America's infrastructure.

What does that mean with regard to jobs? Speaker RYAN used the number of a little less than 1 million jobs that are created spending $1.5 trillion. That is about $1.5 million per job. That is not very good by anyone's standards. We have projections that $300 billion—far less than $1.5 trillion—will create 4 million great jobs here in America.

Here is a chance to really create jobs but at the same time produce a much more up-to-date, modern transportation system for this country. I have the honor of representing Maryland in the Senate. I can tell you that we need significant resources to update our transit system. The WMATA system is old and needs improvements, and needs further investments. We are in the second worst congested area here in Washington. We need investments in roads. Our bridges are in serious trouble. We have a major water main break every day in this country—every day. We need billions of dollars to fix our water infrastructure.

Here is an opportunity for us to speak to two major priorities. One is fiscal responsibility. Let's do this in the right way, not spend one-time-only money. Two, we can take care of the international tax problems of American companies that have money overseas. Third, we can repair our infrastructure without raising the debt.

I urge my colleagues to support this motion so that we can really create jobs and not add to the deficit and to help the people of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to speak on behalf of myself, along with Senator WYDEN, about the incredible healthcare impacts that this tax bill will have on families.

It is astonishing just how far my Republican colleagues are willing to run from the truth in order to jam this terrible tax bill through Congress.

They said it was going to lower taxes for the middle class. Well, it will not.

They claim it is going to create jobs. Experts tell us the exact opposite.

They are once again telling families to place their faith on tired trickle-down economic theories, and we have seen how that works. It doesn't.

Unfortunately, I could go on, but I did come to the floor this afternoon to clear up any remaining confusion about one particular claim that Senate Republicans are making in order to justify handing more tax breaks to massive corporations and the wealthy.

The Senate Republican tax bill includes a truly devastating healthcare change that is going to raise families' premiums, cause millions of people to lose their coverage, and create even more chaos and instability in our healthcare markets. People have rejected every single Republican attempt this year to undermine their healthcare, so it is worth asking, why are they doing it again? Why are Republicans doing it in this bill? The answer is simple. Republicans wanted to spend the savings from taking away millions of people's healthcare on tax cuts for those at the top.

Taking healthcare away from families to pay for big corporations' tax breaks is bad enough; what makes it even worse is how they are trying to deny what they are doing.

Senate Republicans are claiming that if they pass the bipartisan bill that Chairman ALEXANDER and I agreed on, all the damage from the healthcare sabotage in their tax bill will somehow go away. They couldn't be more wrong. Our bill, the Alexander-Murray bill, was designed to shore up the existing healthcare system and deal with the problems that President Trump and Republicans already created, not to solve the new problems in this awful Republican tax bill. And just yesterday, the nonpartisan Congressional Budget Office confirmed that. Here is what they said will happen regardless of whether Alexander-Murray becomes law as well: Premiums will go up 10 percent each year, 13 million people will lose coverage, and markets will be even more unstable, which experts have said will cause some of our communities to lose their coverage options.

There has been some discussion on whether passing something called reinsurance, which is a program designed to help with the cost of enrolling the sickest patients, might mitigate the serious damage this Republican tax bill would do. The answer is no there as well. This policy is good policy on its own, but it will not stop the premium increases, and it will not stop the coverage losses and the chaos this Republican tax bill will cause.

The Republicans are doing everything they can to avoid the facts, but that doesn't make them go away. While hiding behind these bipartisan bills might seem like a good talking point in Washington, DC, political cover doesn't pay families' medical bills or give them their coverage back. It does not help people with preexisting conditions who may get priced out of the market. It doesn't help people in communities where markets are already unstable thanks to President Trump's year of sabotage, meaning insurers are ready to exit if things get worse.

One more point. Over the last year of roller coasters on healthcare, there is one thing we could count on; that is, President Trump and the Republican leaders making empty promises. Republicans who are comfortable voting for this awful tax bill because of promises they got from President Trump—who called his own TrumpCare bill ''mean'' when it suited him—and Republican leaders who have written check after check they couldn't cash on healthcare are placing a bet that is more than risky. In fact, this bet is so risky, it requires House Republicans voting in favor of supporting ObamaCare changes they have already said they oppose. If you have spent 5 minutes in this Congress, you should know that getting House Republicans to support ObamaCare is as tough a sell as it gets.

The truth is, if Republicans are serious about not undermining families' healthcare, there is a very easy way for them to actually do that. They can step back from the brink right now and work with Democrats on healthcare and taxes in ways that actually help, not hurt, the people we are supposed to be here to serve. They are far down the road, I understand, but it is not too late. They can turn around. It is not too late to do the right thing. That is what we are asking.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to pick up where Senator MURRAY left off and emphasize to colleagues that not only would this bill raise taxes on millions of middle-class families, but it would also be a dagger in the heart of the Affordable Care Act, causing millions to lose their coverage and raise costs for millions more. By gutting the personal responsibility portion of the Affordable Care Act, this legislation is going to take America back to the days when healthcare was for the healthy and wealthy because it will green-light once more discriminating against those with preexisting conditions. It will say the insurance companies can go out and beat the stuffing out of somebody who has a preexisting condition.

If that is not enough, evidence this morning in the paper shows that this will trigger a new wave of health insurance scams and rip-offs that are going to harm our people. This morning in the paper, they talked about how this is going to encourage these cheap, junk, short-term health insurance policies, which often lack consumer protections and in so many instances have been a magnet for fraud and unscrupulous sales practices.

For example, the paper this morning talked about how—I will read it. ''Examples abound of people who are dumped from such policies''—these short-term policies—''or denied coverage, mired in debt and medical bills totaling thousands, if not hundreds of thousands of dollars.'' It documents the various sales tactics used to rip people off. I remember what those tactics were like. When I was director of the senior citizens, the Gray Panthers, at home, it was common for agents to sell policy after policy that was not worth much more than the paper it was written on. It sure sounds to me as though these short-term policies, while a different time, are going to encourage the same kinds of rip-off practices that are going to harm our people.

As we have touched on, we have heard from Senators on the other side that they think that if they vote for this bill, what they are going to be able to do is get two other bills that somehow will mitigate, will eliminate a lot of the harm this horribly flawed bill is going to do. It is going to harm millions of middle-class families who don't get a fair shake in the marketplace and then inflict all this damage on healthcare that I just described.

I happen to think these two bills are constructive bills. The Alexander-Murray bill will make payments that will help limit the amount low-income Americans pay for health insurance. Our colleagues, Senators COLLINS and NELSON, have another constructive idea—reinsurance money. That helps to stabilize the insurance market, which, by the way, the President of the United States has worked so hard to destabilize. The fact is, the Congressional Budget Office, which is the nonpartisan group of experts we use, has made it clear that these two bills will not even come close to wiping out the disastrous consequences of the health provisions in this bill that the Senate is about to vote for.

I want to be clear. This is not just a tax bill, not just a bill with handouts to multinational corporations and a grab bag full of goodies for campaign supporters and powerful, well-connected interests. It is not just that. It is a big step backward in the cause of making sure that all our people have affordable, accessible healthcare.

What we ought to be doing is looking at ways to come together and find common ground on provisions that we know are cost-effective, things like the children's health bill, which if I had my way would have been passed a long time ago, and community health centers and other vital provisions. We should be building on what we have, such as holding down the cost of pharmaceuticals, for example, targeting the middlemen who are at the heart of the problem. That is what we ought to be doing.

We should not be doing what is on offer this morning. What is on offer this morning is turning back the clock on American healthcare, turning back the clock to those dark days when the insurance companies could beat the stuffing out of somebody who had a preexisting condition. We are better than that. We still have time. As I have said on the floor, as the ranking Democrat on the Finance Committee, we still have time to choose a different course. A few days ago, 17 Democratic Senators—led by Senators MANCHIN, KAINE, DONNELLY, and HEITKAMP—came together and said: We want to find common ground on taxes. I have written two bipartisan, comprehensive Federal income tax bills, the most recent one with a member of the President's Cabinet.

We don't have to go this route. We don't have to go this route on taxes. We certainly don't have to do it on healthcare. There are approaches that would bring us together, and I have just described several of them. What I know we shouldn't do is turn back the clock to the days when healthcare in America was for the healthy and wealthy. That is what you get when you green-light discrimination against people with preexisting conditions. If they are healthy, no problem. If they are wealthy, they can take care of it. We should reject this bill and especially the provisions that relate to healthcare and that take America back to dark days, horrible days when healthcare in America was essentially for the healthy and wealthy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, it is no secret that I am strongly opposed to this disastrous, unfair, and destructive piece of legislation that we are debating today that will give massive tax breaks to the wealthiest people in our country, to the most profitable corporations, and to billionaire campaign contributors.

What really concerns me is that we are debating, as everybody acknowledges, a very complicated and confusing piece of legislation that is over 500 pages long. Here we are a few hours before we are going to be voting on this legislation, and nobody has seen it. Nobody even knows what is in this legislation. It is probably being written as we speak right now. That is not a very effective or intelligent way to deal with legislation that impacts every American and trillions of dollars.

One of the concerns I have as we look at this bill is that there are provisions in it that nobody really understands in terms of whom it impacts and whom it benefits. As one example, buried in this legislation, on page 503, section 14504, is a paragraph entitled ''Modification to Source Rules Involving Possessions.'' That is the title of that section. What does that mean? As best we can understand, it means that if you are a hedge fund manager who is a resident of the Virgin Islands, you will be able to get a major tax break on capital gains and a 90-percent reduction in tax liability on your income.

It has been estimated that corporations and the wealthy are avoiding over $100 billion each and every year by stashing their cash in the Caribbean and other offshore tax havens. It appears that this provision will make a bad situation even worse. In adding insult to injury, it appears that this provision may help only a handful of wealthy hedge fund managers who have claimed residency in the Virgin Islands. It has been estimated that this provision alone—one provision in a 500-plus page bill—will cost over $600 million in lost revenue in the next decade—$600 million in lost revenue when we have a $20 trillion debt and 40 million people who are living in poverty.

Now, I see no Republican Senators on the floor, but I am sure that staff is watching this discussion. I have a question that I would like to discuss with Senator WYDEN but, more importantly, with some of our Republican colleagues.

What I would like to ask my Republican colleagues is whether there has been a hearing on the need to provide tax breaks to wealthy hedge fund managers who have established residency in the Caribbean.

I would say to my friend from Oregon that there are a lot of problems facing our country—a declining middle class, 40 million people living in poverty, 28 million people having no health insurance. I am not aware that one of the great crises facing this country is the need to provide tax breaks to wealthy hedge fund managers who have established residency in the Caribbean. It may be one of those great national crises that I have missed, but I don't quite perceive it as being an issue that the American people seem to be deeply concerned about.

I hope that my Republican colleagues—maybe Senator HATCH or others—will come to the floor and tell us who this provision benefits. Are we talking about one hedge fund manager? Are we talking about two? Are we talking about three hedge fund managers who are going to divvy up some $600 million in tax breaks over the next decade?

I ask my colleague from Oregon, who is the ranking member of the Senate Finance Committee, his thoughts on the issue.

Mr. WYDEN. I am very pleased that my colleague from Vermont is discussing this issue on the floor. The Finance Democratic staff has been looking into this and has been working also with the Senator's staff, and I think that it would be fair to say that every few hours, this bill just seems to get worse. I mean, we don't know if, in the middle of the night, somebody will add another round of favors for the powerful interests, the politically well connected. What I can tell the Senator is what we have been able to put together as of now.

In 2004, legislation was written that we were very much involved in that helped eliminate the loophole by requiring U.S. citizens to be bona fide residents of the Virgin Islands and imposing U.S. tax on income effectively connected with the United States. Now, in the dark of night, as I have indicated, it appears that we have a provision that is relaxing this rule.

From our conversations, I know the Senator understands that we all want to help the people of the Virgin Islands after a devastating hurricane. Are we helping people by creating a huge, new loophole, possibly for a handful of those people who are especially well connected and can get to the Finance Committee? I am convinced that if one looks at the Paradise Papers and the Panama Papers, what they were warning about in those papers was of all of these efforts to stash money and create new options for people to wheel and deal in offshore accounts.

So my colleague is right. I continue to wonder why, when we want to ask these really important questions about special interest favors and when we look to the other side, we have this barrier between both sides of the aisle. We need somebody here to explain to us and explain to the American people how this has seemed to just fly out of the sky.

I am very appreciative of the Senator's raising a question about what looks like yet another scam that has come into a process that has been one big sham from the beginning. I appreciate my colleague's question.

Mr. SANDERS. I thank the Senator very much.

I would just say, according to a number of independent studies, despite what President Trump and the Republican leadership are saying, the overwhelming bulk of the tax benefits in this legislation goes to the top 1 percent. I believe the number is 62 percent that goes to the top 1 percent.

Mr. WYDEN. If my colleague will yield, there is no question he is correct that in terms of stacking the deck, this is not just stacked to the top but to the top 1 percent or a fraction of the 1 percent.

Mr. SANDERS. You have 62 percent of the benefits going to the top 1 percent. Meanwhile, by the end of the decade, my good friend, Senator WYDEN from Oregon, there is no question but that tens of millions of middle-class Americans will be paying more in taxes; is that correct?

Mr. WYDEN. There is absolutely no question about that. We are looking at something like half of the middle class to be paying more in taxes come 2027.

Mr. SANDERS. So here we have a nation today that has a grotesque level of income and wealth inequality—worse than at any time since the late 1920s. The top one-tenth of 1 percent now owns almost as much wealth as the bottom 90 percent, and 62 percent of all new income is going to the top 1 percent. The Republicans' solution is to make this grotesque inequality even worse by giving 62 percent of the tax benefits to the top 1 percent.

I want to get back to this one point. I suspect that when you rush a bill of this magnitude through the U.S. Senate when there have been virtually no hearings, no experts, no real ability to have significant debate and discussion at the committee level, what you are going to find the day after this bill is passed are absolutely outrageous provisions.

I suspect—I don't know, and I would like my Republican colleagues to help us here; I cannot verify because we don't have the information—that on page 503, section 14504, there is a provision that will provide $600 million in tax breaks over a 10-year period that will end up in the pockets of a handful of Wall Street hedge fund managers. That is what I suspect. Maybe I am wrong. Therefore, I hope that some of the Republicans who put this provision in the bill will tell us how this is going to benefit the people of the United States or the Virgin Islands or anyplace else.

Again, I am speaking to the ranking member of the Senate Finance Committee, who knows something about this.

Is this an issue, Senator WYDEN, that has been discussed for 1 minute?

Mr. WYDEN. Not for a minute.

The reason my colleague's questions are so important is that this is, certainly, an example of what seems to turn up every few hours, practically in the middle of the night.

My colleague raised a very good point with respect to the development of this bill. I mean, we are talking about making $10 trillion worth of changes in tax policy on the fly—without a hearing. The Senator's colleagues have said—Chairman ENZI and the Budget Committee—and I have heard it several times on the other side—that there were 70 hearings on this bill. There was not one on this piece of legislation. It certainly didn't examine this issue. It didn't examine the question, for example, of what is going to happen to people with this dagger to the Affordable Care Act.

I can tell this to my colleague because he is right to talk about how one brings parties together. I know my colleague did that as part of a major bill on the Veterans' Affairs Committee with Senator MCCAIN. Our former colleague Bill Bradley mentioned that when he wrote a tax bill, he flew all over the country to work with Republicans. In this case, apropos of my colleague's question, not only did no one do that sort of thing, but they wouldn't even walk down the corridor to talk about working with the other side.

Mr. SANDERS. Let me make two points as I wind down here.

One, yesterday, I challenged my Republican colleagues, after this bill is passed, to tell us and tell the American people that when they rack up a deficit of $1.4 trillion, they are not going to come back and cut Social Security, Medicaid, Medicare, education, nutrition.

Tell the American people that you are not going to balance the budget and compensate for your huge tax breaks to the rich and large corporations by going after the middle class and working class of this country.

I challenged my Republican colleagues yesterday to come to the floor and tell the American people that they would not do that. They have not responded to that challenge.

The second challenge today is to tell us what is in section 14504, page 503. This is a provision that would provide $600 million in tax breaks to my Republican colleagues. Who is going to get those tax breaks? We believe—and tell us if we are wrong; maybe we are—that we are talking about a handful of hedge fund managers. Who are they? How many of them are there?

I would ask, respectfully, that Senator HATCH or any other Republican come down to the floor and tell us who benefits from section 14504.

Mr. WYDEN. Will my colleague yield for a moment?

Mr. SANDERS. I will.

Mr. WYDEN. I want to ask the Senator a question because I am not sure that we have really laid out the timetable of what is ahead. My colleague, of course, who is our ranking Democrat on the Budget Committee, is very up on this.

We have all been concerned because we have seen it before. You pass these big tax cuts. You get on a sugar high for a relatively short period of time. Then the deficits start rolling in. What we see next are the cuts in the programs that are a lifeline for millions of people—the anti-hunger programs, Medicaid, Medicare, Social Security.

I saw comments in the paper that what my colleague is concerned about has already been announced by the Speaker of the House. I understand that what the Speaker of the House has said is that his next plan is to take up the issues of what he calls entitlement reform. They are not talking about the things that the American people care about and that I am going to hear about at townhall meetings at home this weekend—holding down the costs of prescription drugs. They are talking about rolling back the safety net—Medicaid and the anti-hunger programs and Social Security.

Is that my colleague's understanding?

Mr. SANDERS. Absolutely. That is absolutely what they will do. They will talk about saving Social Security; they will talk about entitlement reform. What they mean is cutting Social Security, cutting Medicare, and cutting Medicaid.

As the Senator has indicated, it is not some kind of an abstract, theoretical idea. That is what Speaker RYAN is already talking about. More to the point, that is exactly what was in the budget that was passed here several months ago.

Mr. INHOFE. Will the Senator yield for a unanimous consent request?

Mr. SANDERS. I will.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the Senator from Vermont, I be recognized for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection.

Mr. WYDEN. Reserving the right to object, if I could, I don't think the UC was granted.

Mr. INHOFE. I have a point of inquiry. Was the UC already granted—the unanimous consent request?

The PRESIDING OFFICER. The Chair said ''without objection'' because the Chair did not hear objection.

Mr. WYDEN. Well, I would like to reserve my right to object at this time.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving my right to object, and I will not object. I would just like to make sure that our colleague from Oklahoma and our colleague from Washington are both accommodated in this matter.

Senator SANDERS and I have finished. I believe Senator CANTWELL said that Senator INHOFE will go ahead. We thank Senator CANTWELL for her usual collegiality.

Senator INHOFE will go first and I ask unanimous consent that Senator CANTWELL follow Senator INHOFE, and I will withdraw my reservation.

I withdraw my reservation and I ask unanimous consent that Senator CANTWELL follow Senator INHOFE.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SANDERS. Mr. President, let me conclude my remarks.

I would urge my Republican colleagues to come down to the floor of the Senate and explain to the American people what section 14504 is about and who benefits from some $600 million in tax breaks over a 10-year period. Is it two hedge fund managers? Is it five hedge fund managers? What is it?

That is my request, and I hope we can get a response to that quick question as quickly as possible.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me pause in this class warfare for just a minute to make a couple of observations that I think are certainly important to me.

First of all, I agree that no one has said that the underlying bill is perfect.

Incidentally, I will not respond to the Senator's specific request until I have time to go back and get the proper response, and then I will be glad to do it. But I will say this. We are going to have a conference. There is going to be opportunity for us to go and get some of the things ironed out—some of the things we are both concerned about. There are a couple of things I want to serve notice right now that I am going to be concerned about. One is that the bill that we have punishes trust ownership. It doesn't treat the trust ownership the same way it does ordinary ownership. I think they both should be treated equally. I talked to a number of people who will be participating in this on the other side of the aisle, and I would like to kind of serve notice that we are going to be talking about this, because I think it is very, very significant.

The second thing is that we hear a lot of good ideas. Certainly, there is this idea that somehow there isn't a good idea unless it emanates from this body. I have to tell you this. It is interesting for me to be standing here because I am not on any of the committees that have anything to do with this bill. I am not on the Finance Committee, and I am not on the Budget Committee. If you want to talk about defending America and roads and highways, I will talk to you about that. That is my specialty. I am on those committees and have senior leadership in those committees. But as a Member not directly involved in this debate, I have looked at it and I have heard good ideas from the outside. I heard one a week ago that actually came from the Hugh Hewitt show. I heard an idea that I tried to pick apart, and I can't find any faults with it. So I have developed an amendment that we are going to have that will address this idea that I am talking about. That amendment would offer an alternative to those who have retirement programs, where the individual is not to pay for the income until the withdrawal date—say, age 59½.

The amendment would provide that there would be a one-time opportunity to withdraw up to 25 percent of the retirement account for a single flat fee of 10 percent in lieu of paying income tax at that time.

There are a lot of benefits that I think are pretty obvious. We are talking about retirement programs where the individual is not to pay for the income until the withdrawal dates—let's say, at age 59½. This would have the immediate revenue of 10 percent of all savings that are withdrawn, and this would actually amount to billions of dollars. We are talking about immediate dollars, not dollars that may be there in the future.

Now, you could argue that this might reduce some revenue at some future date because the individuals will have already pulled this out for a fee of 10 percent. So, perhaps, it would have some negative effects in the distant future. But when you stop to think about the benefits—I know a lot of people on the other side of the aisle don't realize this—we are going to have huge benefits.

If you just look at what has happened in this administration in the second and third quarter of this year, we have gone through years in the Obama administration with maybe a 1.5-percent increase in GDP, and we have enjoyed 3 percent in the second quarter and 3.3 percent in the third quarter. That is a huge increase. For each 1 percent increase over a period of 10 years, we are talking about $3 trillion. So we are all considering this.

This amendment that we are talking about that merely allows people to take money out that is already their money is something that would have a great stimulation in the economy. I am one of the few ones who was around here—not in this body but in the other body—and I was aware of this back during the Reagan years of 1981 and 1986. In 1981, the amount of revenue that we had coming into the Federal coffers was $469 billion. Ten years later that was $750 billion. That was after the first great reduction. Let's remember that reduction took the top rates down from 70 percent to 50 percent. Again, in 1986, when the total revenue was $569 billion, there was a further reduction. The top rate went down from 50 percent to, I believe, 28 percent.

Now, with all of those reductions, that increased 10 years later from $569 billion to $1 trillion. Consequently, we know that if we can stimulate the economy, we are going to have more revenue coming in. That is a fact. I think this will be something that I think a lot of people can look at.

I talk about when you get into the conference. I will not be one of the conferees, and I am aware of that, but there are a lot of good ideas out there along with those on the floor today. They will be pursuing them at that time. That is assuming we pass this bill, and I think we will pass it.

Additionally, tax reform will ensure that American families and businesses see a meaningful reduction in their tax burden. The Senate bill provides a substantial tax deduction to small and family businesses that are structured as passthrough entities. These small and family businesses are household names such as Love's Travel Stop, the Country Stores, Hobby Lobby. We are all very familiar with Hobby Lobby.

By the way, I will say that in the event there is anyone here who has not been down to see the Museum of the Bible, that is Hobby Lobby who paid for that. Those are the types of people who would benefit. Unfortunately, the Senate does not allow tax deductions for these companies or passthrough entities if they have trusts. This is not right.

For these companies trusts were for long-term business purposes, not to evade their fair share of taxes. These companies use the income to invest capital in operations to grow their businesses, to hire people, and to contribute to the economic growth that we need in this country. We should not penalize passthrough companies for their businesses because they are trusts. My amendment would fix that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator CANTWELL and Senator VAN HOLLEN be allowed a total of 15 minutes to discuss some very important issues.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor with my colleague from Maryland to talk about the State and local tax deduction.

I thank the ranking member of the Senate Finance Committee for his hard work on trying to articulate what is fair tax policy for Americans. Senator WYDEN and I come from parts of the country with probably some of the most unique tax codes. He doesn't have a sales tax in Oregon. We don't have an income tax in Washington.

We are not an expensive tax State. We are not an expensive tax State. There are other States such as Texas, Nevada, and Florida that also don't have an income tax. Under this bill, those States and the citizens of those States, like many others, are going to be penalized. Middle-class Americans are going to have their taxes raised to give a tax break to corporations.

So while we might want to discuss what is fair tax policy as it relates to the competitiveness of our economy, the good news for the people of the State of Washington is that we have very competitive businesses, whether it is Microsoft or Amazon or Starbucks or Costco or Boeing. They are all working hard. They are all working in multiple places, and yes, they are all doing really, really well.

The question is, Do we need to reduce their corporate rate so significantly, and to do so, take money out of the pockets of middle-class families across the United States of America?

The reason I mention Senator WYDEN and the States of Oregon and Washington, is that, even though we have a unique tax code, our State's economy has grown faster than the national average every year since World War II. That is to say, the uniqueness of our tax code has not hurt us, and yet in the State of Washington we have had the highest minimum wage for a long time in the United States. Now we are raising it in various parts of our State. We have had a unique view of where our revenue should come from.

Why now? Why now? After 100 years of tax deductibility by taxpayers in this country, why are you taking away their ability to deduct only to give a tax break to corporations that are making record profits? After 100 years, why are you doing this?

Well, I think some of my colleagues have said it best. They have called it double-taxation. You are going ahead after 100 years and saying it is OK to tax the same amount that we pay to the State that you also are going to tax at the Federal level. As one article mentioned, ''Alexander Hamilton in the Federalist Papers said the Federal Government might try to monopolize taxation to the entire exclusion and destruction of State governments.''

That is right. Our Founding Fathers said: Do not have double taxation. So for 100 years—100 years—we protected the citizens of this country. Yet someone over there is thinking: Do you know what? I need $1.4 trillion. Where can I get it? Let's do it on the backs of middle-class families, because they might not notice until 2019 when their tax bill comes and they have a different equation.

I get that my colleagues think they have solved this problem by getting rid of the deductions and now all of a sudden giving you a double standard deduction. I have done the math. I have done the math for us in Washington State, and over 300,000 people in Washington will see their taxes go up immediately, probably paying anywhere from $750 to $1,000 more in taxes. Is that fair? They are sitting in the shadow of these large companies who are making record profits and doing quite well, asking why are they the funders of this tax break. Why are they? Why are we getting rid of a policy that has existed in our country for over 100 years and penalizing them just to give this corporate break?

I can tell you I don't buy the notion that this is going to trickle down to productivity and wage growth. I know what is driving productivity and wage growth in my State. It is a great, educated, skilled workforce. It is staying ahead of innovation whether it is making software or new ways of doing business, and, yes, it is a constant challenge. Those businesses tell me all the time we need more infrastructure, we need more affordable housing, we need a better transportation system, we need better education. So they are very concerned about the ideas in this legislation.

So you are going to tax immediately about 300,000 Washingtonians with a higher tax rate and, according to the Joint Committee on Taxation and other entities, probably by the time this is done, at the end of this bill, over a million Washingtonians are going to pay more money. That is why I am so concerned, along with other States that have been fighting this battle for so long. Why now? Why now? What is the urgency that you are taking away the ability of my citizens to deduct their local sales tax, their property tax, and, in the House case, other expenses, whether they are medical or education or their mortgage? It is just beyond me, when the middle class has suffered so much and has not recovered from the downturn in the economy, that you think the best economic strategy is to take money out of the middle-class taxpayer.

I ask unanimous consent to have printed in the RECORD a letter from the National Governors Association from Governor Sandoval from Nevada. I mentioned they don't have an income tax. They are highly sensitive to this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS ASSOCIATION,
September 22, 2017.

Hon. RICHARD NEAL,
Ranking Member, Committee on Ways & Means, U.S. Senate, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, SPEAKER RYAN, MINORITY LEADER PELOSI, CHAIRMAN HATCH, RANKING MEMBER WYDEN, CHAIRMAN BRADY, AND RANKING MEMBER NEAL: The nation's governors appreciate congressional efforts to reform and improve federal tax policy. Federal and state tax systems are complex and often interconnected. Therefore, as Congress considers reforms, we urge you to maintain the balance between state and federal tax systems by preserving the income exclusion for municipal bond interest and the deductibility for state and local taxes.

The financing engine that drives U.S. infrastructure is the $3.8 trillion municipal bond market. Changes to federal laws and regulations should not increase issuance costs to states for municipal bonds or diminish investor demand for them. If federal changes make issuing municipal bonds cost-prohibitive for states and local governments, then fewer projects could be funded, taxes could rise, fewer jobs created, and economic growth will suffer.

Governors also believe that no federal law or regulation should preempt, limit, or interfere with the sovereign rights of states. A mark of sovereignty includes the ability to develop and operate revenue and tax systems. Deductibility of state and local taxes has contributed to the stability of state revenues that are essential for providing public services. We encourage you to avoid changes to the tax code that would undermine the ability of state and local governments to meet the needs of the citizens whom we all serve.

Eliminating state and local tax deductibility, moreover, exposes a higher share of an itemizing taxpayer's income to federal taxation because it adds back mandatory payments of state and local taxes already paid, as taxable income.

Federal tax reform requires an intergovernmental partnership because decisions at the federal level will affect state and local governments profoundly. We look forward to working with Congress on bipartisan tax reform to maintain balance between our systems and modernize the federal tax system to meet the needs of our citizens.

Sincerely,

Gov. BRIAN SANDOVAL,
NGA Chair.
Gov. STEVE BULLOCK,
NGA Vice Chair.

Ms. CANTWELL. Mr. President, their letter says that the deductibility of State and local taxes has been a part of their stability, and they are about meeting the needs of their citizens.

So the notion that we have the National Governors Association, the homebuilders, the Realtors, so many people concerned about this is falling on deaf ears. I guarantee you it will not fall on deaf ears when the citizens have a chance to respond to this.

The notion that we not only are taking away this ability to deduct, but we are also in this legislation making a change to the way inflation is calculated, what is called Chained CPI—I am not going to bother to explain the details to you, but I will tell you this. It will change your tax bracket, and you will be in a higher tax bracket. So besides giving you less deductibility, they are changing a formula and making you pay more taxes.

This bill needs to slow down. It needs to focus on what will help our economy grow, and economists don't believe this bill is going to do much to help the economy grow. It is going to give those corporations money to pay for dividends. Seventy-five to eighty percent will go to their shareholders, and those shareholders and the stock market will do well.

What we also need to focus on is the investment that middle-class families need to stay in their home, to make education affordable, to pay for healthcare, and to have communities work. The fact is, the Fraternal Order of Police is also against this legislation because of taking away of this local deductibility. It is like Hamilton said: Why are you doing this at a Federal level? I thought the other side of the aisle was the States' rights people? I thought they were there to protect the uniqueness of the Tax Code to say that States have rights, to say that States ought to be able to decide their own future. Well, after 100 years, you are taking that away today, and you are going to hear from the citizens of this country who are upset that they have to pay higher taxes just to give these very successful companies a corporate tax break.

I yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, may I inquire how much time remains on the unanimous consent agreement for this amendment?

The PRESIDING OFFICER. The Democrats have approximately 6 minutes remaining.

Mr. VAN HOLLEN. Thank you, Mr. President.

I see Senator MENENDEZ from New Jersey has arrived. He is a cosponsor, together with Senator CANTWELL and myself, on this amendment, and I want to thank Senator CANTWELL for her leadership. She has covered a lot of important points.

The main one is, from the beginning of our Federal Tax Code in 1913, we have established a principle in the United States to avoid double taxation. It makes no sense that any citizens of this country send a dollar of tax to their State governments to help schools or roads in their State, and then they are turned around and taxed on that same dollar by the Federal Government, but that is exactly what this Republican tax plan is doing.

Now, weeks and weeks ago, the Republican leader, Senator MCCONNELL, and the Speaker of the House, PAUL RYAN, made these public statements about how these Republican tax bills weren't going to raise taxes on anybody. They both had to publicly reverse those statements because, in order to provide huge tax breaks to the biggest corporations of this country, this bill will require millions and millions of middle-class families to increase their taxes, and a main vehicle for doing that is by removing the deduction for those citizens.

I am just going to give you some quick numbers: 100 million Americans today use the deduction for State and local taxes. In fact, half of the families in my State of Maryland use it. Thirty-eight percent of taxpayers making between $50,000 and $75,000 claim the State and local deduction. That is 7.6 million households. Fifty-six percent of taxpayers who make under $100,000 claim the State and local deduction, and 86 percent of taxpayers making under $200,000 claim the State and local deduction.

It is wrong to double tax those families in order to provide a huge tax break for big corporations. Just to add insult to injury, the corporations in our State still get to deduct their State and local taxes. We just don't let the people in our State do the same thing.

Let's adopt this amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I am here to support the motion offered by Senator CANTWELL, to speak out against a tax bill that is nothing short of highway robbery on New Jerseyans.

This tax plan is about one thing. It is about cutting taxes for wealthy corporations and asking working families to pay for it. It is especially bad for middle-class families in New Jersey, New York, Washington, Maryland, and other high-earning States that make bold investments in education, that drive the most innovation, that generate the most Federal revenue.

Don't let the Republicans fool you if they airdrop an amendment at the last minute that throws a few crumbs at New Jersey families and call it a victory. Carve-outs, caps, and exceptions are nothing but gimmicks meant to distract the public from what is really going on. No matter how you slice it, gutting or even limiting the State and local tax deduction is a direct assault on middle-class families in America's highest earning, most economically productive States. By gutting the SALT deduction, Republicans will literally force millions of middle-class families across America to pay taxes on their taxes.

In 2015 alone, nearly 1.8 million New Jersey households deducted a combined $32 billion in State, local, and property taxes from their Federal tax bill. These families aren't living large. They are middle-class folks who had to work hard for every dollar they have. In fact, IRS data shows that more than 85 percent of taxpayers who claim the SALT deduction make under $200,000 a year and over half make under $100,000 a year. So it is wrong to ask millions of Americans who had to fight their way into the middle class to pay more just so big corporations can pay less, and rubbing salt in their wounds is the fact that Republicans let corporations keep on deducting their State and local taxes on top of the huge tax cuts lavished on them by this tax plan.

If deducting State and local taxes is so important for big corporations that make billions of dollars each year, Republicans should understand why it is so important for middle-class families in cities and suburbs across America. That is why I am offering this motion with Senator CANTWELL to send the bill back to committee to fix this fatal flaw and restore the SALT deduction. If it is good enough for huge corporations, it should be good enough for middle-class families.

I have heard many of my Republican colleagues complain about the SALT deduction as if it is some subsidy for States like New Jersey, and that hypocrisy is just amazing to me. Far from subsidizing successful States like New Jersey or New York, the SALT deduction actually benefits the entire Nation, which is able to share in the economic rewards created by the high-powered economies of States like New Jersey, and now Republicans want to take even more. Well, we are sick and tired of it, and we want our money back.

I will make a deal with any Republican from a taker State. Since you are so opposed to subsiding other States, how about you take all of the extra Federal dollars you receive beyond what you pay and transfer it back to donor States like New Jersey? Sound like a deal? I don't think so.

Each and every year, States like New Jersey, New York, and Virginia generate billions of dollars in Federal revenue that go to Americans in less productive, lower income States that are more reliant, more dependent on Federal spending. They are America's economic powerhouses, America's donor States, precisely because they invest in public education, law enforcement, mass transit, infrastructure, and economic opportunity for all.

It is no surprise that everyone from the Fraternal Order of Police to the American Hospital Association, to AARP support keeping the State and local tax deduction. Taking it away is a direct threat to the funding States need to educate our kids, keep cops on the beat, equip first responders and firefighters, and provide healthcare to the most vulnerable—all this just to give big corporations big tax cuts.

If multinational corporations get to keep deducting their State and local taxes, there is no reason to stop millions of middle-class Americans from doing the same. Make no mistake, any reduction in the State and local tax deduction is a direct assault on America's highest earning, most innovative, most economically productive States. Guess what. All Americans will lose out when America's economic powerhouse States aren't so powerful anymore.

I urge my colleagues to stop punishing success, stop interfering in State government decisions, and join me in protecting the SALT deduction. Vote for the motion to recommit.

I yield the floor

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, we are about to embark upon a vote that I think will be historic, a once-in-a-generation opportunity, in my view.

The last time we did major tax reform in this country was 1986, 31 years ago. Believe it or not, I happened to be a staffer here back then. Although my boss was not on the Senate Finance Committee, I was the tax LA in the office, and so I had the opportunity, in a very small way, to be a part of the 1986 Tax Reform Act, which at that point was landmark legislation, very historic, very far-reaching, and had a profound impact in a positive way on the economy.

Well, here we are 31 years later—long overdue, I might add, to get to the point where we once again can do something fundamentally about a tax code that is completely outdated, completely antiquated, and puts us at a competitive disadvantage with countries around the world with whom we have to compete. So we have an opportunity today—and we will have an amendment process here that will get started very soon in which Members will have an opportunity to lay down their amendments, to debate them, and to get them ultimately voted on, but when it is all said and done, I believe we will have a final product that moves us fundamentally in a different direction when it comes to our tax policy, in a direction that is good for jobs, that is good for growth—economic growth—and that is good for wages in this country for hard-working families and people who have been living paycheck to paycheck for a really long time.

We didn't get here overnight. There has been a lot said about how this is all of a sudden rushed to the floor. I have to tell you that I got on the Senate Finance Committee in 2011, and since 2011 when I joined the committee, we have had 70-plus hearings on tax reform. We have had 70 hearings examining different aspects of the tax reform, listening to recommendations about how it might be changed, how it might be modernized, how it might be updated, and how it might be improved. It has been a long, methodical process to get us to where we are today.

Two years ago, in 2015, the chairman of the committee, Senator HATCH, created five working groups, and each of the working groups had a specific area of responsibility to look at different elements of the Tax Code and come up with a series of recommendations for how it might be improved. I was privileged to chair one of those working groups, along with Senator CARDIN. We had both Democrats and Republicans participating in that process.

At the end of it, each of the working groups submitted recommendations, many of which, I might add, are included in the mark we are going to be voting on later today. A lot of those ideas came from those bipartisan working groups. So there are a lot of Democratic and Republican ideas that have been incorporated into this legislation.

I would hope, in the end, that there might be some Democrats who ultimately will vote for it. But I think it is important to note, for those who believe that perhaps this was somehow rushed in here, that there has been a lot of thought over a long period of time. There were not only months but years—literally years—of work that has gone into bringing us to where we are today.

When the bill was introduced—the mark was put out there by the chairman—that put in place a process in the committee where we had a markup. So we spent 23 hours over several days marking up the bill. We voted on 63 Democratic amendments in all 69, or thereabouts, amendments on the bill while it was being marked up before it was reported out here to the floor.

Since it was reported out of the committee, there have been a number of changes that have been made in response to concerns and issues that have been raised by individual Senators on both sides of the aisle. And that brings us to where we are today.

I say that by way of context to let people know that this has been a long process—an arduous process, I might add—and frankly one that is really overdue. I happen to believe profoundly that it is high time that we undertake the important work of readapting and readjusting our tax policies to reflect an economy and a marketplace that is very different from the last time this was done in 1986.

So that gets us to where we are today. In trying to figure out how to modernize, how to update our Tax Code, there are a couple of things that clearly needed to be dealt with. One is that we have a tax system that has the highest rates among businesses in the industrialized world. We have a 35-percent rate for corporations. When we look at every other industrialized country around the world—look at the OECD average; it is down around 22 percent. A number of countries have gone well below that. We continue to hemorrhage jobs and businesses and profits to other places around the world because our tax rate, our Tax Code, frankly, isn't competitive.

We operate in what is known as a worldwide tax system in which not only do you pay a tax in a country in which the income is generated, but you also pay a tax when it comes back into the United States at the higher level, at the 35-percent rate. So that also had to be adapted, and we are moving now more toward what is called a territorial tax system in which the income is taxed in the jurisdiction in which it is generated. I believe that will make us a much more competitive economy globally and make America a much more attractive place to do business.

We get the corporate rate, the business rate, down to 20 percent. And when I say businesses, that is what we call C corporations. There is a slightly different treatment for passthrough businesses. Those are your partnerships, LLCs, and sole proprietorships, things like that. But we also significantly reduce rates on small businesses. We believe that is important to growth. This needs to be a pro-growth bill. We want to grow our economy at a faster rate because a faster growing economy, an economy growing at rates that are more normal to historic averages, means that we are creating better paying jobs. That means we are lifting wages in this country.

Wages have been flat for so long. For the last decade or so, the American people have rarely had anything that could be characterize as a pay raise. That is why we needed to update our business tax rates, our business tax code, so that we can get the economy producing and growing at a faster rate to generate those good-paying jobs and provide higher wages to American families and American workers. We believe this bill does that.

I think the changes that have been made in addition to lowering the rate—allowing for expensing of capital investments allows businesses to recover their cost of investment faster, accelerate that cost recovery, which enables them to get that capital they can use to expand and grow their operations and thereby, again, create those better-paying jobs. Those are key changes that are fundamental to greater economic growth, better jobs, and higher wages in our economy.

There have been a lot of analyses and studies that have been done that demonstrate how, in fact, that might work. If you look at what the President's Council of Economic Advisers says, they suggest that lowering the rate on businesses will generate $4,000 in additional average household income on an annual basis. That is an additional $4,000 in the pockets of families in this country as a result not just of the tax reductions, which I will get to in just a moment, but the changes we made on the business side of the code generate an additional $4,000 annually per household. There is another study out there by Boston University. They conclude that it would increase the average household income by $3,500, which is slightly less than $4,000.

It is safe to say that families in this country, households in this country, and people in this country are going to benefit, because when you create a more favorable environment, favorable conditions for investment and creating jobs, you get competition for labor. Competition for labor raises the price of labor. When the price of labor goes up, companies have to pay higher wages. That means bigger paychecks for American workers. That is precisely what these particular studies have shown.

Let me say, too, because I think that as I have listened to our colleagues on the other side—they consistently make the argument that somehow these are tax cuts for the rich, which I don't think is any surprise. That is normally what they say anytime we have a debate about reducing taxes.

My experience here, in the time I have been in Washington, both as a Member of the House of Representatives and now as a Member of the Senate, has been that, generally speaking, Democrats like to grow government. We like to grow the economy. We believe the best way to lift all boats—to generate better paying jobs, to improve the quality of life and standard of living for American families—is to get a stronger economy that is creating those better paying jobs and raising wages in this country.

Suffice it to say that our colleagues on the other side have attacked this bill, as they do most bills. This is no exception. Most of the attacks are on reform bills for delivering too much relief to high-income earners. I have to say that I take issue with that because I think, if you look at the actual content, the substance of the bill, you will come to a very different conclusion.

I said this before, and I mean it sincerely: I hope people don't take it from me. Sit down and look at your own tax situation. Plug in the changes that we are making here, and find out if you come out better or worse than you are today.

I will tell you that if you look at the average family of four with a combined annual income of $73,000, you are going to see that they are going to see a $2,200 tax cut. A $2,200 tax cut is what your average family of four making $73,000 in this country is going to see. What does that represent to them? That is a 60-percent reduction, a 60-percent tax cut relative to what they are paying today under current law.

By reforming the Tax Code and putting these changes in place, the average family of four with a combined annual income of $73,000 will see a $2,200 tax cut or about a 60-percent reduction in what they are paying today. Why does that happen? Well, it happens because we are making some changes that provide significant relief in the Tax Code relative to families when they file their taxes.

The first, of course, is we double the standard deduction. The standard deduction is the amount that people can deduct from their income right away, from their adjusted gross income. That lowers the amount that is actually taxable to start with. Under our legislation, the standard deduction for both married couples and those who are filing single—they actually get a doubling of the standard deduction.

The second thing we do in our bill—and if you are raising kids, this will dramatically reduce the tax burden you will have—is we double the child tax credit, which under current law is $1,000 per child. Under this legislation, that will double to $2,000 per child.

The other thing we do is we lower rates. We have a significant rate reduction through all the different brackets in the code.

The combination of doubling the standard deduction, doubling the child tax credit, and lowering rates means that middle-income families are going to pay less in taxes.

We think we have found the right balance in designing a bill that delivers tax relief to hard-working, middle-income families in this country. At the same time, we are reforming the business side of our Tax Code in a way that unleashes our economy and unleashes those job creators and a lot of that investment that has been sitting on the sidelines and allows our small businesses and our larger businesses to expand their operations, and as they do that, they will have to hire more workers and pay those workers higher wages.

We think the combination of those features of this bill makes this a bill that is very beneficial to middle-income families in this country. Those are just a few of the features of the bill that lead to, as I said earlier, an average tax cut for a typical family of four of $2,200 or about a 60-percent reduction over what they are currently paying.

As we have listened to the debate from the other side, they attacked it as being a tax cut for the rich. They attacked it for being rushed out here. They attacked it for being a windfall for corporations. It is very predictable. There is nothing new in any of these arguments. I have been around here long enough to know in advance what the other side is going to say. But in this case, these arguments simply don't comport with reality. They just don't fit the facts. They don't fit the data.

With respect to the issue of who pays, we pay a lot of attention—and we should—to tax burdens in this country. One of the things this legislation we will be passing today does is it maintains in the law the progressivity in our Tax Code. We have the most progressive Tax Code, I would argue, in all the world. So we paid very close attention to this to make sure that the tax burden, when all is said and done, doesn't change very much from where it is today. So people of different income groups, income categories, continue to pay similar burdens to what they are paying today.

What this shows is that those in the $20,000 to $50,000 category today pay about 4.3 percent of the entire tax burden, the taxes collected in this country. People who earn between $20,000 and $50,000 pay about 4.3 percent. Under our legislation, that will go down to 4.1 percent. Those in the $50,000 to $100,000 category—earners in that group today pay about 16.9 percent of all the taxes collected. That is their share of the tax burden. Under this legislation, that will go down to 16.7 percent. Again, that is a slight reduction in the overall tax burden relative to what they have today. Those making $100,000 or more actually will see their taxes tick up a little bit—not a lot but a little bit. They are currently paying 78.7 percent of the tax burden in this country, and that will go up to 78.9 percent. So those at $100,000 or more are paying almost 80 percent of all the taxes that are paid or collected in this country today, and that number is very similar to what it would be—up a little bit. But that is really the only category that is going to pay more relative to what they are paying today.

To me, that is a demonstration, clearly, of how—when we went through this process, we committed to ensuring that there was fairness in the code, and we paid attention to the tax burden to ensure that people continue to pay their fair share and that particularly those in the upper income categories pay their fair share.

Another argument that has been made by our colleagues on the other side—which is interesting to me because it is a revelation to many of us that all of a sudden they are concerned about deficits—is that somehow this is going to blow up the deficit. Well, we did allow for a net tax cut in this. There is about $5.5 trillion of tax cuts overall, about $4 trillion of which is offset by what we call base broadeners, or killing and getting rid of preferences and loopholes and deductions in the code, and the balance of which will be made up through economic growth. There are debates about how much growth will occur in the economy, but I think it is fair to say that this is going to grow the economy.

Even the Joint Committee on Taxation, which uses numbers that, to me, are completely inaccurate—I mean, it is hard to feature that over the course of the next decade, our economy isn't going to grow at more than 1.9 percent, but that is what they assume. Just by way of example, over the last two quarters, it has grown to 3.3 and 3.1 percent. If we can continue to build on that, we will more than pay for and have lots of revenue left over when this is all said and done. So if you assume modest amounts of economic growth—about two-tenths, three-tenths of 1 percent of additional growth in the economy per year—it more than covers what we are talking about here in terms of the shortfall of forgone revenue associated with this tax legislation.

We have a bill that is based upon reasonable assumptions about growth. We have a bill that, if our economy really does pick up—and I believe it will if we put the right policies in place that encourage investment, track investment into this country, and provide the right incentives for businesses to expand their operations—we will see an entirely new economy where 1.9 percent growth, which has become the normal for too many people—there are too many people in this country who don't know anything but 1.9 percent growth. We can do so much better than that. This is America, the greatest economy on the face of the Earth. We ought to be able to get up to that 3 to 3.5 percent growth rate. If we do, this economy will take off, American businesses will start, entrepreneurs will start creating jobs, and we will have higher wages and bigger paychecks for American workers.

I hope we get a ''yes'' vote later today on this.

I yield the floor.

Ms. COLLINS. Mr. President, today I wish to join in a colloquy with the majority leader to address concerns that I have with the tax reform legislation that we are considering and to thank him for the many discussions that we have had over the past months about this bill.

I have made clear that I don't think that the repeal of the individual mandate should have been included in the tax bill. Rather, I would prefer to see the mandate issue and the other flaws in the ACA addressed through a series of discrete bills that can be thoughtfully targeted to correct specific problems. That said, I have long-supported the repeal of the so-called individual mandate because I do not believe that the Federal Government should force any American to buy healthcare coverage he or she either does not want or cannot afford. Eighty percent of the people who pay the penalty imposed by the mandate make less than $50,000 a year.

Nevertheless, it appears very likely that the individual mandate repeal will be part of this legislation. Unless we take action, that repeal will almost certainly lead to further increases in the cost of health insurance premiums—premiums that are already too expensive under the ACA. Therefore, I believe that it is imperative that Congress take action to mitigate this likely premium increase.

There are two steps we can take to help remedy this situation. First, we need to pass the Bipartisan Health Care Stabilization Act of 2017, legislation authored by HELP Chairman ALEXANDER and Ranking Member MURRAY. This legislation will not only give States critical flexibility to better manage their insurance markets, but will also provide funding in 2019 and 2020 for cost-sharing reductions received by low-income enrollees in the ACA exchanges.

Mr. MCCONNELL. From its inception, I have opposed the individual mandate because it is simply wrong for the Federal Government to require someone to purchase a particular product, particularly one they do not want and cannot afford. I agree that Alexander-Murray can help provide certainty and flexibility for State insurance markets in the absence of the mandate and will support passage of the Bipartisan Health Care Stabilization Act, ideally prior to the adoption of any final tax reform conference agreement and certainly before the end of this year.

Ms. COLLINS. I thank the majority leader for his response. Second, it is critical that we provide States with the support they need to create State-based high-risk pools for their individual health insurance markets. In September, I introduced the bipartisan Lower Premiums Through Reinsurance Act of 2017, a bill that would allow States to protect people with preexisting conditions while lowering premiums through the use of these high-risk pools. That bill would create a menu of options States could use to design reinsurance programs, which in turn would be eligible for Federal ''seed money'' grants that could leverage section 1332 ''flow-through'' funding to finance the programs. States may also add funds from other sources to the mix.

We know from the experience of Alaska and Maine just how effective such high-risk pools can be. Alaska's pool reduced a projected 40 percent rate increase to just 7 percent this year and is expected to contribute to a 20-percent decline in premiums next year. Maine saw similar results in its program, the Maine Guaranteed Access Reinsurance Association.

I believe that passage of legislation to create and provide $5 billion in funding for high-risk pools annually over 2 years, together with the Bipartisan Health Care Stabilization Act, is critical for helping to offset the impact on individual market premiums in 2019 and 2020 due to repeal of the individual mandate.

Mr. MCCONNELL. I believe that State high-risk pools are a much better alternative to Federal mandates. I will also support passage of your bill and this funding to create high-risk pools, ideally prior to the adoption of any final tax reform conference agreement and certainly before the end of this year.

Ms. COLLINS. I thank the majority leader.

The PRESIDING OFFICER. The question is on agreeing to the Cardin motion to commit.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 43, nays 57, as follows:

[Rollcall Vote No. 292 Leg.]

YEAS—43

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

NAYS—57

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

The motion was rejected.

The PRESIDING OFFICER (Mr. BOOZMAN). The majority leader is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that there now be 30 minutes for debate only, with no amendments or motions in order, with the majority leader being recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President and colleagues, the Senate is looking at making $10 trillion of changes in tax policy on the fly. This is the biggest change in Federal income tax policy in more than three decades. This is legislation that will determine our country's economic future for a generation, and, at this time, the Senate does not have the language the Senate will be voting on. My colleagues have been saying that they are out looking for it.

I have a couple of questions I would like to ask the distinguished majority leader.

When will the Senate be able to actually see the full text of this legislation?

Mr. McCONNELL. Mr. President, I would say to my friend from Oregon that there will be plenty of time for him to read it.

Mr. WYDEN. Again, through the Chair, we are talking about complicated materials. We are talking about extraordinarily difficult, technical issues under the best of circumstances. While I respect the majority leader, to just be told we will have plenty of time to read it, what I can say—coming on top of the fact that we didn't have a single hearing on the actual legislation, nothing with regard to specifics—I think on this side of the aisle we have a right to some sense of when we will actually be able to see this. It strikes me as a reasonable and pretty straightforward request, given the fact that the American people have been kept in the dark about this for so long.

So, again, I respectfully ask the majority leader: When will it be possible to see the full text of this bill?

Mr. McCONNELL. Mr. President, I say to my good friend from Oregon, there were 4 days of hearings on the bill in committee with the committee report sent out at least 2 weeks ago. I am totally confident our friends on the other side are fully familiar with almost all aspects of this. He will certainly have an opportunity to read the final version, but he is very familiar with the various parts of this. There was plenty of time to look at it in committee, and, as I said, there will be plenty of time to read the final version of it before we vote.

Mr. WYDEN. Further reserving my right to object, I know that on the other side there has been discussion of scores and scores of hearings. I would say to the distinguished majority leader, there was not one single hearing—not one—on the specifics with respect to this legislation. There was not one single hearing on the health changes the majority seeks to make that put a dagger into the heart of the Affordable Care Act.

So I will ask my colleague once more, and if we don't get a sense of what time we are actually going to see this bill, I intend to object.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. SCOTT. Mr. President, reserving my right to object, I am not sure what meeting I sat through for 12 hours about 2 weeks ago, where we essentially litigated each aspect of this legislation. I am not sure where we have been for the last several years as we have had, for the last 5 or 6 years, several hearings.

The reality of this legislation is that every facet of it is something we have discussed. There is not a new part—not a new part—to the legislation. Yes, we have fused it together over time. There is no doubt about that. But to sit here and say that we have not had opportunities in the Finance Committee to hear the facets of the bill is just disingenuous.

Mr. WYDEN. Will my colleague yield for a question?

Could my colleague tell me when the hearing was held on the health changes envisioned in this legislation?

Mr. SCOTT. Mr. President, it is not a secret that our party and this body have been working on healthcare for about 10 years. Anyone who doesn't understand and appreciate that the individual mandate and its effects in our bill take nothing at all away from anyone who needs a subsidy, anyone who wants to continue their coverage—it does not have a single letter in there about preexisting conditions or any actual health feature.

The reality is, what our plan does on the individual mandate is good news for the average American. Here it is——

Mr. WYDEN. Will my colleague yield?

Mr. SCOTT. Here it is. Here is the good news for every American. They ought to hear loud and clear that 80 percent of the folks who are punished—punished—by the individual mandate live in a household of less than $50,000 of income, and one-third of those folks live in a household of less than $25,000. Therefore, the benefit of our actions is to set folks free from being penalized for doing nothing.

Mr. WYDEN. Will my colleague continue to yield?

Mrs. MURRAY. Will the Senator from Oregon yield?

Mr. WYDEN. In just one moment.

Will my colleague yield for a question?

I believe I have the floor.

The PRESIDING OFFICER. Is there objection to——

Mr. WYDEN. Reserving the right to object.

Mr. SCOTT. Regular order.

The PRESIDING OFFICER. Is there objection to the request?

Mr. WYDEN. It is my intention, Mr. President, to come back every 30 minutes until we get an answer to the question. I just asked my colleague from South Carolina if there was a hearing on the sweeping changes that are being proposed in this bill, the Affordable Care Act. I asked him for a date. He said nothing with respect to——

Mr. TILLIS. Mr. President, regular order.

Mr. WYDEN. Mr. President, we will be back in 30 minutes to continue this.

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

There will now be 30 minutes of debate.

The Senator from Colorado.

Mr. BENNET. Mr. President, on the matter that was being discussed—I am on the Finance Committee. There has not been a hearing on this bill, not a single hearing. A markup is not a hearing. People might say, well, why is that a big deal? Why is that relevant? Because a hearing is an opportunity for the American people to say whether they want this bill or not. A hearing is an opportunity for an economist to come to the Senate and say whether they want this bill. A markup is a chance for Senators to say what is on their mind, not for the American people to be able to say what is on their mind. That is what I am thinking about today.

I wanted to start my remarks with a little bit of a history lesson because this Chamber seems to forget what it has said, where it has been, and it is only if you have a case of terrible amnesia that you can support this legislation.

When Bill Clinton left the White House, he left his successor a projected surplus of $5.6 trillion. That is what George Bush inherited when he became President. The Senate was actually having hearings about what to do with the surplus and whether that surplus constituted some sort of threat to the economy. That is what he left behind. Then, George Bush, with this Congress, cut taxes in 2001. They didn't pay for those tax cuts. They didn't need to because they would pay for themselves. That is what they said. It is exactly what they are saying today. It is exactly what they are saying today. In 2003, they passed another tax cut, and they didn't pay for it, but they said it would pay for itself. Incredibly, the 2003 tax cut came after we had invaded Iraq under a pretext by that administration. Not only did we never ask the American people to pay for those wars, we cut their taxes and put the burden on their children. That supply-side economics, which is exactly the same movie we are seeing today, resulted in the worst recession since the Great Depression.

We had a 10-percent unemployment rate when Barack Obama became President of the United States. Guess what else we had. We had a $1.5 trillion deficit, not a $5.6 trillion surplus—a $1.5 trillion deficit because of two unpaid-for wars, because of two tax cuts that weren't paid for that were going to pay for themselves, and because they passed something called Medicare Part D—the prescription drug program for seniors—that they didn't pay for. The minute Barack Obama became President, they said it was his deficit. They wouldn't lift a finger to help working people in America who had lost their jobs in the worst recession since the Great Depression, brought on by their own economic policies and by the fecklessness of some of the largest banks in this country. They wouldn't lift a finger.

Then-Minority Leader MITCH MCCONNELL said in 2011—this is in 2011—''Now, we've reached the point where our deficits and debts are so large they're suffocating job growth, threatening the wider economy, and imperiling entitlements.'' That is when we were in the depths a recession we had not seen since the Great Depression.

When Barack Obama left office, the deficit was about $550 billion. Today, it is $660 billion. As a result of this plan, J.P. Morgan was telling us, yesterday or the day before, that this will be the largest nonrecession-caused deficit in our history since World War II. What a disgrace. And for what? To give taxes to the wealthiest people in America.

This is an unusual thing to do, but I am putting up the Republicans' chart. This is their chart. The Senator from Pennsylvania is on the floor. This is their chart, where they are telling my farmers and ranchers in rural Colorado that they should be satisfied with these percentages they are giving them, these rate cuts they are giving them. You can't eat percentages. You can't feed your family on rate cuts. You can't run your farm or your ranch on rate cuts.

Do they think they are not going to get it figured out? Colorado's Republicans are too smart for this bill. They are too smart for this bill. So are Colorado's Democrats and Independents. Unlike us, they actually have to worry about the next generation of Americans. That is all they do. They know our politics is not up to that. It is not up to the aspirations they have for their kids and for their grandkids.

No piece of legislation could illustrate how right they are than this piece of legislation and the mistruths that have been used to sell—the President going to Missouri and saying: This is a middle-class tax cut. This hurts the rich like me.

No, it doesn't. What people are concerned about, and what they will be concerned about is, their aftertax income as a result of the changes that are being made, and this is the best year. I didn't bring out the worst year. This is 2019. This is what you are going to be getting. It is great if you are up here, and you are making more than $1 million—where, by the way, I have not met a person who says they have cashflow problems that this tax cut is going to help them with.

I know a lot of people in Colorado—and I will bet you in Arkansas and in Pennsylvania—who are still struggling because middle-class family incomes have been flat for 20 years, and the costs of housing, higher education, early childhood education, and healthcare are forcing them to make choices that their parents and grandparents never had to make for their kids.

What a shame to be taking healthcare away from 13 million people in this bill, instead of trying to make the system better. This bill rejects all the testimony we had in hearing after hearing on the Health, Education, Labor, and Pensions Committee.

This is my final chart. This is the math of this bill. This bill takes $34 billion a year—not 1 year, a year—in tax cuts and gives it to 572,000 taxpayers. You can't even see that. I know you can't see it on the TV. It looks like a pencil line because that is the scale. That is how few people there are in our economy—572,000 people getting $34 billion. If you include the estate tax, which I didn't here, it is $39 billion. It is $40 billion going to families who are lucky enough to make more than $1 million a year. These are the taxpayers who make $50,000 or less in our economy. There are 90 million of them, not 572,000. There are 90 million of them. They get $14 billion out of this bill. That is an average tax cut of $160—$7.50.

These aren't talking points. This is the math that is at the heart of the deal the Republicans have said is a middle-class tax cut. You know what is even worse about it? Just like the 2001 tax cuts, just like the 2003 tax cuts, they are not paying for it. They are borrowing the money from middle-class families all over the country, from the sons and daughters of teachers, firefighters, and police officers. That is who is going to have to pay back that bill. And for what? To end poverty in America? No. To invest in infrastructure or healthcare or to strengthen our safety net? No. To fritter it away on $34 billion worth of tax cuts for the wealthiest people in America.

I am going to close by saying this. Before I got here 9 years ago, I never would have believed that something this cynical could happen on the floor of the Senate. I wouldn't have believed it. Colleagues of mine who said for years that this is all just about getting to cuts to Medicare, Social Security, and Medicaid, I would say: No, it is not. People care about this. They want to sort out our fiscal condition. I was wrong. They were right. This is about that. That is what they are going to come back here and do. It is going to be really hard to withstand it.

President Trump, after all this for the last 10 years around here, since we were fighting, trying to fight out of the worst recession since the Great Depression—which we did, by the way—in the name of fiscal responsibility, we had fiscal cliffs; in the name of fiscal responsibility, we had government shutdowns; in the name of fiscal responsibility, we passed 30 temporary budgets that no school district in Colorado could get away with once. Have we managed to restore our fiscal health? No. Have we piled on more debt for our kids and grandkids? Yes. That is what is going to happen here.

It is no wonder, when we elected a President, somebody who told the American people—and was nominated by the Republican Party and elected by the United States of America—President Trump promised that he would eliminate our debt ''over a period of eight years''; that he would deliver ''a giant, beautiful, massive'' tax cut—that was supposed to be for the forgotten man. Unless the people making over $1 million are the ''forgotten man,'' he didn't deliver on that—pass ''one of the largest increases in national defense spending in American history;'' while saying, ''I'm not going to cut Social Security . . . and I'm not going to cut Medicare or Medicaid.''

There is a job that every American has to do for the next generation of Americans; that is, to leave more opportunity, not less, to the people who are coming after us. This bill that has been so falsely described and written in such a way that it actually denies the middle class in America benefits it really could use and does so by putting a bunch more debt on the backs of their children is something this Senate should reject.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Mr. President, I am going to be brief. I am going to yield to my colleague from South Carolina, and I think my colleague from South Dakota has a few comments.

I want to respond to some of the points my colleague from Colorado made. First, I want to thank him for bringing out our chart. What our chart illustrates is that every category of income earners in America gets a tax cut under our plan. If you look toward the left of the chart, you see that the biggest reductions go to the people in the lowest income categories in a percentage term. My colleagues said percentages don't matter. I am a little bit confused because it seems to me that I think they do matter. I will give you an example.

Under our tax plan, our tax reform, and our working-class and middle-class tax cuts, the average single head of household—a single mom who, as head of household, has one child and earns the average income of $41,000, which doesn't make her a millionaire, or not typically, with $41,000—is going to have a $1,400 tax cut. That is a 75-percent tax cut for her. Now, maybe our colleague from Colorado thinks that percentage doesn't matter. I think it probably matters to her. A 75-percent reduction in the taxes that she has to pay probably matters to her. It is probably pretty helpful.

You could take the case of a family of four who earns the median national income. That is $73,000. On average, they will have a $2,200 tax cut. That is a 60-percent tax cut. So I am at a loss as to why that doesn't matter to that family. I think it matters a lot. I think that family can do a lot with that $2,200.

The fact is that our bill lowers taxes for every category of income earner, and the proportionate share is the greatest for the lowest income earners. This is good for working Americans and middle-class Americans.

I yield to my colleague from South Carolina.

Mr. SCOTT. Mr. President, this is what I find astonishing. We have been talking about this for a number of months. Frankly, for years we have been talking about tax reform. Actually, since 1986 we have been talking about tax reform. Our plan removes millions of low-income Americans from having to pay taxes.

I think it is interesting that our friends' argument on the left is sincere but wrong. It misses the fact that if you are living in a single-parent household, with a mother or a father who is working paycheck to paycheck, getting another $100 a month is real money. Why are we not talking about the actual benefits to the specific people who benefit from this tax reform? When Senator TOOMEY talks about the typical American family seeing its taxes slashed by 60 percent, why is that specific savings of $2,200 not a meaningful—perhaps, transformative—savings that allows someone now to save for college or to save for retirement?

To me, this is where the rubber meets the road. Yes, here on the other side of the Potomac, it is OK to talk in platitudes. I prefer to talk to individuals about the impact of our actions in their households and the impact of our actions in their accounts. It is a very simple way of doing the math. You don't have to pull out a calculator for a 75-percent savings for the average single parent who makes $41,000. The reason that we use $41,000 is that that is the average income of a single head of household. The reason that we use $73,000 is that that is the typical American family's income.

When we are talking about the benefits, we are talking about real people—people like Sherry, back in South Carolina, a single parent with two kids, who is trying to start a business, who is struggling to keep her ends together, believing that someone, somewhere, sees her, that the decision makers in Washington don't see her as invisible or unimportant. I am not talking about tax philosophy. I am talking about real people who need their money more than the government does.

If we are going to talk about tax cuts and tax revenues, let us be clear that in the 1920s, during the Mellon tax cuts, which slashed the high rate from 70 percent down to the twenties throughout the 1920s, revenues went up by 61 percent. Under the Kennedy administration, we cut taxes, and tax revenues went up to the government from those cohorts from whom we cut it.

So what we have is a history. Our friends on the other side say that there is no actual history. Well, there is history that proves that. In the cohorts where the brackets are and where the cuts occur, we can demonstrate that the revenues have increased.

I yield for the Senator from South Dakota.

Mr. THUNE. Mr. President, how much time is left on our side?

The PRESIDING OFFICER. There are 8½ minutes on the majority's side. There are 2½ minutes on the Democrats' side.

The Senator from Colorado is recognized.

Mr. BENNET. Mr. President, I don't want to get in the way of my friend from South Carolina, for whom I have tremendous respect.

Point 1, nothing that I said was about anything other than real people. The real people in Colorado are going to be able to do this math, and they are going to know what it says.

Point 2, those 1920s that you mentioned ended up with, then, the worst depression since the beginning of the country, and we had the worst income inequality in 1928. Guess when the next time was that that happened. It was when George Bush handed over the keys to Barack Obama. That was the next moment in time, when he was leaving, that we had that kind of income inequality. That has not been fixed, and that is not being fixed by this plan. It is being made worse by this plan for all of the reasons that I said.

The final point that I will make—and then I will stop and get out of the way—is that, if you have this much conviction, at least you could pay for it. It would be nice for you to pay for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. SCOTT. Mr. President, I will say to my friend from Colorado that we are having a spirited debate. We are diametrically opposed on the issue, but we do have some common ground on other issues that we are working on together. I appreciate your passion. I know you are sincere.

I will tell you that there is a truth that is, perhaps, missing from the conversation, and it is simply this: If you don't control spending, you cannot raise enough revenue to keep up. When you look back at the cataclysmic occurrences throughout history, one thing you will find very quickly is that even with more revenue, if your spending outpaces your revenue, you are going to find yourself in a challenging predicament.

I yield for Senator THUNE.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, our country has always been about opportunity. The American dream is the hope that your kids and your grandkids and those who come after you will have a better life than you have had. One of the ways we do that is that we get a growing, expanding economy that creates better paying jobs, more opportunity, and higher wages. When you get higher wages, you improve that standard of living, and you improve that quality of life. That is what Americans aspire to. That is what all American families—moms and dads—aspire to for their kids and those who are going to come after them.

I would say to our colleagues on the other side, who, like I said, have a newfound interest in deficits and debt, that one of the ways in which you deal with deficits and debt is to grow the economy. When you get an expanding economy that is creating better paying jobs, more people are working, more people are investing, more people are taking realizations, and more people are paying taxes. What history has shown is that when you have a vibrant, growing economy, you get more government revenue.

Of course, the official scorekeepers, whether you use the Congressional Budget Office or the Joint Committee on Taxation, both agree that you are going to get more revenue when you get more growth in the economy. There might be a slight difference of opinion about how much. The CBO, I think, says that for every one-tenth of 1 percent increase in the GDP, you see an additional $273 billion in tax revenue that is generated over a decade or, to put it a different way, almost $3 trillion for every percentage point increase in gross domestic product.

If you want to get serious about dealing with America's fiscal problems, you have to restrain spending, which there hasn't been much appetite for around here in the time that I have been here. You also have to get the economy growing and expanding. That is what this exercise—what we are going through here in reforming our Tax Code—is really all about, because 2-percent growth is not good enough.

This 2-percent growth is not and should not be the new normal for the American economy.

That is what we have had for the last 8 years. During President Obama's entire time in office, we didn't have a single year—not 1 year—in which the GDP was more than 3 percent—not 1 year. If you go back historically—literally to the end of World War II, about 1948—and roll forward to today, the average in the American economy has been 3 to 3.5 percent, but there has not been a single year in the last 8 years in which we have had 3 percent growth in the economy.

What does that mean?

That means that, without that kind of growth, businesses are not expanding. They are not investing, they are not hiring new workers, they are not paying those workers more, and you end up with flat wages. We have had, literally, a decade now of flat wages, where American families and individuals have not seen any growth in their incomes.

What we hope to accomplish through all of this will be changes made to the Tax Code that will increase investment through lowering rates on businesses, allowing them to recover their costs of investment faster, and accelerating their cost recovery. Those are changes—those are reforms in our Tax Code—that will help unleash this economy and get us back, closer to normal, when we were creating those good-paying jobs. Then, we can start doing something, at the same time, about spending around here, and we will start seeing those deficits go down. The best thing that can happen for the American economy, the best thing that can happen for the American family, and the best thing that can happen for the American worker is to have a growing, vibrant economy.

To my colleagues on the other side who consistently get up and say there is no benefit to this that will be delivered to middle-income families in this country, again, I will say what has already been said by my colleagues from South Carolina and from Pennsylvania, which is to look at a typical family of four with a combined annual income of $73,000, who under this tax cut bill will receive a tax cut of $2,200—a 60-percent reduction over what they are paying today under current law. That is what that average family of four will see.

Now, the Senator from Colorado said that he doesn't believe that Colorado Republicans are for this. I can tell you who is going to be for this—the people, the families, who get the $2,200 tax cut. That is $2,200 they are going to have in their pockets.

You heard my colleague from South Carolina talk about that family that lives paycheck to paycheck or about that single mom who wants a better future for her kids. How do we help them? One of the ways we help them is to reduce the burden—the take—that their government takes from them every single year and to allow them to keep more in their pockets. Let's give them bigger paychecks, and let's let them decide how to spend the money.

That is a fundamental difference that we have had around here for a long time. We come here believing that the way you help American families is to start growing the economy rather than growing the government, allowing the American people to make decisions that are in their best interests and in the best interests of them and their families about how they want to save for retirement, how they want to help their kids get college educations, how they want to improve their lives, rather than sending the money to Washington, DC, and letting Washington spend it. That is, fundamentally, the difference, I think, that we are talking about here.

As to the arguments that have been made by the other side, they just aren't based on facts. The data tells a different story as the Senator from Pennsylvania pointed out. Look at the chart. Look at the percentage of tax cuts. Who benefits? We have worked very, very hard on this bill to maintain progressivity in the Tax Code so that we have tax relief delivered to those hard-working American families, to those hard-working American taxpayers who need a break, who are living paycheck to paycheck.

Honestly, I hope, when this is all said and done, that not only will we be able to pass this bill but that, maybe, we will get a few Democrats who might decide that it will be in the best interests of their constituents to help their families and their States realize more income in their pockets and bigger paychecks and, hopefully, an opportunity to live out their versions of the American dream for them, for their kids, and for their grandkids. That is what the American experience and the American dream are really all about. When we take more and more here in Washington, DC, that means that American families have less with which to help themselves and to plan for their futures.

Our time has expired.

Mr. WYDEN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER (Mr. CRUZ). The majority controls 1 minute, and the Democrats control 1½ minutes.

Mr. WYDEN. Mr. President, I will take our 1½ minutes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. We have just a minute and a half. The hour is late. I want to repeat once again that we still do not have this bill. We have seen apparently, in the last few hours, tax changes that involve billions and billions of dollars. The American people have a right to know what is in this proposal, and certainly we on this side of the aisle have a right to know about it.

I am struck by the comments of my colleagues on the other side that learning the facts about what the Joint Committee on Taxation had to say about the Republican proposal—0.8 percent growth, $1 trillion short in spending—has had absolutely no effect on the discussion we are having from the Republican side.

I see my friend the distinguished majority leader here, and I believe he will propound a unanimous consent request. As he knows, I will have another reservation, and we will discuss this some more.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there now be 30 minutes equally divided for debate only, with no amendments or motions in order and with the majority leader being recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there objection to the majority leader's unanimous consent request?

Mr. WYDEN. Reserving the right to object, Mr. President, I understand that we are going to get the proposal from the majority shortly. I come back again to the fact that there are changes apparently worth billions and billions of dollars, like the passthrough provision. We need to be able to see these. The American people have a right to know.

I believe the majority has indicated that we will get this shortly, and I withdraw my reservation and will point out that if we don't get it shortly, I will stay at my post and keep objecting because the American people have a right to know that tax policy is being made in the dark.

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

Who yields time?

The Senator from Colorado.

Mr. GARDNER. Mr. President, I want to talk about the importance of passing this tax reform legislation for the people of Colorado. What we have is an opportunity to see real wage growth in this country—something we haven't seen for far too long. Over the past decade, I think people who are on both sides of the aisle have recognized that while there might be some economic job activity, job creation taking place, while we might see some low economic unemployment numbers in States like Colorado, what we haven't seen is the kind of wage growth we know we can create.

Under the analysis done by nonpartisan think tanks in Colorado, they estimate that wages would grow—after-tax income—by over $3,000. That is incredible wage growth for families who many people estimate and who other economists have said could see a financial hardship if they were asked to come up with $400. In fact, we know that if over one-third of people in America had to come up with $400 today, it would create a financial crisis in their household.

We heard our colleague from Pennsylvania and our colleague from South Dakota talking about the fact that a family earning a median household income of $73,000 would see a 60-percent reduction in their taxes next year. A single parent with a child, earning $41,000 a year, would see a 75-percent tax cut.

Let me read a headline from a story in Colorado. The headline of this article is ''How Tax Reform Can Empower This Drive-in Theater Owner to Expand Her Business.'' What she is talking about is the fact that if she sees lower taxes at the 88 Drive-in—that is an iconic drive-in in Commerce City, CO. If you see this drive-in, you will know exactly—it is iconic on the landscape. She believes that if her taxes are lower, she will be able to move forward and buy the property next door, which will allow her to expand her business. She talks about the fact that she has to turn people away because so many people are going to it and they don't have enough room. She wants to expand, but she is held back by our uncompetitive Tax Code. If we cut taxes, she will be able to buy land, expand the business, and create more jobs. It is a greater opportunity for her, her family, and the people of Colorado.

This is really an opportunity to see the kind of growth and wage growth that we haven't seen in this country for far too long.

I have held several roundtables on taxes throughout the Eastern Plains of Colorado, where I live. People are worried about their income because they haven't seen the kind of economic growth, the numbers in employment growth that they have in the Front Range, in Denver. I have held roundtables on the Western Slope of Colorado, in Southern Colorado, Northern Colorado, and they are all very worried about a country that is not as competitive as it used to be. They know that with a competitive tax code, they would see those jobs and investment come back into this country once again.

People in Pueblo, CO, know they need jobs brought back into their community because while many areas of Colorado have seen very low unemployment rates, they haven't seen the kind of growth other areas have. They know that with a competitive tax code that brings jobs and money back from overseas, that will provide real relief to a single parent with a child at home and to a family of four working hard to make ends meet. They are going to pay less taxes next year as a result. They are going to be able to spend the money they want to in Pueblo, CO, to put it into an investment that they want to in Brighton, CO. It will be an investment that somebody in Craig, CO, wants to have. That is what they are focused on. They want to get the money into their pockets. They earned it. They should keep it, not Washington, DC, where they make bad decisions on how to spend their hard-earned dollars.

To my colleagues who oppose this bill, we have talked about the opportunities for the American people to see real wage growth. This bill does it. We talked about the opportunity to bring jobs back from overseas. This bill does it. We talked about the opportunity to get businesses hiring again and expanding. Nonpartisan estimates show that this bill would create nearly 1 million jobs—new jobs created by this bill. It is a great opportunity for us, and I thank the people who have worked so hard on this bill, my colleagues in South Dakota, Pennsylvania, and others.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to talk about a subject matter that this bill deals with that we are not hearing a lot about. I wanted to start, though, with the basics in terms of the overall debate.

I have said many times in the last number of days and weeks when we have reviewed the House proposal and when we reviewed the Senate proposal that was voted on in the Senate Finance Committee before Thanksgiving—I described the Senate bill as a giveaway to the superrich and big, multinational corporations. I still believe that.

I hope that when we see the new version of the bill, I won't have to say that again, but I am afraid I will. I am afraid that when we look at some of the data on what the tax impact would be on certain income brackets in the United States, even starting in the first year where the analysis starts, 2019—I am looking at page 3 of a report by the Tax Policy Center dated November 20 and based upon the Senate bill. In that year, tax year 2019, table No. 1 focuses on three income categories: folks making between $50,000 and $87,000; folks making between about $310,000 and $750,000; and others making above $750,000, so basically the top 1 percent. Here is what they find. The Tax Policy Center tells us that the first group, the family making $50,000 to $87,000, would receive an average tax cut of about $900, or 1.4 percent of after-tax income. The next group, the $310,000 to $750,000 income, gets a tax benefit that amounts to about $12,000, or 3.5 percent. The top 1 percent—$750,000 and up—they get a tax break of $34,000, or 2.2 percent.

Probably the most significant numbers in there by way of comparison aren't necessarily the dollar amounts, although I would ask why the top 1 percent needs $34,000 in 2019. I don't think that should be part of our legislation. I would like to see all of the tax benefits to the top 1 percent go to the middle and those trying to get to the middle. But let's do the comparison.

In the first year, in terms of these families making $50,000 to $87,000, they get 1.4 percent. The folks making between $310,000 and $750,000 get 3.5 percent—more than two full percentage points higher. Why is that? Why do people making $310,000 to $750,000 get a much bigger percentage tax cut than people making $50,000 to $87,000? The third category is the top 1 percent, and they get 2.2 percent. So I have problems with this legislation just based upon that. Why does the top 1 percent need one more penny? Why do very wealthy people—maybe not quite the top 1 percent but the 95th to 99th percentile, the $310,000 to $750,000 category—why do they need a tax break?

Guess what. It doesn't get any better down the road. And I am not talking about 2027, where it is cataclysmic for families in the middle; let's talk about 2 years before that. It is still bad. It is still 3 percent, by comparison, for the very wealthy, people making up to $750,000. The top 1 percent are still getting 2.1 percent. But the income category between $50,000 and $87,000 gets 1.2 percent of the tax cut, so they will be getting worse in 2025. Why is that? As my colleague, the senior Senator from Colorado, shows in that chart, why do people making more than $1 million need $34 billion in 1 year? I don't understand it.

Let me focus in particular on part of the debate about which we really haven't had much discussion. The impact of this tax bill may be the only substantial effort that will be made on tax reform for years, if not decades. We know that the last time any kind of major tax reform was done was 1986, so three decades have passed since the last tax reform effort. So this is a critically important moment not just for taxpayers, not just for the economy, not just for families generally, but especially for children.

In a bill of this significance, a bill of this impact, one major question should be asked, among many: What will be the impact on children? What is the child impact statement, if we were to draft one, if we had to articulate that? What is the impact on children of this legislation?

Well, there are a lot of organizations around the country that pay attention to public policy as it relates to children. I am looking at a letter dated November 28 and signed by a long list of organizations that advocate on behalf of children, and I will just read some of the headlines from this letter.

The first headline says: ''The Senate tax plan threatens child care programs and funding for the future.''

The second major headline says: ''The Senate tax bill's proposal to cut the Affordable Care Act would harm children's health and well-being.''

The next headline says: ''The Child Tax Credit proposal in the Senate tax bill would not help families who struggle to pay for child care.''

The next headline says: ''The Senate tax bill also takes away other tax benefits that ordinary families rely on.''

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR SENATOR: As members of the Child Care/Early Learning Coalition, we urge you to vote against the ''Tax Cuts and Jobs Act.'' This bill would eliminate existing benefits in the tax code for children and families, as well as undermine critical supports, including those related to child care and early education, in the future.

The Senate tax plan threatens child care programs and funding in the future. The Senate tax bill, which consists largely of massive tax cuts for businesses and the wealthy, is estimated to increase the deficit by about $1.4 trillion over ten years. The budget agreed upon by the House and Senate provides a roadmap of how Congress will seek to offset this increase in the deficit: by cutting federal spending and, in particular, by slashing programs and services that provide working families with a basic standard of living. That means this tax bill will ultimately lead to cuts in programs that are integral to the wellbeing of children and their families, including Medicaid, SNAP, public education, and the Child Care and Development Block Grant.

The Senate tax bill's proposal to cut the Affordable Care Act would harm children's health and well-being. The Senate bill would repeal the ACA's individual responsibility provision, a requirement that most people enroll in coverage or pay a penalty. Estimates from the Congressional Budget Office (CBO) show that repealing the ACA's individual responsibility provision would increase the number of uninsured by 13 million over 10 years and raise insurance premiums in the individual markets by 10 percent. Children's health and well-being suffers when their families lack the health insurance they need to see a doctor when they are sick or for preventive care. The Senate has already rejected an attempt to repealing the ACA, and now the bill would sneak this in in order to fund even larger tax cuts for high-income households and corporations.

The Child Tax Credit proposal in the Senate tax bill would not help families who struggle to pay for child care. The Senate tax bill would increase the Child Tax Credit (CTC), but does not make this increase fully refundable. As a result, lower-income families will not receive the full benefit: for example, a single mother working full time at the federal minimum wage and earning $14,500 would only receive an additional $75 in CTC benefits. In addition, the tax plan bills adds a new requirement—providing a Social Security Number for each child claimed for the refundable portion of the CTC—which could exclude a significant number of children in immigrant families. This is not an approach targeted to help families striving to make ends meet, and does nothing to address the high cost of child care with which so many working families struggle every day.

The Senate tax bill also takes away other tax benefits that ordinary families rely on. Even though the Senate tax bill proposes increasing the CTC (and doubling the standard deduction), the bill also proposes eliminating personal and dependency exemptions, eliminating the deduction for state and local taxes, and eliminating deductions for some employment-related expenses. This would leave many families worse off. And the Senate bill makes all of the tax benefits for families temporary, expiring at the end of 2025, even though the proposed corporate tax cuts are all permanent.

There is a better way to help families and children and to build a strong economy now and in the future. Instead of these ill-conceived tax cuts, Congress can help families through the tax code by enacting the Child and Dependent Care Tax Credit Enhancement Act of 2017, and ensure that all children and families who need it get high quality child care and early education by enacting the Child Care for Working Families Act.

Sincerely,

Association of Asian Pacific Community Health Organizations (AAPCHO), Center for American Progress, Center for Community Change Action, Children's Defense Fund, Children's Leadership Council, CLASP, Every Child Matters, Family Focused Treatment Association, Generations United, Health Care for America Now, Jumpstart, Make it Work, Mi Familia Vota, National Association of Family Child Care Providers, National Association for Bilingual Education, National Association of Social Workers (NASW), National Council of Jewish Women, National LGBTQ Task Force Action Fund, National Physicians Alliance, National Women's Law Center, NETWORK Lobby for Catholic Social Justice, SparkAction, The Institute on Taxation and Economic Policy, United Auto Workers, Working Families Party, ZERO TO THREE.

Mr. CASEY. That is just one brief assessment of the impact of this legislation on children, but I think that should be a question we ask of every major piece of legislation.

Mr. WYDEN. Mr. President, will my friend from Pennsylvania yield briefly?

Mr. CASEY. Yes.

Mr. WYDEN. He is a very fine member of the Finance Committee.

I don't remember any discussion in our committee about how this specific legislation affects children. My colleague is really the expert on the subject, and maybe he can tell me if he recalls such a thing with respect to this specific legislation and what it means for children. I don't remember such a discussion.

Mr. CASEY. Mr. President, I want to say to the senior Senator from Oregon, as the ranking member of the committee, he will remember, as I do, that in the course of that so-called markup, which is a fancy Washington word for having some debates and offering amendments, there was no hearing—no hearing for days, and there has still been no hearing on the Senate bill passed out of the Finance Committee and the new version of the bill that we will see right now. So, in the course of that discussion, there were no hearings.

It would have been helpful to us and to the American people if we had the major organizations come in before the Finance Committee and give us testimony about the impact on children—organizations that have spent decades advocating on behalf of children, doing public policy research as it relates to children, but we never heard that because there were no hearings, not a single hearing on the bill. There was discussion, and there were questions for some tax policy experts, but nothing in the way of hearings that could probe very deeply on what happens to kids.

I think the American people would like to know more about what will happen with the child tax credit, for example. There has been a lot of talk on the Republican side about the child tax credit; they are allegedly making it better. Well, the Senate Republican plan does increase the maximum tax credit for children from $1,000 to $2,000 per child. That sounds pretty good so far, right—$1,000 to $2,000. But because the bill limits refundability, a mom working full-time at minimum wage will see only an additional $75 in the child tax credit, while a married couple earning $500,000 would become newly eligible for the maximum $2,000-per-child credit.

According to the Center on Budget and Policy Priorities, 10 million children—10 million—live in families who would get $6.25 or less per month in the additional child tax credit in this bill. So there is not much improvement in the child tax credit on maybe the only tax reform bill that this body will consider for the next 30 years. Let's say it is only 10 years. Wouldn't it be nice to have some testimony from experts across this country who live and breathe the work of being advocates for children, who study every bill to determine whether it impacts on children. Wouldn't it be nice to have their testimony maybe on the child tax credit, maybe just on the child and dependent care tax credit, which is the only tax provision in law right now that helps people pay for childcare.

Ask any family: What is your No. 1 concern, other than making ends meet and maybe paying for higher education? Other than a few priorities like that, their No. 1 concern is how to pay for childcare, but there is no testimony on that issue that relates to the bill. There is no testimony at all because there were no hearings on the bill. How can you have a child impact statement, how can you even generalize about it without a hearing?

Of course, we need more than generalizations. We need specifics. So I think we have to ask those questions and be focused on children in a very specific way.

Here is the last thing I will say. This opportunity to come together in a bipartisan fashion, which has not happened in this case—but we have the opportunity, and the majority could have taken a different path. They could have said to us months ago: Let's have a bipartisan process. Let's not move to a pathway that requires only 51 votes. Let's have a real bipartisan process on tax reform as they did in the mid-1980s, resulting in the 1986 bill. They could have said: Do you know what? We have a bipartisan concern about children. We like the child tax credit. We like the child independent care tax credit.

We like the earned-income tax credit. All of those are good policies. We want to make them better. We want to have a bipartisan effort to infuse all of those policies with even more funding, more help to make them more robust for our children, but that never happened.

Once again, because of what the majority did, the pathway they selected to passing their bill with only Republican votes—and that was their choice—we will have a tax bill that will not have a child impact statement, will not have hearings about the impact on children and families, will not have any of that. Once again, we will prove that Washington, DC, never misses an opportunity to miss an opportunity, especially as it relates to children and families. That is particularly insulting to the American people and regrettable because we have a moment here where we are trying to do tax reform and because it is not bipartisan, because there were no hearings on the bill, the impact on children will never ever be fully assessed. That is not just a tragedy, but that is a real insult to our families and to our children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, how much time is remaining on the majority side?

The PRESIDING OFFICER. Ten and a half minutes remains.

Mr. TOOMEY. OK. Thank you, Mr. President. I will be brief because I think my colleague from South Carolina has a comment he wants to make.

Let me respond just briefly to my colleague from my State of Pennsylvania. Our bill increases the child tax credit. Our bill lowers the tax burden on every category of income earners, including working families, middle-income families—every category.

As my colleague from Colorado demonstrated kindly, he showed in the chart that the biggest proportional savings go to the lower-income families, and the pro-growth policy is going to create more job opportunities at higher wages. So let's see: more money in child tax credit, less taxes owed on the part of families, more job opportunities, and higher wages. I think it is a pretty safe bet that this is good for kids. I think it is a pretty safe bet that when families get to keep more of their money, that is probably good for their kids. I think most of my constituents would probably agree with that.

We have heard folks on the other side suggest that we are actually not cutting taxes on the middle class. This is unfortunate because we have enough areas where we disagree without having to make up areas that aren't true. Our friends on the other side like higher taxes; we like lower taxes. They like to redistribute wealth; we like people who earn it to keep wealth. We focus on growing the economy; they want to grow government. We have honest differences in priorities, so I wish we would focus on where there are actual differences and the facts in question. But there is no question that we are lowering taxes on middle-income families because we are lowering taxes on every category of wages.

The people who are watching on C–SPAN and the people who are listening in the gallery must get a little frustrated and must ask themselves: Well, who can we believe? We hear one side say: This is lower taxes for working families. We have the other side say: Oh, it is higher taxes.

I have a suggestion. I know there is a solution. You could look it up at Joint Committee on Taxation, but that is tedious. You have to go to the website, you have to find it, and then you would see in the tables—because they are unambiguous—that taxes owed go down in every category.

Do you know when people are going to know for sure what the answer is? It is going to come in January when the withholding in their paycheck changes and when their take-home pay goes up because the taxes they owe go down. I know we are still a few weeks away from that, but when this passes and gets signed into law, the proof is going to be very clear, and people are going to see it.

Here is a quick word about the repeal of the individual mandate. My friend and colleague from Oregon described it. I am paraphrasing, but I think I will get it about right. He described the repeal of the individual mandate as driving a stake through the heart of ObamaCare or something equivalent to that. I couldn't help but think: What an incredibly damming indictment of ObamaCare. Think about what that means.

Think about what they are saying if repealing the individual mandate drives a stake through the heart of ObamaCare. The individual mandate is the provision which says that you have to buy this whether you want it or not. You have to. You are forced to. The government dictates the terms, the government effectively dictates prices, and you must buy it. If you don't, you will get hit with a penalty, a tax penalty.

We don't actually repeal the mandate, but we eliminate that tax penalty, and that is going to be very helpful for low- and middle-income families, working-class families. In Pennsylvania, 83 percent of all the people who get hit with this individual mandate tax live in a household with income of $50,000 or less. That is who is paying this.

But what I wanted to stress for a moment is what a damming indictment it is of ObamaCare that it only works, according to its proponents, if people are forced to buy the product. It is so badly designed, it is so terrible that people will not buy it voluntarily, despite huge subsidies.

We don't change any of the subsidies. They are all available to anyone who wants to participate. We don't change the rules. We don't change eligibility. We don't change anything except one thing. We say that if you decide this plan doesn't fit your family or if you decide for all the subsidies you get it is still not worth it for you to have this plan and you opt out, you will no longer be punished with this tax. That is the only thing we do in this bill.

Since we eliminate that coercion, which forces people to buy it, our colleagues on the other side say that drives a stake through the heart of ObamaCare. It seems to me that a product or a service that people have to be forced to buy and that is killed if they are not forced to buy it probably isn't a great deal for those people, and I think we just got that admission.

With that, I yield to my colleague from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina

Mr. SCOTT. I will say, Mr. President, that my colleague from Pennsylvania did such a good job that there is little left to say. I was fumbling because I was just confused on what I would say, and I will be honest with you that there is just not much to say.

If I were to reinforce a couple of points that the Senator did not cover, they would be that at our last Finance hearing, which lasted—I thought it was 12 hours; it was 23 hours—we had our friends on the other side offer 63 amendments. To say that they are not engaged in the process is to forget the 63 amendments offered over 23 hours.

Senator TOOMEY did such a good job that I am just going to sit back down.

Mr. THUNE. Mr. President, Senator SCOTT and I and the Senator from Pennsylvania were all there at what we call the markup.

Mr. SCOTT. We were.

Mr. THUNE. My recollection is like his, and, frankly, my recollection, when it comes to all the work that went into getting us to where we are dates back a long way. I joined the Senate Finance Committee in 2011. I am not sure when the Senator from South Carolina joined or the Senator from Pennsylvania, but it was shortly after that, I think.

Since I have been on the Finance Committee, we have had 70-plus hearings—70-plus hearings on tax reform. We have looked at every facet, every aspect, every element of the Tax Code. We even went so far 2 years ago, in 2015, to create five working groups. We all participated in those, along with, I might add, our Democratic colleagues, each of whom had a key role in helping with the final recommendations that were put forward. A lot of what is in this bill is based upon the work that was done by those working groups. There isn't a single shred of the Tax Code that we haven't covered and haven't studied in great detail.

Then, of course, as the Senator from South Carolina pointed out, when it came time to mark the bill up, we spent several days—23 hours debating back and forth, listening to each other, and in some cases arguing. In some cases, those were very spirited arguments. The Democrats offered 63 amendments, all of which got votes in the Senate Finance Committee.

So for anybody to suggest that this has been anything but a transparent process based upon years of work and buildup and lead-up to get us to where we are today is absolutely misstating the facts. I think the work we have done in advance of this has led to a product that is the culmination of a great deal of thought, a great deal of input, and a great deal of research from not only experts in the field but fellow Members—Democrats and Republicans—Senators and staff—who have gotten us to where we are today.

I think the fact, which has been pointed out many times, that a family that is living paycheck to paycheck will now get the benefit of a doubling of the standard deduction and a doubling of the child tax credit, frankly, I happen to believe—contrary to my colleague from Pennsylvania—is a pretty big deal. If you are a family who has any sort of tax liability, that tax credit is a dollar-for-dollar credit against that tax liability. An increased portion of that is refundable under this legislation.

If you look at the lower rates we have in the bill, that middle-income family in this country stands to benefit significantly as a result of this to the tune of—if you are a family of four with a combined annual income of $73,000—an additional $2,200 in your pocket. That is $2,200 in the American family's pocket that they get to decide how to spend.

As the Senator of Pennsylvania pointed out, don't take our word for it. You can sit down, if you like to, and look at the features of the bill. Look at your individual tax situation. Plug in these changes, and I think you will find you are going to see a pretty significant reduction in your tax liability.

When January rolls around when this passes, people will get their check. When they look at their withholdings, they will realize they have a lot more money. That paycheck is bigger. The paycheck is going to be bigger. Why? The amount taken out in terms of Federal taxes is going to be significantly smaller. That is a good thing for the American family.

That is why this debate and the bill we have before us are so important, not only to those families who are trying to build a stronger, brighter, and more prosperous future for themselves and their families but also for this American economy. With the other changes that are made in the bill, it is going to lead to better paying jobs and higher wages that are going to lift the boats of all Americans.

Americans haven't had a pay raise, literally, in about the past decade. We haven't had a single year in the Obama years of 3 percent growth, which has been the historical average going back to the end of World War II. We are growing at 1.5 to 2 percent. We don't happen to believe that is good enough. We think we can do better. That shouldn't be the new normal. The American economy is the greatest economy on the face of the Earth. We ought to be able to grow at 3 to 3.5 percent.

I can tell you, ladies and gentlemen, that the average middle-income family in this country is not only going to get a big tax cut—which means they are going to get a bigger paycheck and have more money in their pocket—but they will get the benefit of the higher wages coming with a growing, more dynamic economy that it reflects.

I yield the floor.

Mr. WYDEN. Mr. President, I would just like to respond briefly to the Senator from Pennsylvania, who is baffled by why we are so opposed to the health provisions of the bill. The Congressional Budget Office says that the majority's provisions will cause 13 million people to lose coverage and premiums to go up 10 percent. This morning's paper makes the point that it will bring back junk insurance, which once again will allow discrimination against people with preexisting conditions.

I will use the last 30 seconds that I have, as we await the majority leader, to say, once again, that the American people and the Congress are actually going to find out some information about what is being offered.

I would just like to close my use of the minute by pointing out now another double standard. It sure looks like lobbyists on K Street have more and better information about what is about to be offered than do Democrats in the Senate. So what we are talking about is that we have seen one double standard after another. The tax breaks for the middle-class are temporary, and the wealthy get permanent ones.

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

All time has expired.

The Senator from Pennsylvania.

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

The PRESIDING OFFICER. Is there objection?

Mr. TOOMEY. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Is there objection?

Without objection, it is so ordered.

The Senator from South Carolina is recognized.

Mr. SCOTT. Thank you, Mr. President.

I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order and with the majority leader being recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, here we are now at 4:15. We still have not seen this bill—a $10 trillion bill, the biggest tax bill in more than three decades, with changes involving billions and billions of dollars made, apparently, overnight.

I have made it clear that when the leader, Senator MCCONNELL, comes back down, we expect to see this bill. We were told essentially an hour ago that we would see this in a matter of minutes.

The American people have a right to know that even though the majority wants to make $10 trillion worth of tax policy changes on the fly, this side of the aisle is going to insist on knowing what is in the bill.

My colleague has been very patient, and I wish him to be recognized on our time now.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise this evening in opposition to the tax bill before us. I think the problem in our country isn't that wealthy people in this country aren't wealthy enough; the problem is, the wealth gap has grown to the highest levels in my lifetime. This bill would make that wealth gap even bigger.

Senator Paul Wellstone often said: ''We all do better when we all do better.'' He knew the economy does better when there is a strong middle class and when working families have more money to spend. Unfortunately, the Republican tax bill does the opposite of what Paul Wellstone argued for. Instead of helping working families, it raises taxes on at least 14 million of them, and it uses this revenue to give $1 trillion to the superrich, all while adding $1.5 trillion to our national debt. This is, at its core, an awful bill.

When President Trump took office, he pledged that he would look out for the ''forgotten men and women,'' not the wealthy. This bill is a betrayal of that commitment.

I believe Congress should work on a bipartisan basis to make our Tax Code fairer and simpler for working families, and that is what I have advocated for since I joined the Senate. Democrats have made a good-faith effort to work in a bipartisan manner on a tax reform bill with Republicans, but Republicans have chosen, from the very start of this Congress, to take a purely partisan approach that has left Democrats entirely out of the discussion.

We all know this bill is being rushed through Congress so Republicans can claim a legislative achievement by the end of the year. That is not the way you get a fairer, simpler Tax Code. You get a fairer, simpler Tax Code by having hearings with outside witnesses.

You get a fairer, simpler Tax Code by giving Americans an opportunity to weigh in as it is being drafted, to review the bill, and to share their views. You get a simpler, fairer Tax Code by doing it in a bipartisan manner, not by excluding Democrats entirely from the drafting of the bill.

The fast-track process Republicans are using is just like the Republicans' equally partisan, equally secretive, and equally rushed attempt to repeal and replace ObamaCare earlier this year. Americans deserve better.

In their effort to get this bill through before Americans realize just how damaging it is, many Republicans have made some misleading claims about it.

For example, Republicans often cite the fact that the bill would double the standard deduction that families can claim on their tax return. That is true, but they always seem to leave out the very important fact that their bill would also eliminate the personal exemption. The personal exemption is about $4,000 for each family member, so when compared with a $12,000 increase in the standard deduction, it means households with two parents and more than one child would be worse off under the Republican tax bill than under current law; for example, with two children.

Sometimes they argue that doubling the child tax credit from $1,000 to $2,000 would offset the loss of the personal exemption, but under their plan families who most need the help would get hardly anything from the increase in the child tax credit, which is not refundable. So, for instance, a family living off a minimum wage earner would benefit by only about 75 more dollars under this bill's revised child tax credit, not the full $1,000 some Republicans promise, but the Republican bill would also now allow people earning up to $500,000 a year to claim the full tax credit of $2,000 per child. That is $500,000 a year, up from $110,000 as it is now. So that is $75 more per child for a minimum wage earner and $2,000 per child for someone making $500,000 a year. That is just not fair.

We hear from my friends on the Republican side that tax cuts always pay for themselves. Ask the people of Kansas about that. When Kansas cut taxes in 2012 and in 2013, State revenues plummeted, Kansas slashed university budgets, canceled highway projects, and had to borrow $1 billion to fund their public pension plan. Schools around the State started going 4 days a week. Teachers moved across the river from Kansas City, KS, to Kansas City, MO. From 2013 to mid-2017, the Kansas economy underperformed that of nearly all its neighbors and the United States overall in economic growth, private sector job creation, passthrough business formation, and labor force participation. Finally, corporations begged the legislature to raise their taxes, which they did, over the Governor's veto.

That is Kansas; take the whole country. Bruce Bartlett, Ronald Reagan's economic adviser, wrote a few weeks ago:

The Tax Reform Act of 1986 reduced the top personal tax rate to just 28 percent from 50 percent, and the corporate percent to 34 percent from 46 percent. Yet there was no increase in the rate of economic growth in subsequent years, and by 1990, the economy was in deep recession.

Tax cuts don't magically pay for themselves.

I would also like to highlight the Republican hypocrisy on budget deficits. For many years, Republicans have used budget deficits as an excuse to block important pieces of legislation. In fact, even now, we are in danger of stripping health insurance away from 9 million children because of difficulties finding offsets for reauthorization of the Children's Health Insurance Program. Yet, when it comes to the tax bill, only a handful of Republicans have raised concerns about the fact that it would add $1.5 trillion to our national debt.

We know from experience that as soon as the ink is dry on this bill, Republicans will cite the rising national debt caused by this bill as a reason to cut key programs that millions of Americans use every day—things like Social Security, Medicare, Medicaid, job training, education, infrastructure, and affordable housing. In fact, under their budget resolution that Republicans adopted just 2 months ago, they laid out their plans for these reductions, which would include over $1 trillion in Medicaid cuts and $470 billion in Medicare cuts.

This bill would also trigger automatic cuts to some key programs. So in exchange for the bill's minimum tax cuts for some working families, starting in 2018, there would be an automatic 4-percent reduction in Medicare payments and a zeroing out of other key accounts—a zeroing out of the Crime Victims Fund, farm price support programs, and the social services block grant that provides funds to Meals on Wheels, youth counseling, and other important services for vulnerable people.

There are many better uses for $1.5 trillion. President Trump said he wanted to work with Congress on a $1 trillion infrastructure package to rebuild our roads, our airports, our ports, and to build broadband across America. I have said I would like to work with the President and my Republican colleagues on a comprehensive bill, but this bill would make it impossible to enact a $1 trillion infrastructure package the President promised and which we have really heard nothing about.

There are too many other flaws with the Republican bill to highlight them all now, but I would like to raise one that is particularly important to Minnesotans. The bill before us today would eliminate the State and local tax deduction. It is an important deduction because when people deduct the taxes they pay to their State and local governments, first of all, it prevents the double taxation of their income, and it enables our local communities to make investments in public safety and education, childcare, and infrastructure. According to the Tax Policy Center, 34 percent of Minnesotans claim the State and local tax deduction, with an average deduction of almost $13,000. Eliminating this deduction means a significant tax increase for those families and would make it harder for local communities in Minnesota to raise the revenue necessary to make vital investments.

I have heard outrage over the Republican approach to tax reform from a very wide range of my constituents. I have heard from Minnesota farmers about how it would undermine agricultural cooperatives, which are really important to Minnesota. I have heard from Minnesota students who are concerned it will force them out of graduate school. I have heard from Minnesota homebuilders and developers who say it would cut affordable housing construction in half. I have heard from Realtors who say the bill could crater the real estate market. I have heard from many ordinary Americans who say the bill is simply unfair.

Americans deserve a fairer, simpler Tax Code, not the debt-funded giveaway to the wealthy that Republicans are trying to force through the Senate today. That is why I oppose this bill, and I urge my colleagues to oppose it as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, we have heard a lot about this bill over the last several hours and, frankly, several weeks, and we have had a lot of conversations over the last several months, but, today, December 1, 2017, at 4:24 p.m.—and I hope we remember this because I have finally heard the definition of ''fearmongering.''

Someone once said that fear is an acronym for false evidence appearing real. What we have heard today is that because of the passage of this bill, the Crime Victims Fund will be zeroed out. We heard the social services block grants will go away. We heard there will be cuts to Medicaid. I want all the folks in this Chamber to remember the time so that if they ever have to go back and find it, they will know it was December 1 at 4:24 p.m. when it was said.

So here is my thought: A few months into 2018, when your takehome pay has increased because the government is taking less of your hard-earned money—punishing you less and rewarding your success more—just remember to check and see if there is any money in the Crime Victims Fund; I would suggest they check and see if there are any dollars in the social services block grant; and I hope they will check and see if there has been a cut to Medicaid because if you cannot find those cuts, there is one reason: They do not exist.

I look forward to hopefully passing this bill today. I hope we do. I look forward to the American people taking the time to remember the exact time, the exact date that this was said, and then do the research necessary to draw their own conclusion. The first conclusion that will be easy to come to is that when you look at your pay stub and you see there is more money in it in 2018 than there was in 2017, just remember how it got there. It is not because of what we do, because there are some folks on this side of the Potomac who believe we actually have Federal dollars. There are no Federal dollars. Every penny we spend in Washington comes from a taxpayer somewhere. There are no Federal dollars; there are simply taxpayer dollars arriving in Washington to be used in some way.

I am only suggesting that the average American can spend their money in the way best for their family significantly better than we can.

So I hope the good people of this country who are paying attention to this very important debate will be able to remember 4:24 p.m. so they can review the tape, review the video, the DVR—or whatever you call it nowadays—and see for themselves what was said or go someplace online and figure out, at the end of 2018, the middle of 2018, the beginning of 2018, has something actually changed other than that you have more money in your paycheck?

Mr. President, 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. PORTMAN. 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. PORTMAN. Mr. President, I ask unanimous consent that there now be 30 minutes equally divided for debate only, with no amendments or motions in order and with the majority leader being recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I have just seen an air-dropped list of provisions—there seem to be upwards of 30—and it sure looks as if the lobbyists have been working overtime. They must have earned a holiday gift with this new bonanza of goodies.

We still await a bill that we are going to read, although I saw something that might actually be a bill. So we are going to use this time so colleagues can get into some of these questions about this array of treats that the lobbyists seem to have figured out how, in the last few hours—perhaps overnight—to carve out for their benefit.

To start our discussion for our 15 minutes, I believe my friend and colleague Senator MERKLEY is going to start.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my senior colleague from Oregon for his leadership in this debate on these important tax provisions. There is so much at stake here for the future of our society as we have been debating what we see as one provision after another that is designed to make the richest Americans richer while increasing the taxes on some 87 million middle-class Americans. Then, we get this nice, little list. Republicans have given the lobbyists a list of 30 special interest provisions, circulated it, and said: This is what we are going to put in our managers' amendment for all of you.

My colleague from South Carolina was speaking a moment ago about one that hasn't even been filed—life insurance provisions. What is that? Maybe my colleague would like to come to the floor and explain it and explain why this is being circulated to lobbyists, to the swamp, instead of to the Members of the U.S. Senate. Thirty of these provisions—who knows what all is in this. Isn't there any form of transparency or integrity left in this Chamber in terms of legislative debate? Have the American people had a chance to see this list? It is online now. The few who might be listening in might be able to see these titles, but this is not the way to do business in the U.S. Senate. This is not the way to do the people's business. This is the way to do the swamp's business.

What happened to clearing the swamp? What happened to that? How is it that the richest Americans are making out like bandits rather than the middle class doing well under this bill? Why is that? Why are there billions of dollars going to the richest Americans by eliminating the alternative minimum tax? Why are there hundreds of billions of dollars going in other provisions, including changing the upper limit tax brackets, including the passthroughs for affluent, highly successful LLCs? How about that?

What is this list, and why haven't the American people seen all of the details about it? This type of chicanery is inappropriate. Take and give the list to the Members of the Senate, not to K Street. This close partnership between the Republican majority and K Street, filling them in, doing those special favors, and not even filling in the body here so we can have a conversation about each of these items, this is absolutely a horrific way to do business. This is the way the powerful and the privilege want business to be done. My Republican colleagues are working with them hand in hand instead of working for and by the American people.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, this is a big day because we are about to provide tax relief to millions of people in Ohio and around the country—middle-class tax cuts, doubling the standard deduction, doubling the child tax credit, lower rates for people in every bracket. In my home State of Ohio, we have the opportunity to see people who are making $50,000 a year, with two kids, see a 26-percent tax cut. That is important.

My colleague just talked about his concern about some of the provisions that are before us. I will say, these have all been filed. That doesn't always happen around here, and it should. These have all been filed, and people can go on rpc.senate.gov. These were made public. Nothing is on this list that hasn't been filed publicly.

Just looking at it, the biggest one that my colleague talked about as being something to help rich people is the deduction for property taxes. It is capped at $10,000. There is a deduction for allowing people to deduct their property taxes, which is incredibly important for middle-class families around the country. Some people on the other side want to go much further and provide much larger deductions and make those for State and local taxes.

By the way, their proposal would go primarily to upper income people, the proposal they have. That benefit goes primarily to those who are making higher incomes. How is it paid? It is a $10,000 deduction for property tax. It is paid for by exactly the provision my colleague from Oregon just complained about because he said he wanted to be sure people had to pay an alternative minimum tax, and that alternative minimum tax is being used to pay for this middle-class tax cut we are talking about. Anyway, that is the biggest item by far.

The second biggest item is for the passthrough companies. These are the smaller businesses in America, and it is to try to have some more parity between the passthrough companies and the so-called C corporations. Again, that is something that is really important to small businesses in my home State of Ohio and around the country.

I encourage him to take a look. All of these have been filed. He can look at them now or he can go online, as any citizen can, and take a look at these things. I would say that at the end of the day, I know we had a difference of opinion on whether there should be tax cuts, but we think tax relief is appropriate right now. We think the middle-class families who have not seen an increase in their wages, not just for the last few years but the last couple of decades, need a little help. Their expenses have not gone down. They have gone up. Wages have been flat. That middle-class squeeze is addressed through these tax cuts—on average, about $2,375 for an Ohio median-income family. That is important.

People who are working paycheck to paycheck will find this to be incredibly important. Maybe they can put a little more money aside for retirement. Maybe it can help with their healthcare costs, which have gone up dramatically as wages have been flat. Maybe they can help people be able to buy a car or to make a car payment if they already have a car. These are real tax cuts. They are going to help middle-class families. Again, I hope my colleagues will look at some of these changes, like the $10,000 deduction for property taxes paid for with the alternative minimum tax changes and help us be able to make this legislation even more generous for folks in the middle class, as they say they are for.

With that, I would like to ask my colleague from South Carolina, who has been very involved in the child tax credit, ensuring we have a reduction of the brackets, if he would have a few comments on those.

Mr. SCOTT. Mr. President, I thank my good friend from Ohio.

I say to Senator PORTMAN, may I see that list? I have been on the floor and, unfortunately, I have not been able to get a copy of the list. Obviously, you have been able to have your staff get it or go online and get a copy of this list. I think my good friend from Oregon said they needed their good friends who are lobbyists to supply them with a list.

I am not sure what the other side is missing. They had control of the House, the Senate, and the White House for a couple of years, and they increased spending without doing anything about revenues, other than trying to have a tax increase a few years ago, $630 billion of tax increases, and somehow they have missed the correlation between higher taxes and lower revenues. We have gotten it right that oftentimes lower taxes actually increase revenue, which has been proven from the twenties, sixties and eighties.

It is good news that my friends on the left are finally thinking about the national debt. We had a couple hundred years of life in America that produced about $10 trillion of national debt. Eight years after Democratic leadership, we have a national debt of $20 trillion. I find it a tad disingenuous that my friends on the left are going to counsel us about debt when, in fact, their record is so clearly obvious. When it comes to the benefits this bill has for those folks who are working paycheck to paycheck, as the country saw its debt double in the last 8 years, what they did not see double were their wages. As a matter of fact, their wages were stagnant. Why? Because when you take money out of the private sector economy and place it into the hands of the government, you do not grow the private sector economy. It is a simple formula.

While wages were flat, the economy grew at an anemic 1.9 percent, even though they doubled the national debt from $10 trillion to $20 trillion. It is fascinating that my friends on the left, looking for ways to create lobbyist loopholes, are on this floor lecturing anybody about debt. We, on the other hand, aren't thinking about lobbyists or our friends on the left. We are thinking about the American people, the hard-working group of individuals who find themselves too often at the end of too many weeks with too little left in their pockets.

We are not asking the American people to just believe us. What we are saying with great clarity is, starting in paychecks in 2018, because of our tax cuts targeted toward the typical American family, you will see in your paycheck more of your hard-earned money. This is how we say there is proof in the pudding. It is simply to take a look and see how much of that money is left.

To my good friend from Ohio, my friends on the other side of the aisle are starting to overcook my grits just a little bit. I don't mind having a vigorous debate on facts, but to sell fear— as I said a few minutes ago, fear being false evidence appearing real is just turning the heat up on my grits. I have to tell you, this leads to an unhealthy outcome for the American people because at the end of the day, the goal is not for us to be right and for them to be wrong. I don't think their goal is for them to be right and for us to be wrong. It is kind of simple. The goal is, and always should be, for the people we represent to be better off because of our decisions in Washington. I can tell you, passing this tax reform bill will leave the typical American family with 60 percent—60 percent—of a tax cut.

I yield back.

Mr. PORTMAN. I thank my colleague.

I yield back.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, my friend from South Carolina said the proof is in the pudding. I would suggest the proof is in your paycheck. That is what I suggest.

We had a chance yesterday with my amendment to absolutely guarantee that my friends on the other side of the aisle believe what they are saying; that people are going to get a minimum of $4,000 in increased wages. I offered an amendment to simply say that in a couple years from now—2 years from now, 2020, we can make it 2021 or 2025, just pick a day when folks are going to get $4,000 in their wages, and we will put that in an amendment and pass it.

The truth is, there is no guarantee in this bill. If my friends on the other side of the aisle believed that there would be $4,000 more in wages in middle-class families' pockets with this supply-side trickle-down economics tax cut, they would have voted for my amendment yesterday, which simply says that if there is a $4,000 increase in wages, the tax cut continues. If it doesn't, if they don't have $4,000 more in people's pockets, then the tax giveaway stops because all it means is it is adding to the national debt.

I am all for anything that puts money in people's pockets. I have sponsored and voted for tax cuts for small businesses, manufacturers, farmers, and families over the years in public service and here in the Senate, and I want to do that; close tax loopholes that are taking jobs overseas, not increase new ones, which, by the way, this bill does, a new $4 billion tax loophole for oil companies—not closing tax loopholes. If folks really believe this, if they really believe the numbers, let's lock it down. The proof is in your paycheck. That is what families in Michigan are saying. They want to know it is in their paycheck. They want to know it is a guarantee. You know what, they are very skeptical. Because the truth is, in the past, supply-side economics/trickle-down economics has not worked. You say that it is going to trickle down. People in Michigan are still waiting. They are still waiting to catch it. It is not trickling down. We do have examples. What are the facts?

With the tax cut in 1986, 10 years after that, the wages of working people in this country were flat. They did not go up. That is a fact.

With President Bill Clinton in his effort to balance the budget in 1997, I was pleased. I had only been in the House for 6 months and went in and had the opportunity to balance the budget, which we did for the first time in 30 years.

What happened during that process? Actually, taxes on wealthy people were raised a little bit to give a middle-class tax cut and invest in education, which I know our distinguished Presiding Officer cares deeply about, and innovation. What happened? There were 22 million jobs that were created.

Then we went into 2001, 2002 with President George W. Bush, and there was a big tax cut in 2001, a supply-side/trickle-down tax cut. We were told that it was going to put money in people's pockets. It didn't. It created debt. In 2003, we had another supply-side tax cut that was going to put money in people's pockets. It didn't. It created a huge debt. We had wars that weren't paid for. Then it went into the biggest recession that we have seen outside of the Great Depression with the financial crisis, and 8 million people lost their jobs. People lost the equity in their homes and their pension values. It was terrible.

President Obama came in in 2009 and had to try to begin to dig out of the hole. That is a fact. He began to dig out of that hole and put things back together for folks. It was a big hole, and a lot of families are still feeling that hole. I know that is true in Michigan.

So part of me may feel a little skeptical when I am hearing: Have I got a deal for you. Let's try supply-side economics one more time, and this time it really is going to create jobs and really is going to put money in your pockets.

There is no proof of that. There is no proof that this grows the economy to be able to cover the costs of the tax giveaways whether you look at supply-side economics, whether you look at new dynamic scoring—the new ways of scoring on things—to make it look better. That didn't even show up. What I would say is that the proof is in your paychecks, for the people who are watching.

There is a lot going back and forth, and it is very confusing because we hear one thing from one side, and we hear the exact opposite from the other. I understand how confusing this is, but I would just ask this:

Why weren't my friends willing to support my amendment that would say that if folks really get the $4,000 minimum amount being promised in increased wages, then this goes on, and if they don't, then the tax giveaway stops? Why didn't they support that?

Mr. WYDEN. Will the Senator yield?

Ms. STABENOW. Yes.

Mr. WYDEN. I think my colleague—my seatmate—is making a very important point. Of course, people always wonder, well, is this kind of a Democratic position or a Republican position? I want to make it clear that I believe that Tom Barthold, the head of the Joint Committee on Taxation, which is our independent tax umpire, essentially agreed with you. In committee, I believe we asked him whether he thought this huge reduction in the corporate tax rate would translate into $4,000 in the pockets of working families in Michigan and Oregon. Is that my colleague's understanding?

Ms. STABENOW. Absolutely. We asked that question, as you know, and he indicated that that was not the case. I continue to hear it over and over again. We have heard it from the President of the United States and the Secretary of the Treasury. We have heard it from folks on the floor. Just today, we have seen it in charts on the floor. That is great. If that could really happen, I would support that. It has never happened, and my colleagues will not support guaranteeing that it will happen.

This is about putting up or shutting up, in my opinion. That is what we would say in Michigan. It is about whether we are going to guarantee folks that this time around, it is not just a sales job, that it is actually going to end up in their pockets.

I see my friend and colleague from Pennsylvania, who offered this amendment in committee. I was pleased to join him in committee, and he knows, in Pennsylvania, like I do, that we have gone through some rough and tumble times, and we still have folks who are working too hard at not just one job but two jobs, trying to hold it together, having not seen the pay raises they deserve and have worked for. They want to know that this time around is not going to be voodoo economics and that it is actually going to increase their paychecks.

Mr. WYDEN. Will my colleague yield for a question?

Ms. STABENOW. Yes.

Mr. WYDEN. My understanding is that you and Senator CASEY in particular have been out here—and we are so glad to have our colleague from Connecticut—wondering when in the world we would actually get to see this legislation.

Ms. STABENOW. Right.

Mr. WYDEN. This pile of papers, for all practical purposes, is what we have been waiting for for days.

Ms. STABENOW. I hope you are a speed reader.

Mr. WYDEN. I am going to try to do some, but as far as I can tell, it sure looks like a lobbyist's wish list. There are going to be a lot of folks happy on K Street as they try to shop for the holidays because of the fees they have put together in working to get these changes into the Republican proposal.

I appreciate my colleague for giving me the opportunity to make sure that the public knows now that, at this late hour, we are finally getting, after days, the opportunity to see the bill that is actually the bill.

Ms. STABENOW. Before turning this to my friend and colleague from Pennsylvania, I do want to mention just one thing that I understand is in there. There may be things that I am supportive of in there. We don't know. We are trying to figure it out.

One thing that I don't understand, with all of the talk about supporting workers and middle-class workers, is that there is a provision in the bill that reads ''prohibit cash or gift cards as employee achievement awards.'' So if somebody works very hard and is getting some kind of achievement award, does that mean he would not be allowed to get a bonus? I mean, I don't know why in the world we would be going after people's employee achievement awards. That doesn't sound like help for the middle class to me.

I now yield to my friend from Pennsylvania and thank him for his leadership.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I thank my colleague from Michigan for focusing on the issue of wages because that was the promise—right?—that if you give corporations a tax cut of more than $1.3 trillion—with a ''t''—all of a sudden, you are going to see wages go up, and workers are going to do a lot better. We know that hasn't happened in recent history. We will see if the Republican argument is correct.

I want to put a few facts on the record in light of the debate this afternoon. Many people in both parties have been referring to the documents of the Joint Committee on Taxation, the JCT. I am looking at one of the documents right now to go through some data. This is dated November 27. It is D–17–54 for the Joint Committee on Taxation. Here is some basic data.

The Joint Committee on Taxation, which is, of course, Congress's official scorekeeper, finds that in 2019—right away, early in the implementation of the bill, if this bill is to pass and if the version we just received is to pass—the Senate plan increases taxes on nearly 13 million families earning under $200,000 a year. That is what the document tells us.

That is the under-$200,000 category and 13 million families just in 2019. If you break it down further in terms of folks making between, say, $50,000 and $75,000 and then $75,000 and $100,000, almost 20 percent of Americans earning between $50,000 and $75,000 a year will see a tax increase or a tax cut of less than $100. That works out to be about $9 a month. Those individuals will have that tax consequence in 2019. So between $50,000 and $75,000 will see either a tax increase or a tax cut of $100 or less.

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

Mr. CASEY. Then you take the category of $75,000 to $100,000, and almost 17 percent of Americans in that income category will see a tax cut of less than $9 a month.

In the grand total between $50,000 and $100,000, 7.7 million Americans will either see a tax increase or a tax cut of $100 or less. I don't call that tax cuts for the middle class.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I wish I could convince my friend from Michigan—and she is my friend—about the $4,000 per family that would come from the pro-growth policies here, many of which she supports. She wants her businesses to be competitive, and they are not now. It is an outrage that our companies have to use a tax code that puts the workers in those companies in a disadvantageous position every day. It is not just about inversions, and it is not just about companies getting taken over.

By the way, last year, three times as many American companies were taken over by foreign companies as the other way around. Over the last 13 years, 4,700 companies became foreign companies that would today be U.S. companies if this tax bill had been in place. I mean, it is happening. They are taking their jobs and investments with them when they go overseas.

We have to fix that problem. It has been bipartisan. There has never been a partisan issue about that. That is where a lot of that $4,000 comes from. It comes from the fact that you are going to have more investment and therefore higher productivity, and workers are going to have a chance to see higher wages.

The Congressional Budget Office did a study in which they showed that 70 percent of the benefit of lowering the business rate goes to workers in terms of higher wages and higher benefits. Others say it is less than that. Others say it is more than that. Kevin Hassett, who is the Chairman of the Council of Economic Advisers, says that it is more than that. But that is where the $4,000 comes from. I hope it is a lot more than that, but it is on top of the middle-class tax cuts that are very direct.

In other words, that is not just saying that we are going to have a better economy, which I believe we will—and I strongly believe we can improve a broken tax code, as I think everybody does, to make it better for American workers—but beyond that, you have the immediate tax relief, and that is what we have been talking about.

This is the doubling of the standard deduction, the doubling of the child tax credit, the lowering of the tax rates.

My friend from Pennsylvania just talked about the fact that 20 percent of the people between $50,000 and $75,000—I am not sure where his data was coming from, but let's take it as true—have a small tax cut or a tax increase, and 17 percent between $75,000 and $100,000 are in that category. That means 80 percent of the people in that category have a big tax cut, in the one category, and 83 percent in the other category have a big tax cut. So, yes, a small tax cut—I don't know how many have a small tax cut and how many have a tax increase, but the vast majority of middle-class families, according to what my colleague from Pennsylvania just said, are going to get a big tax cut. I don't know what is wrong with that. That is $2,375, on average, for a median-income family in Ohio.

By the way, economists say that it not only creates the opportunity for people to have a little better family budget through the direct tax cuts but also, of course, more jobs.

Here is something interesting. Over the past couple of days, a letter came in from 137 economists—many of them nationally known—who support this legislation. This is what they say: Economic growth will accelerate if this legislation passes, leading to more jobs, higher wages, and a better standard of living for the American people. They say that there will be significantly more resources coming into the Federal Government because of this, because of the growth. They think that there will be $1 trillion more revenue coming in because of this, because of the growth. They also think that there will be additional jobs—the Tax Foundation says 1 million new jobs.

So, yes, I do believe it will be $4,000 per family, but on top of that, I believe that they are going to have a very direct benefit. I know they will because the statistics are there—my colleague from Pennsylvania just acknowledged it—that the vast majority of middle-class families are going to see a substantial tax cut.

Let me give you a number. For a family with two kids, making $50,000 a year, it is a 36-percent tax cut, on average. That matters. That helps people who are trying to make ends meet. It is real both in terms of the direct tax cuts and in terms of the economic growth and the higher wages that are going to come with that, and that is so important to all of the families we represent.

We have had a good discussion here. I see that my colleague from Connecticut is here and would like to speak, and others, I am sure, are going to want to speak.

I would ask my colleague from Oregon if he would be willing to have another unanimous consent that there be additional time equally divided.

Mr. WYDEN. I think 30 minutes is what we have been talking about and that it is appropriate.

Mr. PORTMAN. Mr. President, I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order and with the majority leader or his designee being recognized at the conclusion of that time.

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

Mr. PORTMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Thank you very much, Mr. President.

I was paying attention to my social media feed, and I have seen that Senators on the Republican side are starting to announce which way they are voting. I saw that CORKER is a no and COLLINS is a yes. I don't know what they are a no or a yes on. How can you declare which way you are going to vote on a bill that you haven't read, on a bill that your constituents haven't seen?

Senator WYDEN just piled up what looked to be about 6 inches' worth of text in front of the Senate floor. There is no possible way that any Member of this body has read all of that. There is no way that in the time between when it is released to Senators and when we vote, anyone—even from the very close States—is going to be able to get back to their constituents and ask them what they think about this piece of legislation. I guess I would say I have never seen anything like it, but we just went through it earlier this year when we were given about an hour to look at a complete reform of one-sixth of the American economy, the healthcare system.

We are now being asked to vote this evening on a multitrillion-dollar reform of our Tax Code, and not a single U.S. Senator will have read it. There is no way you will have read it. I just saw how big it is. Maybe Republicans have read it because they have seen it in these secret negotiations, but I can guarantee you that Senate Democrats will not have read this because we have been kept out of the loop on all of these negotiations designed to get to 50 votes—not to 60 votes, not to 70 votes, not a consensus product that can get Republican and Democratic support.

I got here in 2007 when Democrats took control of the House and the Senate. I remember during those 2 years all sorts of consternation from Republicans about how bills were being rushed through the process. In reaction to that, when Republicans took back control of the House, they instituted something called a 72-hour rule that said that we couldn't vote on a piece of legislation unless Members have been able to see it for 72 hours. We need a 72-minute rule. I don't think we are going to be able to look at this legislation for more than 72 minutes—a multitrillion-dollar reform of the U.S. Tax Code—before we are asked to vote on it.

Senator WYDEN and others have been waving around this list of lobbyist asked-for amendments that fill up an entire page. We are not going to get 72 minutes to look at this, never mind have a single conversation with our constituents. It is dark out. The bill is going to be introduced on a Friday night. We are going to vote on it overnight. This is supposed to be the world's greatest deliberative body. It is not supposed to work like this.

It is not a middle-class tax cut. I am not going to deny that there are some people in the middle class who are going to get their taxes lowered by this bill, but the middle-class tax cuts here are temporary and they are very selective. They are selective in a way that very peculiarly seems to discriminate against Democratic States. So the States that are represented by Democrats don't get as big a tax cut out of this because it has been crafted in a way that hurts States like mine that utilize the State and local tax deductions more than other States, those that happen to be represented by Republicans.

It is not a middle-class tax cut because the middle-class tax cuts are temporary. They go away after 7 years. The corporate tax cuts, the inheritance tax cuts for billionaires, are permanent. Those go through the full 10-year timeframe. But middle-class families don't get permanence. After 7 years, 6 out of 10 middle-class families will have their taxes go up, not down.

That 7-year timeframe is an important one because by repealing the individual mandate, premiums go up by 10 percent a year. Republicans have been screaming about premiums going up, and they decided intentionally to put a provision in this bill that will guarantee premiums will continue to go up at 10 percent per year. Guess what happens at year 7. Year 7 is when that 10 percent increase year-by-year compounds such that premiums will double. So in year 7—this is a great deal if you are a middle-class taxpayer—your tax cut to the extent it exists in this bill disappears and your healthcare premium is doubled.

What it is, is a big tax cut for the wealthy. I am stealing Senator BENNET's chart, but he did it very well. We have 572,000 taxpayers—the richest 500,000 Americans—getting $34 billion in tax cuts, and then we have 90 million taxpayers who are making under $50,000 a year getting $14 billion in tax cuts.

I get it. If you are going to structure a tax cut that covers everybody, naturally people who make more are going to get more. But why does it make sense to borrow $34 billion to help the wealthiest 500,000 Americans? This doesn't even count the inheritance tax, which is going to help an even smaller percentage of those people even more.

Come on, this idea that you could deficit-finance a tax cut for the rich and it will just trickle down and magically result in economic growth—that is just not true. It is fiction. We have decades of economic experience to tell us that when we cut taxes for the rich, it does not magically result in enough economic growth to make up for the deficit, especially deficits that are going to be in the neighborhood of $2 trillion. You might as well claim that unicorns are real. You want to believe that Tupac is still alive, go for it—that is just as plausible as deficit-financed tax cuts for the rich resulting in enough economic growth to wipe out the deficit. It is fiction. It is a fantasy from the beginning.

I think we should take our time, read the bill, and have a real conversation about what we are about to do. If our goal is to provide a middle-class tax cut, we could do a much better job if we worked together. This is not a middle-class tax cut for everybody, and after 7 years, the majority of people in the middle class lose that tax cut.

There is no reason to borrow this much money for the richest 500,000 Americans. As a Senator with two young kids, I just don't know why you would ask my kids and so many others to pay back the loans necessary to deliver this tax cut, especially when it isn't going to magically result in the kind of economic growth that trickle-down economists have claimed for years and years.

It is not impossible to get a bipartisan tax bill. I know my Republican friends claim, as they did on healthcare, that there is no good will on the Democratic side to try to craft a bipartisan proposal. The tragedy is that they didn't even try. There was no attempt to try to find common ground here, just as there was no attempt to try to find common ground on healthcare until the bill failed. I credit Senator ALEXANDER and Senator MURRAY for trying to find that common ground after the healthcare bill failed, but the order switched—try to find common ground first, and if that fails, do it in a partisan fashion, instead of doing it in a partisan fashion, and when that fails, trying to find common ground.

This is a really bad deal, a really bad piece of legislation for my constituents—I think, because I will not have read it by the time I am forced to vote on it, and neither will any of the other 99 Members of this body.

I will yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, will my colleague yield for a question before he yields?

Mr. MURPHY. I will.

Mr. WYDEN. I am just curious. I am heading home for townhall meetings in Oregon over the weekend. I am the ranking Democrat on the committee, the storied committee, as my colleagues know, that works in a bipartisan way.

Bill Bradley tells this story about how he flew all over the country to meet with Republicans to talk about how you could find common ground to deal with tax reform. At this time, we haven't been able to get the majority to even walk down the corridor in an effort to try to get a bipartisan bill. As I told my colleagues, I have written two of them.

My question to my friend is, when you have your community meeting, how do you think people in Connecticut are going to react to the idea that we had maybe an hour or so to try to make our way through a bill that is actually the biggest tax bill in 31 years? I know my colleague tries very hard to be straightforward with his constituents, and he will tell them: I got it with insufficient time to get into it. How will they react to that?

Mr. MURPHY. I say to Senator WYDEN, I don't want to be too heavy about this, but everybody shouldn't assume that the way in which we run our country just continues on forever. Democracy is unnatural. We don't run other parts of our lives by democratic vote. We decided to run our country in a way that allows everybody to participate. And, you know, let's be honest—people have been asking some questions recently about the health of our democracy, and maybe that was a big part of the subtext of the 2016 election.

This doesn't help win people's faith back in the democratic experiment when they see this casualness afforded to a debate that affects millions of Americans. It hurts us all when a bill this big, this important, gets rammed through under the cover of night. It starts to atrophy people's faith in the entire way that we go about running our government.

I understand that Congress is not that popular. It would be hard to get less popular than we are today. If we ever want to start to climb our way back to legitimacy, then we have to trust the people to be part of the process of drafting and passing legislation rather than being afraid of the people and burying a bill in the dead of the night, as is happening now.

I yield back.

The PRESIDING OFFICER. Who yields time?

The Senator from Maryland.

Mr. CARDIN. Mr. President, I understand we now have a new bill. I am looking at Senator WYDEN hold up that new bill. I got a sheet that looked as if it came from K Street that gave us a list of changes that will be included in the managers' package. I looked at the list, and somewhere around 50 or 60 new provisions were on that list. Many of those were not bills that had been filed, so we had no idea what was going to be included in it.

None of those issues—in fact, nothing in this bill has been subject to an open hearing in the Finance Committee. Now we are going to be asked, I understand, maybe later tonight to vote on those changes. Quite frankly, I don't know what those changes are, and I am not going to have an opportunity to go over those with my constituents. That is wrong. That is not the process we use to change the Tax Code of this country, a major tax reform bill. That is an outrageous process, to say that we are going to vote on a new bill without an opportunity to understand it, without any hearings, without an opportunity for constituents to give their views on it, and I must state that I find that very offensive.

I want to talk about one provision in particular, and I hope we will have a chance to do something about it during the amendment process. As I understand it, the revised provisions in regard to State and local tax deduction still restrict what taxpayers can deduct on their Federal tax returns in regard to State and local taxes that they pay. I admit, this could have been modified, but what I understand is that the modification is that taxpayers will be able to deduct up to $10,000 of property taxes but will not be able to deduct any of their State taxes, whether they are income taxes or sales taxes, in regard to the Federal taxes.

In my State, we have county income taxes that will not be deductible, if I understand correctly, under the proposal we will be voting on. If that is, in fact, correct, that is absolutely wrong, and I want to tell you why. Many of us spent years in the State legislature. Our distinguished Presiding Officer was Governor of his State. We respect State and local governments. It is the same taxpayers that pay the taxes to the counties, to the State, and to the Federal Government.

We believe in federalism. Our Nation was founded on federalism. I was proud of my record as speaker of the Maryland House of Delegates and of working on a federalism task force set up by President Reagan to look at the proper way to respect the rights of the States and local governments. Now we are saying we are not going to respect their ability to finance their operations. I say that because we are going to tax the tax. We are not going to respect that the same taxpayer is paying the State of Maryland's taxes or the State of Tennessee's taxes. That is wrong. That is an affront, I believe, to the Constitution of this country, but it has an impact.

It is going to be much, much more difficult for our States to be able to raise the revenues they need to support our schools and for public safety and health. All those services are going to be much more difficult for our States to be able to finance because of this change that is included in the Senate bill. It is going to be more difficult for local governments. The cap on property taxes is real and will affect local government's ability to raise property taxes. But in Maryland and other

States, our local governments have other sources, including income taxes, that no longer are going to be deductible.

That is going to affect my State's ability to adequately fund public services. Whether it is education, whether it is transportation, whether it is healthcare, all of that is going to be negatively impacted and it is wrong.

I will give you a number, because I know the number in Maryland. Almost 50 percent of Maryland taxpayers deduct State and local taxes as an itemized deduction. They are going to be disadvantaged by the provision that is included in the Senate bill, and it is wrong. It also has unintended consequences, but it is going to have other consequences.

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

Mr. CARDIN. Mr. President, later I will come back and speak on some of these other issues, but I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, again, we have had some interesting dialogue back and forth. Earlier, my colleague from Connecticut was talking about how this isn't real middle-class tax relief, and then he lamented the fact that because of the arcane budget rules we have around here, after 10 years, all these great tax cuts expire. So you kind of have it both ways there, and I don't think you can do that, which is that there aren't real tax cuts but then, when they expire, it is the greatest shame because they are great tax cuts.

Here is the reality. There are significant tax cuts here for the middle class. This legislation doubles the standard deduction. Probably about two-thirds of the people I am talking to tonight already take the standard deduction. Now we will have about 95 percent of people who will take it, and everyone who takes it will be able to, instead of getting $12,000 a family, get $24,000 a family, greatly expanding that. By the way, there is a zero tax bracket, meaning people who don't have any income tax liability. That means a lot to people I represent who are living paycheck to paycheck, having a tough time making ends meet.

Also, as a result of this, and the other tax relief, about 3 million Americans who now pay income tax are going to fall off the tax rolls. They are no longer going to have income tax liability. That is really meaningful to people. It also doubles the child tax credit. We talked a little bit about that today. It also increases the refundability a little. But importantly, it helps to ensure that families have the ability to help make ends meet when they are trying to raise kids—the most important thing you can do—and it lowers tax rates. That combination means that you have the kind of tax relief we are talking about.

So a family who makes $50,000 a year and has two kids gets a 36-percent tax cut. A family who makes $85,000 a year and has two kids gets a 20-percent tax cut. If you make $165,000 a year and have two kids, you get an 8-percent tax cut. So the benefit is focused more on those who are at the lower end of the economic scale, and I think that is appropriate.

So it is middle-class tax relief, but here is how it works. As to the share of Federal taxes paid in 2019, which is a year after this is implemented—it starts right away, by the way, so middle-class families are going to get that relief right away—the current is in the red, and then our proposal is in the blue.

So if you make zero to $20,000, it is very unlikely that you have income tax liability, but some families do and the average is 0.1 percent. If you make $20,000 to $50,000 a year, your share of the Federal taxes goes down in our bill from 4.3 percent to 4.1 percent. If you make $50,000 to $100,000 a year, your share of the Federal taxes goes from 16.9 percent to 16.7 percent. If you make $100,000 or above, your share goes not down but up, from 78.7 percent to 78.9 percent. The top percent of wage earners in this country, the top 10 percent, pay approximately 70 percent of the income taxes right now. After our bill is passed and implemented, they will pay more than 70 percent. So it is a progressive tax cut in the sense that the benefit is focused more on middle-class families who really need the help. That is what the legislation does.

Then, in addition to that, in responding to my colleagues who were talking whether there is any economic growth that comes from this, yes, there is a lot of economic growth because the current code is so bad. It is broken. My colleague from Oregon, who is the ranking member, agrees with that. He has a different solution as to how you get there, but he has been a leader on tax reform for that very reason. The current code is actually putting our workers at a disadvantage, making our families have to go through a great complicated process even to file their taxes. More than half of taxpayers now have to use a tax preparer. That is terrible.

So this legislation does also provide economic growth by taking that Tax Code, which has this perverse effect of actually telling U.S. companies that it is better that they have workers overseas and take their investment overseas or even become a foreign company—the 4,700 companies that are foreign companies today became foreign companies over the last 13 years because we didn't have this Tax Code in place. That is based on an Ernst & Young study. I encourage folks to take a look at it. It basically makes the point that because of a broken Tax Code, it is advantageous for U.S. companies to take their jobs and investment overseas. That makes no sense.

Foreign companies can pay a premium for U.S. companies because of our Tax Code. We have the highest business tax rate in the industrialized world, and we have an international system that encourages people to go overseas and keep their money overseas. That is crazy. This proposal changes all of that. It says: Let's get our rate down below the average of the other industrialized countries, and then let's have an international system that actually encourages them to bring the money back and create more jobs here.

In fact, Mr. President, I will say something else. I know you are interested in this. It also encourages foreign investment in this country, because if you are a foreign auto company—and you have a bunch in your State of Tennessee—and your decision is that am I going to invest in Japan, where they might be headquartered, or am I going to invest in China, where they might have a factory, or am I going to invest in Germany, where they might a factory, or am I going to invest in the United States of America and maybe in Tennessee, this bill will make it more advantageous for them to make their investment here and to create the jobs here because of the lower tax rate and because of the expensing when they go out to buy new equipment and technology to make their workers more productive.

So this is going to help American companies a lot to be able to compete globally. It levels the playing field, which is very important. It has been bipartisan up to now—very bipartisan. We had a working group on this, among five bipartisan working groups that were established 2 years ago, that studied this issue. We came up with the solution that you have to get the rate below the average and you have to go through the kind of system we are talking about. It was totally bipartisan. Democrats and Republicans alike agreed to it because it just makes so much sense for the American worker. They are the ones getting the short end of the stick right now. They are the ones who are told: You go out there and compete, but do it with one hand tied behind your back.

We need to give them the tools to be able to succeed, and that is what this legislation does. Yes, that is going to result in middle-class families getting benefits well beyond, in my view, the direct tax cuts we talked about earlier because it is going to enable them to be able to get the higher wages and the better jobs, and that is why some economists have said it is $4,000 a family. Some have said it is more. Many Democrats think it is less. But there will be a benefit to these families. Remember, these companies we are talking about, the C corporations, they employ more than half of the American private workforce. They are competing every day in these global marketplaces. We want them to win. We want our workers to win because we want them to be able to have those higher wages and better benefits.

We have spent 2 decades with relatively weak economic growth and, therefore, relatively flat wages. In fact, on an inflation-adjusted basis, if you look back over the last 15 years, there hasn't been any wage growth. There have been higher expenses, especially healthcare, and those healthcare costs and tuition costs for those who want to send their kids to school, or other costs—food and energy—have all gone up. Wages have been flat. That is a middle-class squeeze, and that is what this middle-class tax relief helps to address. Importantly, that is what this pro-growth part helps to address because you are going to see higher wages, and you are going to see better benefits if you give this kind of tax relief to the American worker because you are going to see more investment, you are going to see more productivity that comes from that, and you are going to see higher wages.

I believe that, but what I believe isn't as important as what others believe. So 137 economists, many of these are nationally known economists, have looked at the pro-growth parts of this legislation—the parts I am talking about that make us competitive again—and they have said that economic growth will accelerate if this legislation passes, leading to more jobs, higher wages, and a better standard of living for the American people. They say there will be a million new jobs in this country just because of this. I think that is really important, as important as the tax cuts are for the middle class—and they are important. Again, those tax cuts primarily go to folks who are in the middle class and that is appropriate. Equally important to me is to get this economy moving in a way that people can have the opportunity to get those higher wages and better benefits.

The Congressional Budget Office did a study. It showed that 70 percent of the benefit of getting that corporate tax rate down is going to go to workers in terms of salaries and benefits. Some say it is less than that. Some say it is more than that. Kevin Hassett, who is the chairman of the Council of Economic Advisers, says it is more than that. The point is that it is going to help these workers, and it is about time that we help them.

There has been a lot of discussion about the process here tonight, and I understand the frustration. As a Member of the Senate, sometimes I feel that frustration as well. But I will say that this legislation, H.R. 1, which is the vast majority of the papers that were held up a moment ago—this is the legislation that came out of committee; it is the vast majority of the pages—has been on this website called budget.senate.gov and has been public since Saturday, November 26. So it has been out there awhile for Members to look at.

Every single one of these amendments that are part of the manager's amendment that was talked about tonight has been publicly filed, and I think that is good. We required that Members have to file an amendment and make it public. People can go on rpc.senate.gov and see all of those amendments, and I think that is appropriate.

I would hope that, as we go through this process tonight and we talk about this legislation, we can express our differences, which we will, but that we can also stick to the facts, which is that this does provide middle-class tax cuts. Again, as to those who have said earlier that there are no real tax cuts, but then when it expires in 10 years say: Well, gosh, these big tax cuts are gone, you can't have it both ways. There are tax cuts. Maybe people think there should be different kinds of tax cuts, but they are there.

Second, there is the economic growth element of this, which to me is so important. We are not going to be able to have a growing economy and have opportunity and, frankly, be in a position as a country to be able to address some of our broader problems unless we have the growth and the optimism that comes with that, and that is why I think the economic growth parts of this are equally important. Again, that has been bipartisan in the past, and I hope it can be bipartisan in the future. I hope we will be able, as a Senate tonight, to pass this legislation and then continue to work on these issues, not just in terms of tax reform but making our economy and our workers more competitive because that, in the end, is going to be the ability to give people the chance for themselves and their kids and grandkids to have a better life.

I see my colleague from Pennsylvania is on the floor, and I know my colleague from Oregon may have another speaker.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I see my colleague from Oregon has some other speakers. I know he would like to speak, I am sure.

I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order, and with the majority leader being recognized at the conclusion of that time.

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

The Senator from Oregon.

Mr. WYDEN. Mr. President, I am going to yield to my colleagues in a minute.

I just think it is important to make sure that the public understands exactly what some of the facts are behind the Republican proposals.

My colleague from Ohio just talked about how the Republican proposal is going to create many more jobs in the United States and certainly isn't going to keep the system that makes it attractive to do business overseas. Yet my understanding is, all the previous versions—and we are going through the 500-plus pages now—are based on territorial taxation.

I don't imagine too many folks in coffee shops are up on what territorial taxation is, but it is an express lane for shipping jobs overseas. The fact is, a number of the proposals earlier from the other side have made it more attractive to do business overseas than in the United States.

Here are a couple of other points. My colleague said that 70 percent of the corporate tax reduction would go to the workers. That is not what Tom Barthold, the head of the Joint Committee on Taxation, said. He said specifically that he didn't see anything resembling that kind of benefit going directly to workers. He speaks a special language known as economics, but he has made it clear he didn't envision anything like that.

Two other points, and then I have a question for my colleague from Maryland.

We still do not have an analysis in two areas: No. 1, the cost of the bill, and No. 2, what is going to be the fate of middle-class families with respect to this new proposal? What is it going to mean for their taxes, and by what amounts?

If I can engage my colleague from Ohio on this—what can we be told at this point we are going to get, if anything, with respect to an analysis of this particular bill, the 500-plus pages? Will we be getting anything tonight before we vote?

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first of all, I was referring specifically to a CBO report earlier, and the Senator talked about the Joint Committee on Taxation. We may have different views on that. It wasn't my belief I was expressing; it was me talking about the Congressional Budget Office's report. My understanding is that tonight the entire bill will be online, No. 1.

Second, the analysis is necessary to ensure that it fits into the reconciliation instructions.

Mr. WYDEN. What analysis would it be, for example, with respect to what the new bill—the bill we are actually going to vote on—means for middle-class families? We have millions of middle-class folks who are trying to sort out what this means for them.

We have just gotten a brand new bill. We would like to know what the new bill means with respect to the taxes paid by middle-class folks. Are they going to get ahead or, as we have seen in so many of the previous iterations, fall behind, particularly after 2027?

Will we get a new analysis on this new proposal that we will actually vote on with respect to what it means for middle-class families?

Mr. PORTMAN. Will the Senator yield?

Mr. WYDEN. Of course.

Mr. PORTMAN. Good news—you will be glad to hear those tax cuts continue. If your family is making $50,000, two kids, you will see a 36-percent tax cut. If you are making $165,000 a year, two kids, you will get less of a percent—an 8-percent tax cut. That is all included in the legislation.

The big change, as we talked about earlier—and I know you have it in front of you—is that there is now this deduction for property taxes. It is a $10,000 cap on that deduction. As you know, if you look at the entire SALT, which are the State and local taxes and property taxes, about 50 percent of that benefit goes to families making over $200,000 a year. In this one, the property taxes capped at $10,000 will be much more targeted to the middle class.

I think it is fair to say to my colleague from Oregon that he will see more middle-class tax relief from that, and that will be something that will help middle-class families.

There is no change in terms of those tax cuts because those brackets—the reduction of the tax rates, doubling of the standard deduction, the doubling of the child credit—are all in the legislation.

Mr. WYDEN. What I would say to my colleague is, we don't have any evidence of that. My colleague has certainly made laudatory claims about his bill, but we don't have any evidence of them. In fact, the comment made by my colleague highlights my concern. What we have seen thus far for middle-class families after 2027 is that upward of half of them would pay more in taxes.

I think, rather than continue this, I will just ask my colleague to see if his side can produce an actual document—even a summary—of what this new bill is actually going to mean for middle-class families who are concerned, based on the earlier versions, about seeing their taxes go up, particularly after 2027.

I have one question for my colleague from Maryland because he has been talking about the State and local deduction, which is enormously important to folks in my State and in my colleague's as well.

My question is, when the first income tax was enacted in 1861, it was to finance the cost of the Civil War. It included only one deduction at that time for State and local taxes, and that was really composed to respect the States' ability to make their own fiscal decisions. It was the first deduction more than a century ago. So does that seem like a special interest tax break compared to this list of more than 30 breaks that we have managed to excavate from various corners of K Street?

Mr. CARDIN. If my colleague will yield——

Mr. WYDEN. I will.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. In going over the history as to how the income tax came about, it really was part of Federalism. They needed the consent of the States to change the Constitution. It was a partnership with our States, and that is why, from its inception, there has been respect for State and local taxation as a deduction from the Federal income tax.

This is not a special interest; this is how we finance government. We finance government at the Federal level, the State level, and the local level. If this bill becomes law, we are violating it.

Mr. President, I will ask my colleague from Oregon to let me have a minute more for two or three more points on this that I think are important; that is, there are effects that are going to take place as a result of the limitation of State and local taxes. We are going to see effects on property values. The Realtors and real estate industries have made that clear. It is going to affect the tax base of local government.

This bill is going to affect charitable giving. Why do I say that charitable giving is part of this? Because I was talking to the mayor of Baltimore, Catherine Pugh, earlier today. She has serious problems with law enforcement in Baltimore. She is depending upon private groups and their generosity to help deal with the problems of Baltimore. It is going to be much more difficult for private groups to be able to get charitable contributions if this bill becomes law. So there will be impact on this that will affect our State and local governments, in addition to the elimination of the State and local tax deduction.

Here is one last point, if I might make it, in regard to middle-income taxpayers. I respect greatly my colleagues on the other side of the aisle and the charge that they show, but these charges don't include the effect of the increase of the estate tax because that has not been made part of the calculations. It does not take into consideration 13 million people who no longer are going to have health insurance. That has not been taken into consideration in the charge they are showing.

It doesn't take into consideration, in the charge, that the corporation profits they are going to make as a result of these tax cuts are going to most likely go to stock buyouts, rather than helping the workers. That is not reflected.

So when you take a look at all of it—and we do have some analysis that has been done that is objective—middle-income taxpayers are at a disadvantage under this tax bill.

I thank my friend from Oregon for yielding me that time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend, and I know the Senator from West Virginia and the Senator from Connecticut have both been patient. Why don't we yield time to the Senator from West Virginia now.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank my good friend, the Senator from Oregon.

I want to put this in perspective. I don't think there is a person more bipartisan than I am. I don't think there is a person who has signed more bills in a bipartisan way with my Republican friends than I have—who has voted on more Republican bills or more Republican amendments than I have as a Democrat.

I am really so frustrated. I thought that we could make this place work. That was my purpose in being here. I truly have done everything I possibly could. I reached out. The White House was kind enough to reach out to me. I sat down and I talked to all of the people who are in charge of writing this legislation from the White House. I sat down with my colleagues. I gave them some suggestions and ideas. We brought people together, thinking we could find a bipartisan way.

I will tell you, as I see it unfold tonight, this has been designed not to have even me, as one Democrat, on the bill, and I want to be. I want to be part of a reform for the first time in 30 years. I look back at Ronald Reagan. He was a hero to all of us. He had 97 votes; 97 Senators voted for the legislation that he crafted. There were adjustments—a give-and-take. But every time, I would think, well, if I have some ideas, shouldn't you at least listen to me; listen to what we think?

Two days ago, we did a press conference. I invited all of my colleagues. I thought: Well, I and Senator HEITKAMP from North Dakota and Senator DONNELLY from Indiana—I knew the three of us would show up. I had 14 other colleagues who were craving to be involved; they wanted to be involved. I saw my good friend, BOB CORKER, Senator CORKER from Tennessee. I asked him: Can we have a few more days to look at this? That was denied.

I don't know what it is going to take. Maybe we have hit the proverbial wall. This is the first time I know of, in the history of the United States of America, that we have ever done this type of major reform without having a bipartisan objective for it. There is not one bipartisan vote on this piece of legislation, and I am looking; I have been looking and trying.

People have called me today from my home, asking: What have you seen? Do you like something? I said: I haven't seen that much. I am still trying to find the bill. I promised them: I will see something before I vote on it. I won't be able to read it, but I am going to see it. I want to see something.

I would love for us to take the time to sit down and work on this and see it. I think you would be surprised. I think not only could we get to 60, we could get above 60 votes on this, and that is what it should be.

In 2010, I thought my Democratic colleagues who voted for the Affordable Care Act with not one Republican on it were wrong. I thought that was wrong. I understand from the history—I wasn't here; I was a Governor at that time—

that at least they tried. They went through the markups. They went through the hearings. They had an awful lot of input. I understand that.

Still, I don't think any major legislation that affects every American should go through without a bipartisan buy-in, without bipartisan votes, without bipartisan support. If this is designed to be a political ploy—to basically have one side, and one side only, not wanting one Democratic vote—this will fail, and it is a shame for our country and for my colleagues.

I have made it a point that what I thought was broken in this place—I have never, ever campaigned against a sitting colleague. I have never campaigned against a fellow Republican. I have never made a phone call against a fellow Republican. I have never raised money to be spent to try to defeat a fellow Republican, my friends, because I don't think I could face them if I am trying to defeat them and then ask them to work with me. I have never done that nor will I ever do that. That is not my purpose for being here.

All I have asked for is to have the chance to work with my colleagues. That is all I have wanted to do. I want to be part of this. I ask, if there is any way possible, slow this down to allow me to be involved. I would appreciate that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before we go to Senator BLUMENTHAL——

The PRESIDING OFFICER. There are 36 seconds left.

Mr. WYDEN. I thank my colleague from West Virginia. I believe we are going to propound another 30-minute unanimous consent request.

The PRESIDING OFFICER. First, the other side has 15 minutes.

Mr. WYDEN. Oh, they have 15 minutes.

We will let Senator TOOMEY start the 15-minute time allotment for Republicans. Then, when our turn is next, we will go to Senator BLUMENTHAL.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, two points I would like to address, and then we have other Republican colleagues who would like to use our time as well.

One, I want to address the comments made by my friend—and he is a friend of mine—the Senator from West Virginia. I have worked closely with Senator MANCHIN on a variety of pieces of legislation, some relatively ordinary and noncontroversial and others quite controversial. We have been through some battles together, Senator MANCHIN and I, and I enjoy working with him.

I hope he is going to support this product in the end. I am not sure he will, but he might—I don't know—and he probably has some good ideas he could bring to this.

Let me be very clear about the process we have used here. First of all, this legislation has gone through the regular order. It has gone through the committee. It was extensively debated in the committee. It was marked up in the committee. There were many dozens of amendments debated and voted on in the committee. The committee document, which is very similar to the final document we are going to vote on tonight, has been available for weeks.

Here is one of the problems we faced from the onset in this. Very early on in this process, the vast majority of our Democratic colleagues announced they wanted to leave the room with respect to a tax reform discussion. Now, as it happens, Senator MANCHIN was not among them, but 45 of the 48 Democratic Senators sent a public letter, and they stipulated the terms under which they would be willing to work with us on tax reform. One of the terms was that we had to use a process that could allow them to kill it by a filibuster, if they wanted to. That was one of their terms.

If they were going to participate in the process, they were demanding that we would have to empower them to kill the final product by a filibuster, if they wanted to.

Well, I just think that tax reform, tax relief for low- and middle-income families like we provide in this bill and the pro-growth policies through the reforms in this bill are too important to allow the minority to kill it by filibuster. It would have been malpractice on our part to allow that possibility, and so we didn't.

All that means is one thing. All it means is, the final passage on this legislation is not 60 votes, but it is 51. That is all. Any Democrat can offer any amendment. Any Democrat can join us in supporting this legislation. That was also true in committee, and it will be true right through the end of this process.

Our Democratic colleagues also had other stipulations in their letter. They said there can be no savings in the tax reform package for the people who pay 40 percent of all the taxes. It is actually really hard to do pro-growth, meaningful tax reform if you say the people who pay 40 percent of all the taxes must not be allowed to get any benefit whatsoever.

Another feature in their letter was that there could be no savings for the very substantial category of American businesses organized as what we call passthroughs—these are partnerships and subchapter S corporations—because under the stipulations in their public letter, there couldn't be any benefit at all to anyone whose income was in the top 1 percent. Well, there are a lot of passthroughs that have some ownership on the part of people who are in that income category.

My point is, they were systematically taking themselves out of the discussion from the very beginning. Despite that, we had an open process. We had unlimited amendments, and they participated in that process.

Now I would like to address the issue my colleague from Maryland raised, which is the deductibility of State and local taxes. I just want to say, for me, disallowing the deductibility of State and local taxes and offsetting that with lower income tax rates for everyone—which is what we do in our bill, among other things—it is a matter of fairness. It is just a simple matter of fairness.

Under our current policy, which our Democratic colleagues would prefer we keep, the current policy of allowing people to deduct their State and local taxes and requiring higher Federal income taxes for all Americans as a result, that amounts to a subsidy that is paid by people in low-tax jurisdictions that gets sent to people in high-tax jurisdictions.

For the life of me, I don't understand why my constituents in Dauphin County, PA—a relatively lower tax place—should have to pay higher Federal income taxes so a very wealthy guy who owns a penthouse on the Upper West Side of Manhattan can deduct the very substantial taxes he chooses to pay because he lives in a very high-tax jurisdiction.

How is that fair that a person of much more modest means should have to subsidize a person of great means through the Tax Code? I don't think that is fair, but it is also unfair not just from one State to another but even within a State it is really not fair.

Let me illustrate my point with an example. Let's imagine you have two families who have the same financial circumstances. They are neighbors, but they happen to live on either side of a municipal boundary. One family lives on the side of a town that provides a lot of services and has high property taxes, which pays for the services. Maybe they pick up the trash. Maybe the town picks up the leaves. They provide lots of services. They have a nice community center. So the family has higher property taxes to pay for all of that.

Then the other family on the other side, in a different township right next door, they don't get their leaves picked up, they don't get the trash hauled away, they don't have a nice community center, but they have lower property taxes.

Now, the family who doesn't have all those services, they have to privately contract for those services. They have to go hire a company to take away their trash barrels. They have to hire a company to take away their leaves. They have to pay to join a gym or a recreational facility, and they don't get to deduct any of those expenses. They don't get to deduct the cost of paying someone to take their trash away or leaf removal or their membership at a local gym or facility like that.

So how is it fair that one person gets all of those services and gets to deduct the costs in the form of deducting the property taxes that pay for it, and the other person, otherwise identically situated, does not get to deduct the cost? That just does not strike me as fair.

So all we are doing is saying: Let's be fair about this. Let's just be fair. Let's disallow that deduction. For the most part, we do preserve a portion of that, but the principle is to reduce the ability to deduct these taxes because it is more fair, and then what we can do as a result is we can lower the income tax rates paid by everyone.

I think that is a step in the direction of fairness, and it is one of the things that I think is a good feature in the bill.

I see my colleague the Senator from Montana is here so I will yield the floor to him.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Montana.

Mr. DAINES. Thank you, Mr. President. I am thankful for my colleague from Pennsylvania, Senator TOOMEY, for his remarks and for his leadership in getting us to this point tonight for this most historic moment in the U.S. Senate.

I spent 28 years in the private sector before I came back to Washington, DC. In fact, the last election I won before I won election to serve in Congress was student body president in my high school.

I spent many years working in businesses, growing businesses, creating jobs, sending a lot of money to Washington, DC, in taxes. You are not going to find a single Republican here who says taxes are bad. What we are saying here is that we are an overtaxed Nation.

In fact, if I were to ask you where are the most affluent counties in the United States, where are they, you might guess, well, Beverly Hills, perhaps Silicon Valley, New York City. The answer is, the most affluent counties in America are suburbs of Washington, DC.

The American people have watched this city increase in power, increase in wealth, and I think this city has forgotten something; that the dollars that are sent here by hard-working Americans do not belong to the government, they belong to the American people. It is their money.

I will tell you what. I don't think we realize how much taxes we pay. We are focused right now on Federal income taxes, Federal corporate taxes. However, imagine you wake up in the morning—if you are like me, my cell phone is now my alarm clock—and you grab your cell phone. You reach for it. The first thing you do is maybe look at what inbound emails you have, maybe you look at the Twitter feed, but you realize, as you are grabbing the cell phone, on average, a U.S. wireless consumer pays about 17 percent—of that bill you pay for your cell phone, there are Federal, State, and local taxes for that cell phone. That is how the day starts.

So then I go, and I get dressed. I think about how much sales tax was paid, which most States have, for the clothes that you are wearing. Well, then you might leave your home, walk across your driveway to get in an automobile, perhaps, and you realize you are paying significant property tax on that property you own—if you are a homeowner—and you get in your automobile. Oh, by the way, you have paid a significant tax on that car too. You have paid a sales tax, most likely. You may be paying hundreds of dollars a year to put license plates on it. Then you want to drive on to work, and you might want to stop at that coffee shop. You might want to get that nice cup of coffee there to get you going for the day. What do you do? Well, you pay a sales tax, most likely, as you get your cup of coffee.

Perhaps on the way to work, you need to fill up your gas tank. Now, in Montana, we drive pickups. I could tell you, when you fill up your pickup, it costs you a chunk of change.

You are paying 18.4 cents per gallon just in federal taxes, and then you pay your State taxes on top of that. That ranges from 12 cents a gallon in Alaska to 58 cents a gallon in Pennsylvania, and then you go to work.

I was just speaking with one of my young staffers here tonight. She told me, when she got that first paycheck—I guess her first job out of college—she called her dad, and she said: They have made a mistake. They have screwed up my paycheck. And she talked him through the difference between the gross pay and what you really put in the bank, the dollars of your Federal, State, local taxes, Social Security, Medicare.

Your day is finished. Perhaps you want to go home and grab something to drink, whether it is a glass of wine, perhaps a beer, perhaps a soda. Well, the government is there too. You have paid an excise tax somewhere on those beverages. All I am saying here is it is time to give some of that back. It is time to give some of that back to the single mom in Kalispell, to give it back to that small business owner in Helena, to give it back to the families, the businesses, working-class Montanans. You know what, they need a pay raise.

So how do we start that? How about right here with this bill tonight. Let's lower tax rates on middle income Americans. Let's allow them to keep more of their hard-earned dollars. How about we increase the standard deduction? Let's take it from $12,000 to $24,000. How about we eliminate the poverty tax? That is eliminating ObamaCare's poverty tax. As Justice Roberts said, it is a tax. It has cost the American people so far over $5 billion, 42 percent of those making less than $25,000 a year, 82 percent make less than $50,000 a year. That is a poverty tax. We are going to repeal that as part of this bill that we are going to pass tonight.

Families need a break. How about we double the child tax credit? We are parents of four. How about that single mom with two children? I think she needs a break. Let's give working moms, working dads with a couple of kids an extra couple thousand dollars to help make ends meet and reduce the tax burden on small businesses—not corporations. We will talk about that in a minute. That is important to do, but these small businesses that are not corporations are paying as much as 40 percent of their income in Federal income taxes. We are going to take that down to less than 30 percent.

What does that do? It creates jobs. It puts pressure on wages, higher wages, because we need to direct these tax cuts to those who provide jobs.

By the way, those smaller businesses, 55 percent of the private sector jobs in this country are from smaller businesses. Two-thirds of the new jobs created since the recession of 2007, 2008 are from these smaller businesses. We are targeting significant tax relief for those small businesses. Who are these? These are farmers. These are ranchers. These are locally owned Montana businesses. It could be our community bankers. It could be a baking company. It could be a construction company. I grew up in a construction company. My mom and dad were the CEO and the COO of the family business. In Montana, that is 68 percent of the jobs in my State. They are getting significant tax relief. Working with my colleagues, we have had some great conversations, and we have provided some additional tax relief for those smaller businesses.

We have a historic, once-in-a-generation opportunity today. This only comes every 20 or 30 years. It goes back to 1986, 31 years ago—the same year my wife and I were married. We need to put more money back into the hands of American workers. Let's cut their taxes. Let's open the doors for the creation of more high-paying jobs. We start that by transferring the wealth of this city back to the families and businesses that sent us here in the first place and that keep our country moving forward.

We have been hearing a lot of things about this bill. The Washington Post even claimed four Pinocchios on some of these claims that somehow this plan will raise taxes for most working-class families. Look at the facts. That is not true.

Let me conclude by saying this, quoting a President:

> It is a paradoxical truth that tax rates are too high today and tax revenues are too low and the soundest way to raise revenues in the long term is to cut the rates now. The experience of a number of European countries and Japan have borne this out. The purpose of cutting taxes now is not to incur a budget deficit, but to achieve a more prosperous, expanding economy which can bring a budget surplus.

That was John F. Kennedy in December of 1962.

Let's not miss this opportunity that we have now.

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

Mr. DAINES. Mr. President, I ask unanimous consent that there now be

30 minutes, equally divided, for debate only, with no amendments or motions in order, and that the majority leader be recognized at the conclusion of that time.

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

The Senator from Oregon.

Mr. WYDEN. Mr. President, to start our portion of the 30 minutes, Senator BLUMENTHAL has been very patient, so I wish to start with the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to be here tonight. Even in moments of sadness and anger—and I feel both here—I am honored to be a Member of this body. I am particularly honored to be a Member of the U.S. Senate with JOE MANCHIN, whose bipartisanship and willingness to listen and to compromise and be reasonable is almost legendary. All of us, including Ranking Member WYDEN of the Finance Committee, have been more than eager to be reasonable and compromise and seek bipartisan solutions. I truly want to thank Senator WYDEN for his leadership on this issue, as well as his insight and his great commitment to the public interest.

We had a hearing earlier this week before the Armed Services Committee about future threats to our Nation and national security, with a panel of experts who testified that more than $1 trillion dollars—maybe trillions—would be necessary for us to invest in the future of our Nation's defense. So many of us asked them whether they thought it would be possible to make that investment at the same time that our Nation is about to incur an additional $1.5 trillion in debt as a result of this misguided, maligned scam, this tax bill, and when we asked that question, they shook their heads no.

The former Chairman of the Joint Chiefs of Staff, Mike Mullen, once said—famously now—''The greatest threat to our national security is our national debt.'' The reason our national debt is a threat to our national security is very simply that it prevents us from the kind of commitment and investment in our national defense that we on the Armed Services Committee and we in this body and we the people of America know we have to make to secure our national defense.

Our national defense is about more than just hardware and even the great troops that we deploy—our service men and women who serve and sacrifice with such incredible bravery and dedication and patriotism—it is also about the quality of our society. It is about whether we are equal, whether we give people the mobility to move and make of themselves what their aspirations are and make the American dream real in their lives and develop those skills through education and skill training that are so necessary to us as a nation. We can't produce the submarines and the F–35s and all of the extraordinary, complex hardware that we do without that skilled training. We know that in Connecticut because we produce submarines and jet engines and helicopters. We are proud of that, but we need more people with those skills.

Yet this measure will enhance the divisions in our society. It will divide us from each other as Americans. It will diminish the mobility—social and economic mobility—in our great Nation, and it will increase economic insecurity. It will not make Americans more sure about their society, more confident in its equality and justice; it will create more anxiety and anger because at its core, this measure is about benefits to a tiny, minute fraction of America. Most of the benefits of this measure go there. And it is about hitting the rest of Americans—particularly middle-class families—with initial benefits that may even look good at first but are a classic bait-and-switch because most of those middle-class families will be worse off over the next 10 years. Anybody earning between $50,000 and $75,000 will see their taxes increase over those years.

For all the reasons that my colleagues have so powerfully and compellingly outlined in this Chamber, with statistics that I don't even have time to repeat here, this measure is essentially rotten at the core in its claim to fairness.

Tax reform should be about making our Tax Code simpler and fairer. This measure does just the opposite. My colleagues may say there were hearings, but compared to the mid-1980s when the last major tax reform was passed, there have been no hearings and there has been no real markup.

We are now considering an amendment that was deposited on the floor of this Chamber just minutes ago—barely an hour—and will receive no serious scrutiny or oversight. It will harm our teachers and first responders, our police and our firefighters, who will have less support for their vital services. It will harm the job creators who need more resources to invest in infrastructure. It will harm our educators and the skilled trades. It will harm middle-class America.

It will hit Connecticut as hard or harder than any other State because of the nondeductibility of State and local taxes and because of the nondeductibility of casualty losses. The homeowners whose foundations are crumbling will lose the ability to deduct the cost of repairs that they must make. That is so fundamentally unfair that it belies the promises that have been made even this day on this floor.

We are adopting this measure literally in the dark of night—a Friday night when few Americans may be aware of what is happening here—comparatively few.

On the passthrough provision that has been added to this bill, unquestionably, some Americans will be aware, including the President of the United States. He has more than 500 LLCs as part of his organization that will benefit from this passthrough provision. So the President may be celebrating, but most Americans will rue this day.

We will remember this day, all of us who are here, but we in this Chamber will rue it as well. We will remember it because of the black mark on our democracy that resulted from a guilty plea from a former National Security Advisor—a guilty plea for lying to the FBI. It is a black mark on our democracy, a sad day for our Nation, and a shadowy moment for this administration, the Trump Presidency.

But we will remember it also as a self-inflicted wound for our democracy when the actions of the U.S. Senate drove deeper divisions within our society, created more insecurity, enlarged the anger and angst and anxiety that people feel about themselves, and when we added $1.5 trillion to the national debt that our children and our grandchildren will pay and thereby when we diminished our national security. The national debt may not be the greatest threat to our national security, but it is one of the largest of the dangers to our national security, and we have done nothing to alleviate it. On the contrary, we are adding to it, and that is a shame and a disgrace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my colleague from Oregon. I would like him to know that I will only take about 5 minutes because I want to make sure my colleagues can speak during this period.

I am rising now to ask the senior Senator from Texas to come and explain his amendment that has been incorporated in the package. This, I believe, earlier was his amendment No. 1715, and we are hearing that 1712 was included as well. This is something that might be characterized as the Wall Street welfare amendment. We are not sure exactly how it works. We are not sure exactly how much it costs. But that is not the point. If you are going to stick something into the underlying bill to benefit very powerful groups like Apollo and Carlisle and Blackstone, you don't just airdrop it in at the last second, this provision for the most powerful. Come to the floor, lay out the details, and defend your amendment and why it should be included in this bill.

Our basic understanding is that it enables publicly traded partnerships to be able to have their funds pass through so there is no corporate tax since they benefit from a lower rate for those passthroughs. But we have only had a few seconds to look at it. What does it really do? What does it really cost? I ask the Senator to come to the floor and explain all of the details. The American people have a right to know what you are sticking in this bill. Explain your Wall Street welfare amendment and why we should support it or not.

We have $4 trillion going to the richest Americans. Four trillion? We keep hearing about a $1.5 trillion deficit. Oh, yes, but there is lot more here, so let's just see what it is.

There is the reduction in the corporate tax rate, which we all know goes to the richest Americans who hold all the stocks. That is $1.3 trillion.

We have repeal of the alternative minimum tax. That is $770 billion.

We have the passthrough for high-end LLCs—not for low-end LLCs but for high-end LLCs—$362 billion.

We have three provisions for multinationals, a deduction for foreign dividends, a deduction for foreign intangibles, and the transfers for intellectual properties, totaling $313 billion.

We have an elimination of the estate tax to benefit the richest 0.2 percent. Out of a total of 1,000 people in America, the richest two—that is the equivalent. That 0.2 percent would get $83 billion.

Then we have a change in the tax brackets, which added another over $1 trillion there. And probably most of that—we have been trying to get a breakout. We can't even get a breakout of where this will go because it is being rushed through.

If we take those provisions and add them up, it is $4 trillion. I am just taking the big ones off the list of all of the details.

Little public exposure. Why is this being done in a few hours here, just after the Thanksgiving holiday, before Christmas? Because my Republican colleagues are sticking it to the American people, and they don't want you to know.

So, again, an example—out of this list of 30 amendments that are being stuffed in at the last second that no one has had the ability to analyze—30 amendments—let's have the senior Senator from Texas come to the floor and defend his Wall Street welfare amendment that he is sticking in here for the most powerful publicly traded partnerships. That is just one of 30.

So I am calling for transparency. I am calling this process for what it is, and that is using the argument that you are doing something for the middle class in order to cover up these trillions of dollars going to the very richest. Let's see how misplaced this is.

In the next year, 9 million taxpayers together at the bottom would get about 50 cents a day in tax relief—two quarters. That is what you do for the 90 million taxpayers who are most in need in America, two quarters a day. What does this bill do for those who earn more than $1 million? It gives them over $1,000 a week. So $1,000 a week for the rich and mighty; two thin quarters a day for the folks at the bottom.

It even gets worse than that. By the end of the tax period, what are those people earning less than $50,000 doing? They are paying $23 billion into the Federal Treasury, but what are those who are earning more than $1 million doing? They are taking out $5 billion. So the poor are paying in while the rich are taking out. You call this middle-class tax relief? I call this a tax scam.

The PRESIDING OFFICER. The time has expired.

Mr. MERKLEY. It is outrageous and unacceptable.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I would like to comment on the positive aspects of the bill we are about to vote on.

The most positive thing I can say about this is that working families and middle-income families across the Nation will be better off. Families who over the last 8 years have not done well will begin to do better.

Now, we have already discussed some of the things that others have discussed. Let me just comment briefly:

We have doubled the standard deduction to make filing of income taxes simpler. For most Americans, that will be a tax cut by doubling that standard deduction.

We have provisions in there to stimulate the economy, to create competition for workers so workers will now have a choice of one job or another. When that happens, of course, their wages rise, and their benefits get better.

We incentivize companies that are, right now, moving overseas—because the taxes are so much lower elsewhere—to stay in the United States, to create American jobs, and to pay more American taxes.

Those are all good things my colleagues have discussed. Let me discuss some other ways perhaps that this bill benefits working families and middle-class families.

I am from an energy State. Louisiana produces so much oil and gas. The thing about energy jobs is it creates jobs for good families. They may not have a college education, but they are good people. They care about their children. In these jobs, they can earn over $100,000 a year in certain aspects of it, and they employ Americans in a way that Americans have kind of forgotten that it can be that way.

It is meaningful to me. We were in Illinois when I was born. My family moved to Louisiana because someone called my father and said: You know, Jim, if you move to Louisiana, you can sell to the people working at Esso, and you can make a good living.

So even though my father didn't work in the energy industry, he was one of those who benefited and made a living, which allowed me to go to medical school. I was the first generation in our family to go to college and go to medical school, and now I am a U.S. Senator. What an incredible privilege, all created by energy jobs.

One thing this bill does is it opens up a little more of Alaska for energy development—2,000 acres. One of my colleagues said smaller than the airport in Fargo, ND. I have never been there, but 2,000 acres is not a whole lot of land, But on those 2,000 acres, there is a lot of oil beneath.

Why is that important? We as a country can make a decision to be energy secure or not. If we are going to be energy secure, it means we are going to produce our own energy. This is not to rule out renewables, but for the moment we are going to continue as a country to consume natural gas and oil. We can buy it from countries such as in the Middle East where environmental standards are not as strict as ours, but when we do that, not only are we sending our jobs and revenue overseas, but we are also, in effect, endorsing their lower environmental standards, and that overall pollutes the environment.

On the other hand, if we buy from ourselves—using American workers, creating American jobs, using American environmental standards—not only do we get the benefits to the family and the benefits to the environment, but we have the national security benefit of being able to be energy secure.

Now, this is powerful. I first became aware of it, I think, in middle or maybe elementary school. I went to St. Luke's Episcopal Church. There was a guy there named Thor. What a great name, Thor. Thor told me his father was a pipefitter and was at that moment in Alaska working on the Alaska Pipeline. That was 40 years ago, so maybe my memory is a little fuzzy on everything but Thor's name. The point is, a fellow from Louisiana was going to Alaska, making great money, being able to provide for his family back home. That is a good thing.

As we develop our energy resources on the North Slope of Alaska, using American environmental standards, creating American jobs, we are changing the life of families like my family and for perhaps the family of the man I remember going to middle school with long ago.

I mentioned Thor's father was a pipefitter. Now, it is not just on those 2,000 acres. There will be a way of transporting that oil that is produced elsewhere. In South Louisiana, we make boats—boats that actually work off rigs and can create jobs both in the boatyard and in the maritime industry.

Thor's father was a pipefitter. You pipe out your oil, and you create jobs in that way. That comes to mind because when I was first elected to the Senate, I was going to a committee hearing, and some union fellows from Ohio came up to me to ask that I endorse the construction of the Keystone XL Pipeline. Of course, I have always been in favor of it so they had my vote, but they made the point: We are union laborers. We work on the job. When we say there is $40,000 created in the building of a pipeline—sure, we may only be on the job for 6 weeks, but then we go to another job for 6 more weeks and another job for 6 more weeks.

I was struck that these working families benefit not from the actual production of America's natural resources but from the transportation of America's natural resources. So the economic benefit to working and middle-income families doesn't just stop with those who are perhaps doing the drilling, but it continues downstream and, as I mentioned earlier, even extends to a family like mine.

Now, let me mention another aspect of this that brings benefits to our working families and to our middle-class families. One thing I was helpful with was the restoration of the historic tax credit. The historic tax credit is a Federal tax credit first made permanent by President Ronald Reagan that allows somebody to go to an older building in a community and to restore it, returning it to commerce. So instead of a portion of our architectural heritage being destroyed, it is refurbished and is there for future generations to enjoy. More than the kind of aesthetics of seeing an older building become beautiful once more, it creates jobs.

Now, let's go back to this legislation, creating better jobs for working and middle-income families. First, it affects everybody. More than 40 percent of the projects under the historic tax credit program in the last 15 years have been in towns of less than 25,000 people. In my State, since 2002, the historic tax credit has contributed to 782 projects being built, bringing $2.2 billion worth of investment into these cities and towns across my State.

Now, when you have that much money, you create lots of jobs. It is thought, nationwide, according to the study by the National Park Service, the historic tax credit has encouraged more than $131 billion in private investment, rehabbing 42,000 buildings, creating more than 2.4 million trade jobs, returning a net positive to the U.S. Treasury.

Since fiscal year 2002, in Louisiana alone, it has, again, fostered more than $2.5 billion in private investment, creating more than 38,000 jobs. These are jobs—construction jobs, rehabilitation jobs—that allow a family to live with a good living wage. That is part of this legislation.

I should mention one thing in particular very topical on the historic tax credit. The World Trade Center of New Orleans is currently being refurbished. It was built in the 1960s and is being transformed into a world-class hotel condominium complex. It brings the city of New Orleans $400 million in infrastructure spending, 1,600 jobs in construction trades, as well as more than 450 permanent, full-time jobs. Instead of a crumbling eyesore, you have a jewel, but more than a jewel, you have 1,600 jobs created and 450 permanent jobs.

Let me mention the last thing that benefits working and middle-class families. My friends on the other side of the aisle talked about supposed negative effects on Social Security and Medicare. I am a doctor. I have been working in the public hospital system of Louisiana for 25 years. I understand the importance of safety net programs, if you will, like Medicare that allow our senior citizens to have the healthcare they need.

The dirty little secret is that, according to the people who run Medicare and Social Security, those trust funds are going bankrupt—bankrupt. Under the Obama administration, they tried to address it by raising taxes, so they put a higher income tax on people, and the trust funds are still going bankrupt. Under ObamaCare, there were different things to try to save money within the system, delivery system reforms, and some are, frankly, good ideas—although I opposed ObamaCare, in general, some of these were good ideas, and I continue to endorse them—and the trust funds are still going bankrupt. So it raised taxes, we are trying to save money, and the trust funds are still going bankrupt. What can we do to try and rescue these programs that are so significant, so important to senior citizens, to all of us in this country—Social Security and Medicare in particular.

What about economic growth? I did an analysis once with another man which shows that if we just return to the economic growth that is common in our country—about 3.5 percent GDP growth per year—we will fully fund our trust funds for Medicare and Social Security.

Keep in mind, although we are cutting rates for corporations, the rates for funding Medicare and Social Security are staying where they are. So if our economy is doing better year over year, there will be more money going into these trust funds, not because the rates are higher—the rates remain the same—but because there is more money to apply the rates to.

Is it reasonable to have that kind of growth? Absolutely. From 1946 to the beginning of President Obama's administration, through 10.5 recessions—including one-half of the great recession—we averaged over 3 percent growth as a country. Now, under President Obama's Presidency, it was about 2 percent growth, and 2 percent versus 3.5 is all the difference in the world because it compounds. It goes like this if it is 2 percent, it goes like this if it is 3.5 percent, and at the end of 10, 15, or 20 years, those differences are remarkable.

I will say, under President Trump, for the last two quarters we have had over 3 percent GDP growth. Republicans take over, and the economy begins to do better. In the next quarter, it is estimated that it will be over 3 percent. With this legislation, increasing the amount of money families have in their pockets, building out our energy resources as we are in Alaska, creating jobs for Americans across the way, using things like the historic tax credit, returning money to the Treasury, but also creating American jobs will create that prosperity, that economic growth, so that instead of the 2-percent growth that we have had for the last 8 years, we have the 3.5-percent growth that we historically have had. That is a promise of this legislation. That will restore funding for Social Security and Medicare. That is the answer that has eluded the other side.

Mr. President, before I yield back, I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order, and with the majority leader being recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CASSIDY. I yield back.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, for this tranche, I believe we will have Senator DURBIN lead off for us and then Senator NELSON and Senator BENNET. Each is going to try to take around 5 minutes.

Senator DURBIN.

The PRESIDING OFFICER. Senator DURBIN.

Mr. DURBIN. Mr. President, what happens when you decide to write a tax bill that changes the economy of the United States of America, you don't have adequate hearings to gauge what is going to happen, you don't bring in the experts to try to tell you what the impact will be on individual families and businesses, and you stick around until 5 o'clock on a Friday night and you hand out the work product for all of the Members of the Senate to take a look at before they vote on changes in the Tax Code that will affect the people they represent?

This is what happens: 479 pages were handed to us. They tell us that some of this has been around for a while, and some of it is new. They don't tell us which part is new and which part is old. Lucky for us, on K Street—and there is nothing wrong with lobbyists—where the Federal lobbyists live, they are following this really closely, and they have given us basically a cheat sheet, a scorecard, so we can figure out, at least generally speaking, how many changes have been made in the 479 pages since the last time we saw this proposed bill.

I defy any Member of the Senate to stand here and take an oath that they have read this and understand what in the world it means to businesses, families, and individuals. If they want to take that oath, and maybe some will, then I refer them, ladies and gentlemen of the American jury, to exhibit A, page 257 out of the 479.

Why do I pick this page? Because they didn't have time to type it. They wrote it out in longhand. We are not even teaching cursive in a lot of schools anymore, but someone on the staff knew it enough to try. The problem is, they wrote it in cursive along the margin here. It is about subchapter

S corporations and how much tax they paid and what they don't pay. I defy anybody to read it because the problem was, when they copied it, they chopped off lines so there aren't full sentences here. They are like little phrases and words.

This is your Senate at work. This is what happens when you push through a bill late at night, desperate to pass it, without really stopping to ask yourself: Will this make us a stronger nation? Will this help legitimate businesses that want to expand and create jobs? Is this good for American families?

The Joint Committee on Taxation told us yesterday—that is our scorekeeper; they are the ones who we hired to be our scorekeeper; they are nonpartisan—what they learned about this bill before we got the new version, with the new amendments. Our friends on K Street were happy to tell us what the listings were. They told us that this starting bill will add $1 trillion to the national debt—so our kids and grandkids can pay it off—to pay for the tax cuts. They also told us that the predicted economic growth that is supposed to come out of these pages of 4, 5 percent a year is 0.8 percent. Is it not? Am I right?

Mr. WYDEN. Correct.

Mr. DURBIN. They also told us that the biggest beneficiaries under this Tax Code—this Joint Committee on Taxation—happen to be the wealthiest people in America—surprise—and the biggest corporations. They told us that, at least in the second 10 years—maybe before—regular middle-income families are going to pay higher taxes because of this. They let us know, and we knew already, what is going to happen to programs like Social Security, Medicare, and Medicaid. You see, when you run up the national debt and you want to try to balance the books—our Republican friends have been very open about this. They want to cut the benefits under Social Security, Medicare, and Medicaid to try to balance the books.

America, are you ready for this? Are you ready for senior citizens who are counting on that Social Security check to get a cut in benefits to pay for a tax cut, a tax giveaway to the wealthiest people in America? Are you ready to see Medicare cut—that is, reimbursement for seniors for medical expenses—in order to make sure that the biggest corporations in America get a tax break? Are you ready to see Medicaid, which has as its major expense taking care of seniors in nursing homes—benefits cut in order to give an incentive for businesses to move jobs overseas? That is what this is all about.

Here is the reality. As a percentage of gross domestic product, American corporations have never been more profitable—never. As a percentage of gross domestic product, American corporations have never paid less in Federal taxes.

What is the Republican response to that? Cut corporate taxes. Why? Shouldn't we be focused on doing what is necessary so that middle-income families have a fighting chance to pay their bills and put some money away for their kids and their future? Shouldn't we be working on helping small and medium-sized corporations instead of the big boys?

That is what I think we should focus on. I don't know for sure that this bill doesn't do that. In fact, nobody does. Nobody knows what is in here—479 pages. If they tell you they do, then ask them to explain page 257. Ask them to try to read this. I have tried. This is going to change the tax law of America in ways that we can't even explain. We have to get this done because the Senate has done little or nothing this year, and so they are desperate to get something done before the end of the year. Sadly, it is a tax bill that we have just been handed 1 hour and 50 minutes ago.

I yield the floor.

Mr. WYDEN. Mr. President, I want to thank my colleague from Illinois for a very insightful analysis, and his skills as a handwriting expert may be necessary as the Senate Finance Committee tries to divine what that particular page actually means. I thank my colleague for trying to unpack a byzantine area of subchapter S tax law.

Mr. DURBIN. If the Senator from Oregon would yield for just a moment, I would like to ask consent that this infamous page 257 be made a part of the RECORD after my speech, but I am really sorry for the members of the staff who have to try to write this out—type it out.

Mr. WYDEN. Their eyes are being strained as we speak.

The PRESIDING OFFICER. Without objection.

Mr. WYDEN. I yield to the Senator from Florida.

Mr. NELSON. Mr. President, this is, in effect, a massive transfer of wealth under the guise of tax reform and under repeating the statement: It will help the middle class. You can repeat a statement, but that doesn't mean it is true. You have to look at what the facts are. I think you have heard a number of the speeches that will refute this—that it is not middle-class tax relief. It certainly isn't when a lot of those so-called tax cuts for the middle class will evaporate; they will cease to exist after 7 or 8 years.

Let's take another part of this tax bill, the child tax credit. We are going to have a couple of amendments out of here on the floor tonight. We are going to have one that is going to increase the tax credit substantially, like $3,000 per child. When you compare that to the current existing Republican bill, they have a tax credit that, in fact, if you have more than three children, if you have a large family, you are going to be penalized. That is what the facts are.

Let's see how the votes come later this evening on two amendments. One is a Democratic amendment, and one is a Republican amendment. As to the child tax credit, let's see what the majority of our friends who are trying to ram this through in the dead of night do. Let's see what happens, because, clearly, their tax bill does not do enough.

This Senator has long supported increasing the child tax credit, including cosponsoring Senator BROWN's amendment to increase the credit and make it easier for those who are in a low-income situation to claim that credit. I am going to continue to support increases for this tax credit for the middle class, as long as it is done in a fiscally responsible and thoughtful way. It doesn't make any difference who is proposing it. Let's see how the votes come out here on these two amendments.

Unfortunately, the bill that is before us does it backward because it actually increases those who have a number of children. We should be doing the opposite. I hope that we will find a way to drastically change this bill. Instead of limiting the child tax credit, let's go in and make the corporate income tax not at 20 percent but at 22 percent or 25 percent in order to fund the child tax credit to help those on the bottom line of the economic ladder.

We should be coming together in a bipartisan manner to flip the priorities in this bill and to significantly increase the child tax credit. Obviously, that is what the American people want, but that is not the bill of goods that you are getting sold here tonight. By saying something is something, that doesn't make it so. It is what the facts are.

I yield the floor.

Mr. WYDEN. Mr. President, my colleague has a parliamentary inquiry, and then we will go to Senator BENNET.

Mr. DURBIN. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. I submitted page 257 of the amendment to be placed in the RECORD and you gave unanimous consent for that to happen. I have now been instructed that the personnel at the Senate cannot read this page the way it is currently written. Could I have this entered in the RECORD just as written with the handwritten notations on the side? Could I enter it as a graphic or artwork or something like that?

I ask the Presiding Officer, does that mean if the amendment has this page in it, that the amendment cannot be filed?

The PRESIDING OFFICER. The amendment can be filed with handwritten changes, but the staff will have to change those later or correct them.

Mr. DURBIN. I would like to ask a further parliamentary inquiry. Why didn't they accept page 257 after I received consent to put it in the RECORD?

The PRESIDING OFFICER. The amendment has not been filed yet. Consent was accidentally——

Mr. DURBIN. Parliamentary inquiry. This page, which is part of the tax bill, 257, as written, cannot be filed in the Senate because no one can read it; is that correct?

The PRESIDING OFFICER. The amendment has not yet been filed. It can be filed in that form.

Mr. DURBIN. Parliamentary inquiry. Why can't this page be filed in that form?

The PRESIDING OFFICER. The amendment as shown with the handwritten text cannot be printed in that graphic form.

Mr. WYDEN. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. When this is filed, we want the American people to know what has actually been written on the side.

Will it be possible, as part of Senator DURBIN's statement, to add this ''written on the side'' portion as part of his statement so that the American people will actually know how outrageous this process is and that it at least states, as part of his speech, what is written in the margin? Can that be stated as part of his statement?

Would the Chair answer the question?

My question is, when the amendment is filed, I would like to ensure that the important point my colleague has made about what is written in the margin could be included as part of his written statement that will be entered into the RECORD so that the American people can get some sense of what kind of flimflam is actually taking place here.

The PRESIDING OFFICER. When the amendment is filed——

Mr. WYDEN. Thank you.

The PRESIDING OFFICER. The text will appear in linear format with any errors that may be in it.

Mr. DURBIN. Mr. President, I have the greatest respect for the Senate staff, and I am not trying to say anything negative about them. I was hoping that this could be entered into the RECORD, and I asked for unanimous consent to enter it, believing that the handwritten portion would show up in the RECORD. I have since been advised that there will have to be translators and interpreters who will have to decide exactly what this says before it is actually part of the CONGRESSIONAL RECORD. I think that I have made my point as to where we stand in preparation of tax reform for America.

Thank you.

Mr. WYDEN. Mr. President, I yield to the Senator from Colorado.

Mr. BENNET. Mr. President, talk about the swamp. All of the folks who voted in this election do not have the swamp in Washington, DC—they are watching this happen right in front of their eyes tonight. We have a bunch of amendments that were dropped in by lobbyists here last night that we haven't seen, except that we received a list from them, and we have illegible amendments now at the desk that, even if we could read them, we wouldn't be able to. It just doesn't make any sense.

I will tell you something else that doesn't make any sense. It doesn't make any sense that, in our economy, 90 percent of our folks—the bottom 90 percent—earned the same amount of income as the top 10 percent. The top 10 percent earned 50 percent of the income in this country, and the bottom 90 percent earned the other 50 percent. You can see the direction that these lines have headed over a number of years.

That is the issue that we confront in our economy. That is what we all should be working on in a bipartisan way to try to address. Unfortunately, instead of improving the circumstances for people in the bottom 90 percent of earners, the decision has been made, because of an economic philosophy that has to do with trickle-down economics, to give the benefits to the people who are doing pretty well—and not just pretty well but better than they have done since 1928, and we stated earlier today on this floor what a miracle the tax policies were in the early 1920s.

The PRESIDING OFFICER (Mr. PERDUE). The Democrats' time has expired.

Mr. BENNET. Mr. President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BENNET. I thank my colleague from Pennsylvania.

In addition, we cannot afford to do this. Right now, we are collecting, before this tax cut goes into effect, 18 percent of our gross domestic product in taxes and revenue. We are spending 21 percent of our gross domestic product, and that leaves us with a deficit.

Because this place lacks the courage to deal with the issues that we must confront, unlike our parents and grandparents, we have hollowed out discretionary spending. We are spending 35 percent less than we were in 1980 as a percentage of our GDP.

Yesterday, we had testimony in the Armed Services Committee that we need a trillion additional dollars to modernize our defense. We know how dangerous this world is with what is happening on the Korean Peninsula and with what is happening in the Middle East.

Why was it OK for our parents and grandparents to invest in us, but we are unwilling to invest in the next generation of Americans? Not only are we unwilling to invest in them, but we are saddling them with the debt that has arisen from our inability to make proper decisions. We are doing it now in plain sight of budget projections that show that the money is just not here.

I think we have a decision to make as to whether we want to live up to the example our parents and grandparents set for us and whether we are willing to make the kinds of investments in the next generation that they were willing to make in us.

I yield the floor.

Mr. WYDEN. Mr. President, just before we wrap up, I have heard Republicans talk constantly about how this process is being conducted by regular order. I have never seen in my time in public service, when talking about $10 trillion worth of tax policy changes and the biggest tax bill in three decades, something along the lines of the flimflam that we have been talking about, with handwritten changes in the margins about something that conceivably will affect vast sums of taxpayer money.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Florida.

Mr. RUBIO. Mr. President, as most of my colleagues know by now, we have been working for I believe about a year and a half—certainly throughout this tax reform process—to address the issue of the child tax credit in an effort to increase it. I am grateful that in this process, we have been able to increase the child tax credit to $2,000. That will help a lot of people.

I have been asked by some people: Why isn't that enough? Why aren't you happy with that? The answer is that the people we most want to help are not going to be able to fully use it, and here is why. For them, for people who are making $30,000 or $40,000 or $50,000—you are a construction worker; you are a teacher; you are a firefighter; you are a welder; you are a bus driver—the backbone of America's workers—their main tax liability is their payroll tax. Unless you allow the tax credit to apply fully not just to their income tax—many of whom don't have a high income tax liability but a payroll tax—they are not going to enjoy the full benefit. The result is kind of absurd if you do one without the other. The result is, if you make $500,000 a year and you have enough kids, you can use the whole credit, but if you don't make that much money—if you make, say, $25,000 a year—you won't get nearly as much of the credit even though you have paid the taxes. It kind of doesn't make any sense, right?

We are trying to help people with the cost of raising children by allowing them to keep more of their own money. It is the people who make less who need it the most, and when you only do half of it, which is the $2,000 increase, you only get it half right. So it is good, and there are people who are going to be helped by that, but we could have helped so much more.

The bill we have today, which is before us here and will be before us in a few minutes when there is a substitute provided, cuts the corporate tax rate from 35 percent to 20 percent. A reduction in the corporate tax rate is something that I strongly support because I think it makes America more competitive and, in the process, is going to help a lot of these same people whom we are trying to help. I know that sounds countercyclical, but it does because when these corporations are able to save money in taxes, many of them will use some of that money to create new jobs and hire more people. That money—some of it will be reinvested and perhaps even flow toward workers in the form of higher wages over time.

These are positive things, so I am not against a reduction of the corporate tax rate. In fact, I ran for President, for the Senate, and for reelection to the Senate on the promise of reducing the corporate tax rate to 25 percent. So 20 percent goes well beyond that. However, in order to be able to pass something that pays for it, because you have to—and people don't know this back home, so I will just kind of explain it—this bill allows us roughly about $1.5 trillion over the next 10 years of spending over revenue. Now, we think that the growth in the economy is going to more than offset that, but for purposes of the rules of the Senate, it has to be within those parameters.

In order for us to offer an amendment that provides an increase in the child tax credit at a rate that we want to do it—about $86.9 billion—we have to find $86.9 billion somewhere in order to be able to do it. Initially, instead of cutting the corporate tax rate from 35 to 20, we proposed cutting it from 35 to 22. It is still a massive cut. It is still well below the international average of 23. It still puts us in third place among the seven largest economies in the world. But that was met with significant resistance.

We have always said that we would be open to an additional way or a different way of doing it, so today when the substitute amendment is offered, we are going to offer an amendment, Senator LEE and I. Instead of 22 percent, it is going to propose that we reduce the corporate tax from 35 to 20.94 percent. Basically, instead of a 15-percent reduction, it will be a 14.06-percent reduction, OK? The difference between what is in the bill and what we are proposing is less than 1 percentage point of reduction in the corporate tax rate—0.94 percent. With less than that 1 percent difference, we can make a huge difference in the lives of millions of Americans making between $20,000 and $50,000, as an example. That would generate about $87.4 billion, and we could use $86.9 billion of it to allow working families with children to keep more of their own money to pay for the costs of raising their children. I will remind you of who these people are. These are teachers, firefighters, welders, construction workers, truck drivers—the working class.

We didn't even have to do that, to be frank. From last night to today, the leadership and those working on this—and they have worked very hard—found an additional approximately $260 billion to cut even more taxes for businesses. I have no problem with that. I want America to be super competitive. But somehow, through some political jiujitsu or some sort of magical formula, $260 billion appeared to provide even further cuts, and that is fine. I just wish that some of that jiujitsu and political magic had been employed on behalf of the millions of Americans making between $20,000, $50,000, and $60,000 a year because they need our help.

What has been the opposition to this? Frankly, some of it is untrue. Some of it is offensive. Some of the opposition I have heard is that the people who would benefit from this tax cut don't pay taxes. They don't pay income tax or a lot of income tax, but they pay tax. If at 5 o'clock today you left your job as a construction worker and you received your paycheck, they took money out of your paycheck. When they take $200 out of your paycheck, it doesn't matter if it says FICA or if it says income tax withholding; it is $200. It is the same money, and you have $200 less of it. That is a tax. Anytime the government takes your money, it is a tax.

I have had people tell me, including people in the administration, that they don't pay taxes. I have had people say that they don't generate economic growth, which is, in my mind, No. 1, not true, and No. 2, the wrong way to think about it. You see, our economy should be working for our people, not our people for our economy, and when you talk that way, you have it wrong.

I also disagree that they don't generate growth because when you make $50,000, you spend every penny that you make. I know these people. I live in West Miami, FL, and West Miami is a small, little city. It is three-quarters of a square mile. I have lived there since 1985. The average income is $38,000 a year. If you make $38,000 a year, you spend every penny, especially if you are raising children.

I do not care how much people tell you to put some money aside and save it for the future; you cannot because everything costs more and there are unexpected costs. You bought brandnew shoes in September for school, and by November they either have a hole or they no longer fit. You bought them a backpack in August for back-to-school, and by November or December, it has a hole in it or something broken and you have to pay for it. Costs constantly come up that you haven't anticipated.

Where do they spend this money? In our economy. So, yes, maybe they don't generate as much growth as a Fortune 500 company, but they have to spend every penny of it, so they do generate growth.

I have even heard terms used like ''It is a black hole'' and ''It is welfare.'' It is not welfare; it is their money. I heard one newspaper editorial say that it is anti-work. How could a tax credit that you can't get unless you are working be anti-work? I will tell you what is anti-work: a package of benefits from the government that you get—which is worth more than this tax credit—that you are eligible for if you don't work.

I want you to tell the worker at a Head Start facility—think about this. You are a teacher at a Head Start pre-K, and you make too much money for your children to go to Head Start, but you don't make enough to be able to afford child care for your own kids. That is happening all over this country, and somehow there are black holes that we can't even find $86.9 billion to help them just a little bit more.

The second argument we have heard is that we can't cut the corporate tax rate because it is going to hurt growth. OK. You are telling me that if we have a corporate tax rate that goes from 35 percent to 20.94 percent, that is going to hurt growth. Twenty percent is the most phenomenal thing we have ever done for growth, but if you add 0.94 percent to that, it is a catastrophe. We are going to lose thousands of jobs. Come on—especially when you add that to the fact that they are going to be able to immediately expense their investments, when you add that to the fact that they are going to repatriate money abroad to the United States with the lower tax rates. When you add all the things that we have done, argue all you want, but don't please don't tell me that 0.94 percent is going to somehow lead to less economic growth because it is just not true.

We are going to have a vote later today. I don't know how many votes they are going to make us have in order to pass this; there are all kinds of procedural things that happen here. But I can tell you that this is about a lot more than just tax reform. We have a big problem that perhaps this tax reform debate has revealed; that is, the only way forward in this country is one that is pro-worker and pro-growth, and you cannot have one without the other. I can tell you that in this country today, there are millions and millions of people who have been hurt by the new economy. The new economy is great. There is nothing we can do to turn it back. The future is here, and you cannot go back to the past.

We should embrace the new economy. It has created extraordinary wealth for people who are innovators or people who have the right careers or right jobs. I don't begrudge it. I am glad that it is happening. But when you have a new economy, just as when we had the Industrial Revolution, there are some people who are going to be hurt and we have to help them in that transition because if we don't help them, we are going to break the social compact that holds our Nation together. I am not claiming that the child tax credit will solve that problem by itself. I am telling you that if we aren't even willing to do another $86 billion of allowing people to keep their own money—not even willing to do something as small as this—we are not willing to do anything for working people in this country, and that is a big problem. That is an enormous challenge for our Nation. These people have felt neglected and disrespected for a long time.

I want to be very careful, but I want to be clear about what I am saying. The political debate in America today is either all about helping the very poor—and I support the safety net. I don't think free enterprise works without a safety net. It should be there to help people who cannot help themselves, to help people stand back up on their feet and try again. The political debate is also all about helping the business community, and I support that because we need vibrant economic growth to create jobs and opportunity.

But what about everyone else? What about the people who make $50,000 a year? They make too much money for CHIP, for pre-K paid for them by the government through Head Start, for ObamaCare subsidies, too much for government benefits, but they don't make nearly enough to afford the cost of living. What about them? What is in it for them?

Yes, there is going to be economic growth and there are going to be wage increases, but not for everyone, not in this new economy in which the haves and have-nots are largely divided between those who have the right skills and right degrees and those who do not, and that has gone unaddressed for a very long time. I am telling you, if we do not address it, we leave our Nation vulnerable to two dangerous political extremes—radical socialism on the left and ethnic nationalism on the right—and neither of them are true to the American principles that created the greatest Nation on Earth.

Again, I am not here to tell you that the child tax credit solves that problem. I am here to tell you that if we can't even do that, it is evidence of our unwillingness to do beyond it the tasks that need to be done. We have a major challenge in this Nation. All we are asking for and all I implore my colleagues to vote for—I know that for people on the other side of the aisle, this doesn't go far enough. I understand it; I do. I know you want to get to a higher number; I know you want it to apply to more people. I promise you, I did too. I wanted it to be $2,500. I am trying to figure out in this constitutional Republic, which cannot be a zero-sum game, how we can make things better if we do not make them perfect.

And on the other side of the aisle, I implore my colleagues to believe that this is not a black hole, and this is not welfare. These are the teachers, firefighters, neighbors, and friends who are struggling because everything costs so much more. Why can't we just help them keep a little bit more of their own money? Really, is a 20.94 percent corporate tax rate going to hurt growth, especially if it will help us provide a little bit more assistance for the people who, today, desperately need our help?

I hope I can earn the support of as many of my colleagues as possible. It won't make this bill perfect. It doesn't go far enough for some, but it will make it better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order, and the majority leader be recognized at the conclusion of that time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, we are going to have several of our colleagues on our side, and we will start with Senator SANDERS.

Mr. SANDERS. Mr. President, as I think about what is going on here today, I think this is in many ways a historic day, a day that historians will look back on—December 1, 2017—and they will conclude that today is the day of one of the great robberies, of criminal activities, if you like, in the modern history of this country. The Federal Treasury is being looted tonight. As we speak, there are lobbyists all over Capitol Hill, writing down in handwriting, amendments to this bill to give hundreds of millions, if not billions, of dollars in tax breaks to large corporations. As we speak, they are probably still writing those amendments.

Meanwhile, this Senate, this Republican-led Senate has been unable to reauthorize the CHIP program, the health insurance program for low-income children. They didn't have enough time to do that. We have been unable to reauthorize the Community Health Center Program, providing 27 million people with health insurance. We don't have the time to do that. But tonight we are presumably going to pass legislation when, at a time of massive income and wealth inequality, 62 percent of the tax benefits go to the top 1 percent, and 10 years from now, millions and millions of middle-class Americans will be paying more in taxes.

I have not the slightest doubt, as I have said before, that after the Republicans pass this huge tax giveaway to the wealthy and large corporations, they will be back on the floor of the Senate, and when they come back, they will say: Oh, my goodness, the deficit is too high. We have to cut Social Security, Medicare, Medicaid, education, and nutritional programs. In other words, in order to give tax breaks to billionaires and to launch profitable corporations, they are going to cut programs for the elderly, the children, the working families of this country, and the poor. This legislation will go down in history as one of the worst, most unfair pieces of legislation ever passed.

I say to my Republican colleagues, as you saw on November 7, the American people are catching on. They are demanding a government that does not simply work for corporate lobbyists but works for the middle class. They are demanding a tax system that says to the wealthy and large corporations: You are going to start paying your fair share of taxes, and, no, we are not going to cut Social Security; we are going to expand Social Security. We are not going to cut Medicare; we are going to move to a ''Medicare for all'' healthcare system. The American people are catching on.

While Republicans may get away with this act of looting tonight, history is not on their side. The day will come, and it will come sooner rather than later, when we are going to have a government here that represents all of us, not just the Koch brothers, not just the billionaire class, not just wealthy campaign contributors.

I yield.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I want to talk about one of the truly pro-growth features in this tax reform that is going to encourage investment in the United States, new business creation, startup, expansion, and hiring that will be associated with that. That means new jobs, more demand for workers, and higher wages.

What am I referring to? I am referring to one of the things we do on the business side of this tax reform. The way I think about it, there are several big features that are going to drive economic growth on the business side of the Tax Code. One is certainly lowering the top rate from the 35 percent that makes us uncompetitive in the global economy to 20 percent, which puts us pretty close to dead even among our competitors. That is one. That is an important part.

The second one that I think is even more powerful is simply allowing businesses to recognize, for tax purposes, expenses when they actually occur. Allow businesses, when they buy equipment and put that equipment to work in a factory or when buying earth-moving equipment or new machinery, to recognize that cost when it occurs. By allowing them to recognize that cost when it occurs, they can afford to purchase more of that equipment.

Why is that important?

That is important because that is the source of enhanced worker productivity. Workers are more productive when they have machinery and equipment to work with. This is why capital drives productivity growth. It is the investment in that new equipment that creates demand for workers but also makes the worker more productive. The example I like to use that I think illustrates it reasonably well is this: If you go to a construction site and you have two guys working on that site and one of them is operating a backhoe and the other is using a shovel, they are both digging a hole; they are both moving dirt. Which one do you think gets paid more? It is not a close call. The guy who is operating the backhoe is getting paid more on every such job site in America, not because there is a law that requires it but because he is a more productive worker. He has a skill set, and he is using major equipment that allows him to be much, much more productive than any human being can be with a simple hand tool. That is an illustration of how it is that when a company is able to put that equipment to work, the worker benefits.

That worker operator is not the only one who benefits, because somebody has to make the backhoe. Someone has to work at the factory that builds the backhoe that was bought. So what we are doing when we allow this expensing to occur—when we allow businesses, for tax purposes, to recognize the expense when it occurs rather than gradually over time, we simply make it more affordable for business to put capital to work, to buy the kind of equipment to help them grow and help them help their workers become more productive. That is why this is a very constructive, pro-growth feature in our tax reform that is going to be very, very helpful to workers.

But there is a third feature in our business tax reform that is also going to be great for America, and that is going to be our change from the current global tax system that we apply on the subsidiaries and affiliates of multinational companies—the change away from a global system to a territorial system. So what does that mean? So a global system is the system we have today, and America is unfortunately almost unique in the world in having this very counterproductive system.

Here is how it works. If a subsidiary of an American company goes overseas—say they go to England—and they open a business there because they want to serve the English population and they want to sell a product in England. So they go to England, they open their business, they make a profit, and they have to pay a tax to the English Government. That is normal. That is what any company operating there has to do.

What America does, what we do in our Tax Code that almost no one else does is, we say: After you have paid that tax to the English Government, if you would like to dividend that money back to your parent company so it can be invested back home in America, we are going to charge you another layer of tax. We are going to make sure the combination of what you pay there and what you bring back home hits 35 percent, which is our current rate. It is completely uncompetitive.

So, if you think about it, the rest of the world has a different system. They have the system which we know as a territorial system, and the idea there is the subsidiary in England pays its tax to the English Government and then whatever aftertax profit they choose to send home to their parent, if it is a French company or German company or a company somewhere else in the world, there is no additional tax layer.

So which country do you think has a competitive advantage doing business in England? Anyone other than the United States. This has been the very reason that you have seen these inversions, these American companies getting acquired by other companies. In many cases, it is not about the economics, it is not about synergies, it is because there is a tax advantage to having a multinational headquartered almost anywhere other than the United States. There are a lot of good jobs at a corporate headquarters. There is management and sales and finance and planning and all kinds of really good jobs. We are losing these systematically because we have this system that nobody else in the world has—almost nobody else has—that punishes companies when they bring that money back home.

So what are we going to do? We are going to change our system from one of the worst in the world to what I think is going to be one of the best. What we are going to do is we are going to say: Well, a company operating overseas has to pay that local tax, but we are not going to punish that company with another layer of tax when they bring that money back home to America and invest here. Most estimates of how much money—I should point out, you only get hit with that tax penalty if you bring that money home and reinvest it in America. That is how crazy this is. It is called the deferral system.

The common popular estimates by the economists who looked at this is that there are somewhere between $2 trillion, maybe even more than $3 trillion of earnings by the subsidiaries of American-based multinationals, where they have paid the tax overseas, as they must, but they refuse to bring the money back home because they don't want to get hit with this huge tax. So think about all this money that is overseas somewhere else and not being invested in America.

I have had conversations with CEOs who have told me they want to invest in the United States, but the tax makes it prohibitively expensive to bring it home, and therefore they are looking for opportunities overseas where they will not have this tax.

We have to end this and we are going to end this in this bill and that is going to put an end to the tax incentive for these inversions—the movement overseas of corporate headquarters. It is going to make America a great place to invest and to headquarter a multinational company, and it is going to encourage that kind of growth. It is one of the central pillars of our business tax reform that is very constructive and very important.

I see my colleague from South Dakota is with us, and I will yield the floor now to him.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I thank the Senator from Pennsylvania for outlining and highlighting what are, I should say, some of the many reforms that are included in this legislation. Now, what he talked about is critically important.

If America is going to be competitive in the global marketplace, we have to change our Tax Code because it is completely outdated, completely antiquated relative to any of the countries with whom we compete. So, as the Senator from Pennsylvania pointed out, the reforms we make in this bill allow American companies to compete and win against those other countries around the world—the Chinas of the world, the Russias of the world. Those countries in which America has to compete on a daily basis have a huge advantage over American companies today simply because we have a tax code that doesn't recognize and reflect what is happening in the global economy, and that is why modernizing and updating our tax code was such a critical part of our tax reform effort.

I was listening to my colleague from Vermont, and I think this is a really great day in the U.S. Senate. We are getting close to the finish line on this tax bill. Over the past 24 hours, I think we have made a really great bill even better with more middle-class tax relief and more relief for small businesses. We have moved our bill closer to the House's bill in key areas, which I think will help us get this bill to the President's desk in the very near future. I am excited about what this tax bill is going to do for the American people.

America has always been about opportunity, a place where you could start from nothing and become anything. Generations of people have come to this country to build a better life for themselves and an even better one for their children. My grandparents were those people. They came here from Norway back in 1906, started a small merchandising company after they had learned the language and worked for a while on the railroads that were being built across this country. It later became a hardware store, and to this day in Mitchell, SD, there is still a store that goes by the name of Thune Hardware. The family is not associated with it, but it is an example of the millions of Americans or millions of people who came to this country, came to America in search of opportunity.

Unfortunately, in recent years, those vast horizons that so many people came to this country for seemed to shrink. The American dream has grown dim. Getting ahead has been replaced by getting by. We have watched idly as our jobs get shipped overseas, as other countries drop their business tax rates to better compete in the global marketplace, as emerging economies and developed nations grow faster than the United States. Americans now frequently spend more time worrying about their future than looking forward to it.

We are turning that around starting today with this tax bill. I am reminded of Ronald Reagan's Presidential ad noting that ''It's morning again in America.'' Well, it may not be morning yet, but the dawn is peeking over the horizon.

The tax bill before us today is going to provide immediate relief to hard-working Americans. It is going to immediately lower their tax bills. It is going to immediately mean more money in their pockets, but this bill is about much more than that. This bill isn't just about helping Americans today, although it is most certainly going to do that. This bill is about helping Americans for the long term. It is about restoring the American dream. It is about giving Americans access to the kinds of wages, jobs, and opportunities that will set them up for a secure and more prosperous future, and it is about sending a message to the world that America is finally serious about competing for 21st century jobs and innovation.

For years, our tax laws have kept American businesses at a disadvantage in the global economy. As other nations have changed their Tax Codes to strengthen their businesses, our Tax Code has kept American businesses struggling, but that ends now. This legislation makes a tremendous investment in American businesses and American workers. Under this bill, American businesses will no longer face the double taxation that has kept them at a disadvantage next to their foreign counterparts and has pushed them to keep jobs and investment overseas. They will no longer face the highest corporate tax rate in the industrialized world. They will no longer be playing catchup with their foreign competitors. Instead, American business will have money to invest in American workers. They will be able to expand their domestic operations, and they will be able to compete with and beat their competitors around the globe. What is the result of that? It means more growth here at home, more jobs, more opportunities, higher wages, and an America that can lead the world in innovation, job creation, and economic growth.

America may have been through a rough patch lately, but she is coming back stronger than ever. America led the world in the 20th century, and this tax bill makes it clear that she is going to do the same in the 21st century.

I hope our colleagues, when it comes time to vote on this tonight, will vote in favor of tax relief for middle-income families, vote for a stronger, growing, vibrant, robust economy that is creating better paying jobs, raising wages for American workers and American families, and a brighter, better, and more prosperous future for future generations of Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would just like to set the record straight on a couple of points. I have a response to my colleagues who continually say this corporate tax cut is going to raise workers' wages by $4,000.

Now, I asked the head of the Joint Committee on Taxation whether that was the case. He essentially said, no, he did not believe it was the case and referred us to tables that document it.

Perhaps even more egregious is tonight we heard our colleague from Ohio say that a Congressional Budget Office report claims that workers are going to get 70 percent of the benefits from a corporate tax cut so it was raised even higher.

Mr. President, I ask unanimous consent to have printed in the RECORD a portion of the report from the Congressional Budget Office, making it clear on the cover where it says the analysis and conclusions expressed there should not be interpreted as those of the Congressional Budget Office. It directly contradicts the comments made by the Senator from Ohio on wages and corporate tax cuts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Working Paper Series, Congressional Budget Office, Washington, D.C.

INTERNATIONAL BURDENS OF THE CORPORATE INCOME TAX

William C. Randolph, Congressional Budget Office, Washington, D.C., August, 2006, 2006–09

Working papers in this series are preliminary and are circulated to stimulate discussion and critical comment. These papers are not subject to CBO's formal review and editing processes. The analysis and conclusions expressed in them are those of the authors and should not be interpreted as those of the Congressional Budget Office. References in publications should be cleared with the authors. Papers in this series can be obtained at www.cbo.gov (select Publications and then Working Papers).

ABSTRACT

This study applies a simple two-country, five-sector, general equilibrium model based on Harberger (1995, 2006) to examine the long-run incidence of a corporate income tax in an open economy. In equilibrium, capital is assumed to be perfectly mobile internationally in the sense that the country in which a real investment is located does not matter to the marginal investor. In addition, each country is assumed to produce at least some tradable corporate goods for which the country cannot affect world output prices. Like the original Harberger (1962) model, the worldwide stock of capital and the supply of labor in each country are fixed. Under those assumptions, the model provides closed form solutions and easily understood predictions about its comparative static equilibria. As with any simplified model, the analysis is silent about some potentially important issues—such as the effect of the corporate tax on savings, growth and other dynamics—that may also have important effects on corporate tax incidence.

The analysis shows how the domestic owners of capital can escape most of the corporate income tax burden when capital is reallocated abroad in response to the tax. But, as in Bradford (1978), capital owners worldwide cannot escape the tax. Reallocation of capital abroad drives down the personal return to investment so that capital owners worldwide bear approximately the full burden of the domestic corporate income tax. Foreign workers benefit because an increased foreign stock of capital raises their productivity and their wages. Domestic workers lose because their productivity falls and they cannot emigrate to take advantage of higher foreign wages. Under basic assumptions of the numerical application, the outcome is also similar to the implications of the simpler model of Bradford in that the full worldwide burden falls on domestic owners of productive inputs. That outcome changes, however, under alternative assumptions.

Burdens are measured in a numerical example by substituting factor shares and output shares that are reasonable for the U.S. economy. Given those values, domestic labor bears slightly more than 70 percent of the burden of the corporate income tax. The domestic owners of capital bear slightly more than 30 percent of the burden. Domestic landowners receive a small benefit. At the same time, the foreign owners of capital bear slightly more than 70 percent of the burden, but their burden is exactly offset by the benefits received by foreign workers and landowners. To the extent that capital is less mobile internationally, domestic labor's burden would be lower and domestic capital's burden would be higher. Burdens can also be affected by the domestic country's ability to influence the world prices of some traded corporate outputs. But the signs and magnitudes of those effects on burden depend upon the relative capital intensities of production in the corporate sectors that produce internationally tradable goods.

Mr. WYDEN. Mr. President, if I could have the attention of my colleague from Pennsylvania, I would like to pose a question to him on a matter. We, as we have indicated, have been digging through the amendments. As far as I can tell, what we have is the earlier language that imposes a new excise tax on the investment income of large university endowments. That has been in the bill, so be it.

Now, there seems to be a new exception on page 289. The bill says that the new tax does not apply to a university otherwise subject to the tax if it is described in the first section, which is 511(a)(2)(B), and which does not receive Federal funds.

This is new, and I am trying to figure out why there is this special exemption. I can't seem to find other people who are getting it or whom it benefits. I thought perhaps my colleague from Pennsylvania could enlighten me on this.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I would be happy to enlighten the Senator from Oregon. What my provision does is it applies to any college that chooses not to receive Federal funds under title IV, which is a very big category of funding for higher education. It is the provision that authorizes Federal financial student loan programs, for instance.

So the theory is, which you may or may not agree with, but the view is, if a college chooses to forgo Federal money and the students that attend have to find their own way to get there, it is diminishing the burden that college would otherwise impose on the taxpayers, and so it is perfectly reasonable, in my view, to exempt such a college from the tax on endowments that we are applying generally. That is the answer to your question.

Mr. WYDEN. Mr. President, if my colleague would yield further, what is your analysis of how many colleges would benefit from this? The reason I ask is, in my view, there are a lot of deserving Oregon schools—and I seem to remember quite a few colleges in Pennsylvania—that also are very deserving, they would not benefit from this, and I would like my colleague's assessment of how many colleges would benefit from this particular provision.

Mr. TOOMEY. Mr. President, I think there are very few probably who choose now to forgo all of this taxpayer money, but any college in America that wanted to could do so. So any college that decided to adopt the policy I am alluding to here would choose to forgo the taxpayer money subsidizing their students and, if they choose to do that, then they wouldn't have to pay tax on their endowment. It would apply to any college that made the choice.

Mr. WYDEN. So is this Hillsdale College—because that is what I have been led to believe—and I would like my colleague's analysis of whether they would benefit.

Mr. TOOMEY. I believe that Hillsdale College would qualify for this, as would any other college that chooses to forgo title IV funding.

Mr. WYDEN. I am just not aware of any.

Mr. TOOMEY. There are other colleges that choose to forgo the funding. I am not sure how many of them also have an endowment large enough at the moment that it would have an impact on them. I have no idea how long it might take them to develop an endowment. But the point is, anybody who is in this category would have this same treatment.

Mrs. McCASKILL. Mr. President, would the Senator answer a question about this provision?

Do you know who the biggest donor was to the Hillsdale College endowment?

Mr. TOOMEY. I do not.

Mrs. McCASKILL. Would that be the DeVos family, by any chance?

Mr. TOOMEY. The answer to your question is, I have no idea, and it doesn't matter.

Mrs. McCASKILL. Do you know who added this provision in here?

Mr. TOOMEY. I advocated this provision.

Mrs. McCASKILL. What does it have to do with taking title IV money as to whether or not your endowment will be taxed? How is that apples and apples? It sounds like apples and oranges. What in the world do those two have in relation to each other?

Mr. TOOMEY. Are you finished with your question?

Mrs. McCASKILL. Yes.

Mr. TOOMEY. I will answer it again. You may choose to disagree, and that is fine. We can have our different opinions on this. But my view is, a college that chooses to say ''We don't want to take any Federal taxpayer dollars'' and therefore saves the taxpayer I don't know how many millions altogether—usually thousands per student—I think it is quite reasonable that a college that chooses to not put that imposition on the Federal taxpayers ought to be able to be exempt from this tax. It would be available to any college that made that choice. Several colleges in America make this choice, and any others that choose to would be able to participate.

Mrs. McCASKILL. So the rationale is, if you choose not to take Federal money, then your endowment is no longer subject to any tax even though the endowment money comes from people who get a deduction for the money they give, correct? The endowment comes from donors. I thought the reason we were taxing the endowments is because the people who were giving the money were getting a tax deduction when they put it there.

Mr. TOOMEY. The point is, the college that is qualifying for this is choosing not to impose a tax burden on the American taxpayer. They are not allowing their students to take the Federal taxpayer benefits that are available to them. They choose not to. They save taxpayers a tremendous amount of money when they make that choice. I think it is reasonable to allow them not to also have to pay this tax on their endowment.

Mrs. McCASKILL. Are the people who are giving to the endowment still allowed to take a tax deduction?

Mr. TOOMEY. I think people who give to the endowments are treated the same as people who give to any other endowment.

Mrs. McCASKILL. So it doesn't matter, in terms of the people giving to the endowments, whether they get a tax deduction, just whether the school takes money from the Federal government?

Mr. TOOMEY. The criteria is, if the school chooses to save Federal taxpayers very substantial amounts of money by forgoing the title IV funds, then the school would not have to pay the tax.

Mrs. McCASKILL. My point, Senator, is that the people who are giving to the endowment get the exact same tax benefit as people who give to any endowment in the country.

Mr. TOOMEY. And it is a completely irrelevant point. The fact is, the school is choosing to save the taxpayers a lot of money by forgoing money that would be available to its students. So it is very reasonable to have this modest savings that is available to a school that makes that choice and saves the taxpayers this money.

Mrs. McCASKILL. It doesn't feel that way to us. It feels as if this is a very limited provision written for a very special person.

Mr. TOOMEY. It is a universal provision available to any school that chooses to take it.

Mr. MERKLEY. Will my colleague from Pennsylvania yield for a question?

Mr. TOOMEY. Yes.

Mr. MERKLEY. Is this Hillsdale College the same one that was sued for discrimination in the 1980s?

Mr. TOOMEY. I don't know the history of litigation against most colleges, including Hillsdale.

Mr. MERKLEY. You said you introduced this provision, and so I assumed you probably researched this. Isn't the reason this college has not taken Federal funds is because it was sued for discrimination?

Mr. TOOMEY. This is not my understanding. I do understand that my colleagues on the far left do not have a fond opinion of Hillsdale, but I do. I actually think it is a wonderful institution, and I commend them for their choice, as other colleges, of forgoing taxpayer money that they could be taking, the burden they could be imposing on taxpayers, but they choose not to. I think any college in that category, whether it is Hillsdale or any other college, ought not to have to pay the tax on the endowment.

Mr. MERKLEY. You make the point that your colleagues on the left don't have a fond opinion of this particular college, but my point is, we don't have a fond opinion of discrimination and of giving a tax provision for just one college that happens to be funded by one of the wealthiest families in America because they happen to be a Republican donor. Why would that be a good provision in terms of the United States of America, to subsidize a college that quit taking Federal funds because of discrimination?

Mr. TOOMEY. Why would you choose to mischaracterize this provision the way you just did? You said it is for one college, and you know that is not true. This is criteria available to any college in America, and any college that takes it will get that benefit.

Mr. MERKLEY. Would my colleague provide a list of all the colleges that qualify, because our understanding is that only one—this was written for one to qualify. And that is why this shouldn't be done at the last minute and just stuffed into a tax bill.

Mr. TOOMEY. If my colleague doesn't like that provision, he can offer an amendment to strike it. This is a wide-open process.

Mr. WYDEN. I am reclaiming my time.

The PRESIDING OFFICER. The Democratic time has expired.

Mr. WYDEN. I ask unanimous consent for 3 additional minutes to complete this one question.

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

Mr. WYDEN. I thank the Chair.

I was concerned at the beginning because there are so many deserving schools in Oregon and Pennsylvania and elsewhere that don't get this special treatment, and obviously you have heard my colleagues express their concern, and I think it transcends somebody's politics.

So my question now would be—the perfecting amendment has not yet been filed. Would my colleague be willing to take his provision out of the perfecting amendment and offer it as a separate amendment so we can actually have an up-or-down vote? And perhaps by that time, we will know how many colleges, if any other than this one, benefit.

Mr. TOOMEY. Mr. President, the Senator from Oregon referred to many other deserving schools. I don't know which of them choose to forgo this taxpayer money, and if any of them do, then they qualify.

If you do not like the provision, you are free to offer an amendment to strike the provision. That would be my recommendation.

Mr. WYDEN. The answer is no.

Mr. TOOMEY. I made my recommendation. If you dislike the provision, you can offer an amendment.

Mr. WYDEN. Let the record show that my colleague has said no. And I can't find anybody else in America who benefits from this particular provision, and that doesn't strike me as right, to have it airdropped at the last minute into a bill.

Mr. President, I believe I am out of time on my consent request.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent that there now be 30 minutes, equally divided, for debate only, with no amendments or motions in order, and that the majority leader be recognized at the conclusion of that time.

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

Who yields time?

If no one yields time, time will be equally charged to each side.

The Senator from Utah.

Mr. LEE. Mr. President, I stand in support of the child tax credit. It is something that this bill goes a long way toward promoting.

This is a great day in the sense that the Senate is moving forward with promoting the interests of the American family, doing something to weaken, to soften the impact of a little known feature called the parent tax penalty.

A lot of people are familiar with the marriage tax penalty in the Tax Code. It is a pernicious feature, one that punishes people for getting married, one that can produce a series of adverse effects simply by saying ''I do.'' That is wrong. Most Americans acknowledge that it is wrong. This bill goes a long way toward undoing that.

There is a different thing called the parent tax penalty that, like I say, is less understood, less frequently discussed than it should be.

Here is how the parent tax penalty works. It is a basic function of the interaction between the Federal income tax system on the one hand and our Federal senior entitlement programs, on the other—Social Security and Medicare.

Here is how it works. Imagine two hypothetical couples, couple A and couple B. Couple A and couple B are identical in every respect but one, and that is that they are identical in their income patterns, charitable contributions, mortgage interests, so on and so forth, except for one characteristic. Couple A has four children, and couple B chooses to remain childless.

Over the course of their lifetimes and while raising their children, couple A will, on average—according to what some have described as lowball estimates produced by the U.S. Department of Agriculture—incur around $1 million in childrearing expenses, just the cost of raising their children. Couple B, of course, being childless, will not incur those same expenses. At the same time, they are paying more or less at the same tax rate. There are a few differences in the existing Tax Code, but nothing to offset the disparity between the two couples in the sense that couple A, while incurring this $1 million in childrearing expenses while they are raising their children, is also paying into Social Security and Medicare. They are also paying taxes, and they are not having their contributions to this solvency of Social Security and Medicare adequately taken into account.

In other words, because Social Security and Medicare are funded on a pay-as-you-go basis, we have to remember that it is today's workers who are paying the retirement benefits of today's retirees. It is today's children who will be tomorrow's workers who will be funding the requirement benefits under Social Security and Medicare of today's workers and tomorrow's retirees.

This is what the parent tax penalty is all about. You see, the Federal Tax Code doesn't adequately take into account the enormous contribution of working parents and contributing toward the solvency and sustainability of Social Security and Medicare.

This is why a little over 4 years ago, back in 2013, I started pushing this idea of the need to increase the child tax credit to help soften the impact of the parent tax penalty. This is not, to be sure, something that is intended to incentivize or compel parenthood. That is not our purpose at all. This is not social engineering.

It is one thing for the government to tell people they have to do something or to incentivize them to do another. It is quite another thing to simply tell people: We are going to punish you less for bringing about the possibility of sustaining Medicare and Social Security, for bringing children into this world, and raising tomorrow's generation of workers who will pay for the Social Security and Medicare benefits of today's workers and tomorrow's retirees.

This is important, and this is something that I am thrilled to see as part of this tax reform package. This tax reform package does, in fact, increase the child tax credit to $2,000 per child.

What I would like to see, and what I have been working on with Senator RUBIO, is also to increase the refundability of the child tax credit, to move that refundability all the way up to $2,000 per child and make it refundable up to the amount of taxes paid, including payroll taxes—in other words, up to 15.3 percent of earnings.

What this would do is it would result in an effective cut in the payroll tax liability of middle-class, hard-working American moms and dads, some of whom might see their payroll tax liability exceed their income tax liability. They are still paying taxes.

Tell a construction worker or a secretary or a police officer that he or she is not paying Federal taxes simply because their biggest tax liability is found in the payroll tax. In this circumstance, this amendment is needed in order to give these people significant tax benefits under this bill.

It is important to remember that some 70 percent of the benefits under this bill go to America's corporations and 30 percent to individuals. It is our desire to help spread out some of the benefits of this and to help spread it out, in particular, to America's hard-working middle-class moms and dads.

Now, the Rubio-Lee amendment, in its current formulation, would involve a very slight adjustment to the corporate tax rate, taking it from 20 percent to 20.94 percent. This is not an enormous difference.

This reminds me a little bit of a story that I first heard told by Emo Philips. Emo Philips described himself as walking across the Golden Gate Bridge one night very late. He was alone on the bridge, or so he thought, until he got to about halfway across the bridge when he discovered he was not alone. He found somebody else standing on the outside of the guardrail of the Golden Gate Bridge.

Emo said: I could tell right away that this man was in trouble, and the thought occurred to me that maybe this man is thinking about taking the unfortunate step of ending his life by jumping off the bridge.

Emo said: I stopped and asked the man the first thing that came to mind: Do you believe in God?

The man said: Yes.

Emo said: Me too. Are you a Christian?

The man said: Yes.

Emo said: Me too. What denomination are you?

The man said: I am a Baptist.

Emo said: Me too. Are you a northern Baptist or a southern Baptist?

The man said: I am a northern Baptist.

Emo said: Me too. Are you a northern fundamentalist Baptist or a northern reformed Baptist?

The man said: I am a northern fundamentalist Baptist.

Emo said: Me too. Are you a northern fundamentalist Baptist, conference of

1857 or a northern fundamentalist Baptist, conference of 1812?

The man said: Northern fundamentalist conference of 1857.

Emo said: Die, you heretic. And he pushed him off the bridge.

The point here is that sometimes we have to acknowledge that very minor differences between us do not make us heretics.

There is a very minor difference between a corporate tax rate of 20 percent and a corporate tax rate of 20.94 percent. But that minor difference would make all the difference in the world to America's hard-working moms and dads, many of whom are on the very cusp of where many parents find themselves, especially while their children are young.

Imagine the construction worker, police officer, or school teacher who are just making ends meet and who realize that if they were to take themselves out of the workforce, they might be able to receive government benefits that they are currently not receiving. They might, in some ways, find their quality of life going up, at least in the sense that they wouldn't have to go to work. We don't want them to have to do that, you see, because when they get into that circumstance, they might forgo other career opportunities.

Without that job, there will not be the next job, the next promotion, and the next promotion after that. They might find themselves trapped in a web of poverty, held down by the very government programs that are there to help them.

That, in turn, might contribute to this growing expanse of the Federal Government and might inhibit economic growth.

You see, sometimes we have to remember that America's ultimate and most important investor class is not necessarily just those people gathered around the boardroom. They are often in maternity wards or at the altar in a church saying ''I do.'' Sometimes the most important investments we make are in those children whom we rock to sleep at night, whom we raise to be the next generation of taxpayers, the next generation of contributors to our great society.

This is why making sure that the child tax credit is there for them, is available to them, and is refundable up to the amount of taxes paid is so important.

These are not freeloaders. These are not people who would be seeking a welfare benefit, because the only benefit available to them under this child tax credit would be there for them only to the extent that they have been working and paying taxes, paying into the system. This is an imminently reasonable request.

In any event, this is a great moment in the very sense that we are having this conversation, in the very sense that we are poised right now to increase the child tax credit to $2,000 per child. This would go a significant way toward offsetting the parent tax penalty.

It is my hope and my humble request that my colleagues will heed this call to make it even more meaningful by making the child tax credit refundable up to the amount of taxes paid, including payroll taxes.

Thank you, Mr. President.

I yield the floor.

Mr. WYDEN. Mr. President, how much time remains on our side in the tranche?

The PRESIDING OFFICER. Eleven minutes.

Mr. WYDEN. I would like to yield 5 minutes of my time to the Senator from Ohio, Mr. BROWN.

Mr. BROWN. Mr. President, I thank Senator WYDEN.

Mr. President, if we want to cut taxes for the middle class, as my colleagues keep saying, then let's cut taxes for the middle class. Instead of giving the money to the corporations and hoping it trickles down, let's cut out the middleman. Let's put the money directly in the pockets of working families.

I will say that again. Instead of giving the money to corporations and hoping it trickles down, cut out the middleman and put the money directly in the pockets of working families. I will keep saying this, because tax reform should be that simple.

I spent the last 2 weeks, and in particular the past 2 days, working with Senators RUBIO and LEE on a good-faith effort to bring the child tax credit into this conversation.

I don't believe their proposal goes far enough because it fails to index the CTC for inflation. For inflation, it is temporary. Remember, the tax cuts for individuals are temporary; the tax cuts for corporations are permanent. It continues to be tied only to payroll taxes. It ignores the burdens we place on working families.

We can find trillions—trillions—for corporations. This is all we can do for working families?

Unfortunately, while Senators LEE and RUBIO were making a real effort at middle-class tax cuts, and I thought we were close to a bipartisan bill that could save this bill, it didn't happen. Republican leadership—coming down the hall from Senator MCCONNELL's office—swooped in and made it clear that this bill is being written to benefit one class of people: corporations that shift jobs overseas and their CEOs.

While Senators' sons and daughters will do just fine under this proposal—they will get the full tax cut for their children—working families will pay the price.

What we should do—frankly, what we must do—is vote this bill down and start over.

Senators RUBIO and LEE and I could work together, along with our colleague, Senator BENNET, to pass real middle-class tax cuts built around a compromise that begins with our shared goals on the child tax credit. That is where we start because, right now, this bill is not a tax cut for working families. Everybody on this side of the aisle knows it. Every single person knows it. Whether they were personally a CEO, whether they were an accountant, whether they were a lawyer in a small town, they all know this is not a cut for middle-class families.

Right now this bill is a massive giveaway to multinational corporations that outsource American jobs. We know the companies shut down in Mansfield, OH, in Zanesville, in Lima, and in Chillicothe, they get a tax break, they move overseas, build a new factory, and sell those products back into the United States. We know that is what has been happening. We choose not to fix that and instead we do more of the same.

Even before we take into account the loss of healthcare coverage for tens of millions of Americans, a full 62 percent of these tax cuts will go to the top 1 percent of households by the end of the decade. Sixty-two percent of these tax cuts go to the top 1 percent of households. Even with the Bush tax cuts, which were clearly weighted way too much to the wealthiest people in our country—the most privileged—that was only 27 percent of those tax cuts, those benefits that went to the wealthiest 1 percent.

So let's end the charade that this bill is a tax cut for ordinary Americans. It is simply not.

Their CEO pals have let the cat out of the bag. Bloomberg said this morning: ''Instead of hiring more workers. . . .'' My friends on the other side of the aisle say, if we cut taxes on corporations, it will raise wages, and they will hire more workers.

Bloomberg said: ''Instead of hiring more workers or raising their pay, companies say they will first increase dividends or buy back their own shares.''

That is what they always do. They take the money for themselves. They take the money for stockholders and stock buybacks and more executive compensation. The corporate CEOs couldn't be clearer: They are keeping the money for themselves. It is not going into the pockets of workers.

Again, take out the middleman. If you want to do tax cuts for the middle class, then do tax cuts for the middle class. If my colleagues mean what they say—if they want to cut taxes for the middle class—work with us bipartisanly on a good child tax credit that will really work for working families and cut taxes directly for the middle class.

I yield the floor.

Mr. ENZI. Mr. President, today I wish to speak about the important legislation we are now considering.

Earlier this week, I explained some of the reasons the Senate needs to consider tax reform legislation and gave a general overview of the bill. Today I want to talk about some of the specific provisions of the bill.

First, I want to talk about the relief this bill provides to hard-working Americans. The Tax Cuts and Jobs Act reduces tax rates for individuals, almost doubles the standard deduction, and doubles the child tax credit. This will allow families to keep more of the money they earn in their pockets. The independent Tax Foundation estimates that this will amount to about $2,500 more in after-tax income for a middle-income family in Wyoming.

This bill also will provide relief to small, family-owned businesses that currently employ the majority of the private sector in Wyoming. The bill cuts taxes for these businesses while enhancing deductions that are important to them, like the section 179 deduction that promotes business investment. The Tax Foundation believes changes like this will add more than 1,700 full time jobs in my home State.

While these individual Tax Code provisions are important to so many Wyomingites and small businesses in my home State, I am also especially proud of the international tax provisions in this bill, which I worked on with Senator PORTMAN and Chairman HATCH.

Right now, our tax rules are written so that many businesses could be better off if they are headquartered outside of the United States. Those rules, which were written in the 1960s, are completely outdated. Many of the U.S. major trading partners, including Canada, Japan, and the U.K., have moved to what are called ''territorial'' tax systems. Those systems tax the income generated within their borders and exempt foreign earnings from tax.

The United States, on the other hand, taxes the worldwide income of U.S. companies and provides deferral of U.S. tax until the foreign earnings are brought home. Deferring the tax incentivizes companies to leave their money abroad and invest it there. That is certainly not a recipe for U.S. growth and U.S. job creation.

The dominance of U.S.-headquartered companies in the global marketplace is waning. In 2000, 36 percent of the Fortune Global 500 companies were headquartered in the United States. In 2009, that number dropped to 28 percent. In 2017, we are down to 26 percent. Clearly, America is losing ground, and our international tax rules are part of the problem.

I have been working to change that since the 112th Congress, when I introduced the United States Job Creation and International Tax Reform Act. My goal then was to incentivize American companies to create jobs in the United States while leveling the playing field for U.S. companies in the global marketplace. I believe the Tax Cuts and Jobs Act achieves that goal.

This bill would reform and modernize the rules for taxing the global operations of American companies. These reforms, along with reducing our corporate tax rate, would help make America a more attractive location to base a business that serves customers around the world.

With these provisions in law, families would hear fewer stories about how U.S. companies are moving their profits to tax haven countries and avoiding U.S. tax on those earnings. Families would hear fewer stories about how U.S. multinational companies set up post office boxes in the Cayman Islands and Switzerland without an employee or officer of the company anywhere in sight and attribute a significant portion of their foreign earnings to these jurisdictions. Instead, families would hear more stories about how U.S. companies are generating the ideas and inventions of tomorrow right here in America.

The international tax rules are not easy or simple, and a lot of work went into these provisions. I want to again thank Senator PORTMAN and Chairman HATCH for their work with me in this area. I look forward to continuing to work with them and the rest of my colleagues to pass this bill that our country desperately needs.

Thank you.

Mr. PORTMAN. Mr. President, I rise today to engage in a colloquy with the distinguished chairman of the Senate Finance Committee, Senator HATCH.

Mr. Chairman, I would like to clarify a point in connection with the application of the base erosion anti-abuse tax in the Tax Cuts and Jobs act to services companies. The act provides an exception from the base erosion anti-abuse tax for services. The act limits the exception to the ''total services cost with no markup.'' As a practical matter, companies account for amounts paid or accrued for services in a variety of ways. I would like to clarify that, if in a transaction a company used one account for services cost with no markup and another account for any additional amounts paid or accrued, that the first account would be subject to the exception under the bill.

The act also excludes an amount paid or incurred for services if those services meet the requirements for the services cost method under Internal Revenue Code section 482, excluding the requirement that the services not contribute significantly to fundamental risks of business success or failure.

Is it the intent that, for this purpose, that the business judgment rule under current law and regulations will not prevent an amount from being excluded under the act?

Mr. HATCH. The Senator is correct. The intent of the provision is to exclude all amounts paid or accrued for services costs with no markup. Thus amounts paid or accrued in that account would be excluded from the base erosion anti-abuse tax. Other accounts related to the same transaction may or may not be excepted from this tax.

Similarly, it is the intent that for purposes of the base erosion anti-abuse tax that the business judgment rule will not prevent an amount from being excluded under the act.

I would like to thank my friend from Ohio for his leadership on international tax issues, especially since he joined this committee. I look forward to continuing to work with him on these important issues.

Mr. PORTMAN. I thank the chairman for that clarification and appreciate his outstanding leadership and work on this historic tax reform measure.

Mr. CARPER. Mr. President, I wanted to take an opportunity to clarify the implications of title II in the reconciliation bill before us pertaining to the development of oil and gas resources along the coastal plain of the Arctic National Wildlife Refuge.

As our colleagues recall, the Senate instructed the Energy and Natural Resources Committee to report legislation that reduces the deficit by $1 billion between 2018 and 2027. In response to those instructions, the committee reported recommendations to open the refuge's coastal plain, otherwise known as the 1002 Area, to oil and gas development.

In the process of considering and ultimately reporting this legislation, the chair of the Energy and Natural Resources Committee, the senior Senator from Alaska, Ms. MURKOWSKI, assured members of the committee that, if the legislation became law, it would require such development be subject to the full scope of environmental review required by the National Environmental Policy Act, or NEPA, as well as other environmental laws.

Indeed, earlier in this floor debate, the Senator from Alaska reiterated an assurance that the environment and local wildlife will always be a concern and a priority and that this legislation does not waive NEPA or any other environmental laws. I take my colleague at her word and thank her for her commitment.

After the Energy Committee reported its recommendations to the Senate Budget Committee, the Parliamentarian advised that the committee-reported language directing the Secretary of the Interior to manage the oil and gas program on the coastal plain ''in accordance with'' the Naval Petroleum Reserves Production Act of 1976 and its supporting regulations set up a clear conflict of law with NEPA, which is the jurisdiction of the EPW Committee. Because any changes to NEPA applicability, scope, and the content of environmental reviews conducted under the law, especially those within a National Wildlife Refuge, lie exclusively within the jurisdiction of the Environment and Public Works Committee, the language in section 20001(b)(3) was found to be extraneous under the definition in section 313(b)(1)(C) of the Congressional Budget Act.

It appears that this effect may have been inadvertent, given the assurance we have received from the Senator from Alaska, chair of the Energy Committee, that ''we did not waive NEPA or any other environmental law.'' In any event, as a result, the substitute amendment if adopted, would modify section 20001(b)(3) in an effort to eliminate extraneous language. It does this by directing the Secretary of the Interior to manage the oil and gas operations in the coastal plain in a manner "similar" to the requirements of the Naval Petroleum Reserves Product Act of 1976. This modification, while it might appear to be small, is a significant change.

The Parliamentarian has advised that the language in the substitute is in order, meaning that it no longer runs afoul of section 313(b)(1)(C) of the Congressional Budget Act. The new language appears to achieve the stated intent of the chair of the Energy Committee to not repeal, modify or otherwise limit in any way the application of NEPA, the Endangered Species Act, the Marine Mammal Protection Act, the Alaska National Interest Lands Conservation Act, or any other environmental or land management statute. Importantly, the requirement that oil and gas activities must be determined to be "compatible with the major purposes for which such areas are established," as required by 16 U.S.C. 668dd(d)(1)(A), still applies.

The Senate should be fully aware of the substantive difference produced by the perfecting amendment offered by the majority leader, Mr. MCCONNELL. The change in the management regime as required by this amendment significantly reduces the receipts generated by lease sales that are mandated on the coastal plain, as shown in the amendment's score produced by the Congressional Budget Office.

While the Energy and Natural Resources Committee rightly exercises prime responsibility to determine the scope and nature of oil and gas leasing activities broadly, these activities are subject to a variety of aforementioned environmental and natural resource statutes and associated regulations that fall within the Environment and Public Works Committee's jurisdiction. That is particularly true of activities in National Wildlife Refuges and most certainly true of the refuge's coastal plain.

Indeed, NEPA assessments for Federal oil and gas activities in Alaska's Kenai National Wildlife Refuge are conducted in accordance with the same standards applied to oil and gas leasing in all other refuges. The Bureau of Land Management, in coordination with the Fish and Wildlife Service, will continue to apply the provisions of the Mineral Leasing Act and the associated regulations, memorialized in 43 CFR part 3100, which specify that leases shall be issued subject to stipulations prescribed by the Fish and Wildlife Service.

In summary, I would just say that my colleague from Alaska, as chair of the Energy Committee, and I, serving as the ranking member of the Environment and Public Works Committee, share a common understanding that NEPA and other seminal environmental laws will apply to potential leasing activities and related exploration and development on the coastal plain of the Arctic Refuge.

Mr. CASSIDY. Mr. President, today I wish to discuss the historic rehabilitation tax credit. During the Finance Committee markup of the Tax Cuts and Jobs Act, the committee adopted my amendment to return the historic rehabilitation tax credit to the 20 percent level, with the credit now claimed over 5 years, as well as a transition rule to grandfather approved and underway projects under the prior law and regulations.

The historic rehabilitation tax credit program provides jobs and investment in communities across the country. More than 40 percent of projects over the past 15 years have been located in communities with populations less than 25,000 people. Since 2002, the historic rehabilitation tax credit has facilitated 782 projects in Louisiana, bringing more than $2.2 billion of investment into cities and towns across the State. I am pleased this important provision will be preserved in tax reform.

For purposes of the transition rule in my amendment, "taxpayer" refers to the person who undertakes the rehabilitation of a building. In the case where a person makes an election under section 48(d), the term "taxpayer" means the lessor, since the lessor is the person who undertook the rehabilitation. It is intended that the historic rehabilitation tax credits be available during the transition period only to the extent such credits would have been available under the prior law and regulations.

Mr. President, I am proud of the work we have done in the Senate to develop a bill that delivers tax cuts to working families and significantly improves the competitiveness of our Tax Code. This will lead to greater investment, more jobs and opportunity, and an increase in economic growth.

I would like to take a moment to highlight an important, unresolved issue that we should consider as we work toward putting a bill on the President's desk.

Families in Louisiana are particularly prone to the negative impacts of natural disasters. From Hurricane Katrina in 2005 to historic flooding in multiple parts of the state during 2016, we have unfortunately seen some significant losses in our State; yet as we saw once again with the recent Hurricanes Harvey and Irma, Louisianans are resilient and watchful of neighbors through the tragedy and the recovery.

One aspect of recovery that many people don't see is the enormous amount of capital that flows into the storm zone from the reinsurance industry. In simple terms, reinsurance is insurance for insurance companies, and it helps Louisianans rebuild their homes, their businesses, and their lives.

Reinsurance transfers risk from the balance sheets of property and casualty insurance carriers so those companies can provide cost-effective solutions to consumers and businesses. A robust reinsurance market helps ensure that policyholders are getting the best rates possible on insurance for their homes and businesses. Many of the largest reinsurers in the world were founded in Europe 100 years ago or more, and a number of them do business in the United States through U.S. subsidiaries.

My concern is the potential impact of the bill's base erosion provision on the reinsurance market and policyholders along the gulf coast. The base erosion provision has the rightful intent of targeting bad actors who implement strategies to avoid U.S. taxes; yet the provision may have an unintended consequence of negatively impacting cross-border reinsurers conducting normal transactions, which could affect the market and premiums.

Reinsurance is critical to families and businesses in Louisiana, particularly after a natural disaster, and I hope to work with my Senate and House colleagues on this matter as we work to get the bill to the President's desk.

Mr. KENNEDY. Mr. President, today I rise to discuss the historic rehabilitation tax credit. The historic rehabilitation tax credit is a vital component of pro-growth tax reform and a shot in the arm for communities across the country. For instance, in my State of Louisiana, the credit has encouraged 782 restoration projects since 2002. This amounts to more than $2.2 billion in investment into cities and towns across the State. Many of these private investment dollars are flowing into small and rural communities with populations less than 25,000 people.

I am pleased that the Finance Committee restored the historic rehabilitation tax credit to the 20-percent level and ensured a smooth transition for approved and underway projects by grandfathering them in under the prior law and regulations.

For purposes of the historic rehabilitation tax credit's transition rule, "taxpayer" refers to the person who undertakes the rehabilitation of a building. In the case where a person makes an election under section 48(d), the term "taxpayer" means the lessor, since the lessor is the person who undertook the rehabilitation. It is intended that the historic rehabilitation tax credits be available during the transition period only to the extent such credits would have been available under the prior law and regulations.

Mr. WYDEN. Mr. President, I ask unanimous consent that my motions to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Wyden moves to commit the bill H.R. 1 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) make permanent the tax cuts for individuals and small businesses and eliminate middle class tax increases, including reinstating the full State and Local tax deduction, paid for by sun-setting tax cuts for domestic and multinational corporations.

Mr. UDALL. Mr. President, I ask unanimous consent, with the support of Senators WYDEN, BENNET, FEINSTEIN, and KLOBUCHAR, that the text of my motion to commit be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Udall moves to commit the bill H.R. 1 to the Committee on Energy and Natural Resources with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) provide for full, permanent, and mandatory funding for the payment in lieu of taxes program under chapter 69 of title 31, United States Code; and

(3) provide for the permanent authorization of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.).

Mr. REED. Mr. President, I ask unanimous consent that the following motion to H.R. 1, the Tax Reconciliation Act, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Reed moves to commit the bill, H.R. 1, to the committee on Finance with instructions to report the same back to the Senate in three days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) preserve the value of the low income housing tax credit and increase further the small State minimum allocation.

Mr. BOOKER. Mr. President, I intend to offer the following motion to H.R. 1, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Booker moves to commit the bill H.R. 1 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would ensure that the bill would not result in cuts to the Medicare program under title XVIII of the Social Security Act.

Mr. MENENDEZ. Mr. President, I intend to offer the following motion to H.R. 1, and I ask unanimous consent that it be printed in the RECORD. The motion is supported by Senators CANTWELL, VAN HOLLEN, CARDIN, and BOOKER.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Menendez moves to commit the bill H.R. 1 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate the repeal of the State and local tax deduction if State and local spending on investments in Medicaid and other health care, infrastructure, or services for children or seniors, education, or law enforcement is reduced or taxes on the middle class are increased.

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

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

The minority leader.

Mr. SCHUMER. Mr. President, in just a short time, we will proceed to a final vote on the Republican tax bill. We understand they have the votes to pass their bill, despite a process and a product that no one can be proud of, and everyone should be ashamed of. Historians will mark today as one of the darkest black-letter days in the long history of this Senate.

Once hailed as the greatest deliberative body, as a beacon of American democracy, and the envy of representative governments around the world, the Senate seems to have abandoned those qualities in a rush to pass a bill that no one is proud of. Substantively, the Republicans have managed to take a bad bill and make it worse. It was chockful of special interest giveaways before tonight, but now, under the cover of darkness and with the aid of haste, a flurry of last-minute changes will stuff even more money into the pockets of the wealthy and the biggest corporations while raising taxes on millions in the middle class.

One provision may be a metaphor for the whole bill. One college, Hillsdale College, has been exempted from taxes on colleges with large endowments. Hillsdale College is supported by the DeVos family, one of the largest contributors to the Republican Party. A specific provision, just like an earmark, was slipped into the bill, added by a Senator who fought to remove earmarks from Congress several years ago. A single wealthy college—the pet project of a billionaire campaign contributor to the Republican Party—was exempted from a tax by a Senator who fought to get rid of earmarks. This, unfortunately, is the metaphor for this bill and how high the stench is rising in this Chamber as we debate the bill tonight.

In my long career in politics, I have not seen a more regressive piece of legislation so devoid of rationale, so ill-suited for the conditions of the country, so removed from the reality of what the American people need. Working people in this country are struggling. Corporations and the very wealthy are doing great.

There is no reason for rushing through a tax break for millionaires and billionaires, paid for by pilfering the pockets and the healthcare of middle-class Americans. Millions of middle-class families will get a tax hike next year and millions more thereafter because of this bill. That is why this bill is such a monstrosity, such a danger to the country, and the American people know it. That is why they oppose the bill in large majorities.

My Republican friends will ultimately pay consequences for this bill in 2018 and beyond. The Republican Party will never again be the party of tax cuts for middle-class people. With the passage of this tax bill today, it will be the first day of the new Republican Party—one that raises taxes on the middle class, abandoning its principles for its political paymasters.

With respect to the process, the bill my Republican friends hope to pass so soon was received by Members of this body only a few hours ago. Not a single Member of this Chamber has read the bill. It would be impossible. Some of the pages were completely crossed off, and text had been replaced by handwritten notes. When we got the bill, this is what it looked like. This is what it looked like.

When asked before by Senator DURBIN, the Senate clerk said she couldn't even read it, and this section is one of the most complicated sections of the bill, dealing with passthroughs. Lawyers are paid thousands of dollars an hour to find ways for their wealthy patrons to avoid sections just like this, and my Republican friends don't have the decency, the honor to let us debate it.

Senator MCCASKILL was the first to discover that a list of proposed amendments was circulating among lobbyists. My Republican friends allowed lobbyists to see amendments, and likely the text of this bill, before their fellow U.S. Senators.

There is no score of this bill by the Joint Committee on Taxation. There will be no analysis of how American businesses and taxpayers fare under this bill, how high taxes go up or go down, whether the economy grows or shrinks, whether it creates jobs or loses them. Who knows? Certainly no one here. No one could know because it hasn't even been read, let alone thoughtfully considered.

I remember a few years back when my Republican colleagues gleefully scolded us to ''read the bill'' because the Affordable Care Act was a lengthy piece of legislation, and that bill was available for days before anyone had to vote on it. With this stunning deception, with this reckless ramrodding of a bill, Republicans are reaching heretofore unreached heights of hypocrisy, and the Senate is descending to a new low of chicanery.

Read the bill? They are still writing it by hand, mere hours before voting on it. Is this really how Republicans are going to rewrite the Tax Code, scrawled like something on the back of a napkin behind closed doors with the help of K Street lobbyists? If that is not a recipe for swindling the middle class and loosening loopholes for the wealthy, I don't know what is. I don't know if it is possible for a Senate majority leader to depart further from responsible legislating than the process we witnessed with this tax bill.

Tonight, Mr. President, I feel mostly regret at what could have been. What a grave shame it is that we weren't able to work together on this bill. Tax reform is an issue that is ripe for bipartisan compromise. Democrats have spent many long hours with our Republican colleagues talking about our tax reform ideas. There is a sincere desire on this side of the aisle to work with our colleagues, particularly on tax reform, but we have been rebuffed time and time again. Even under these difficult circumstances, Senators COONS, WARNER, BENNET, MANCHIN, HEITKAMP, DONNELLY, and MCCASKILL have tried in good faith to convince our Republican colleagues to sit down and talk to us. We have tried to convince you all that we want to join you in tax reform, to have a real debate befitting this august body.

It is an expression of the brokenness of our politics that the influence of moneyed interests and the political right was so great that it overcame even the best of intentions of my Republican colleagues, so many of whom I admire, so many of whom I know, because they have said it to me, lament the steady erosion of bipartisanship in the one institution in our government designed by nature to foster it.

I salute my friend the Senator from Tennessee for standing fast by his principles and having the courage of his convictions. I only regret that there were not more who followed his admirable example.

After a divisive and draining battle over the future of healthcare, we could have moved the Senate back toward sanity, bipartisanship, compromise. We could have accomplished something great for the country and for this body at the same time.

Although time is running short, there is still time, and I will make one final plea. Because this bill is so slanted toward the wealthy and powerful and rains tax increases upon millions of middle-class citizens; because the bill is laden with special interest provisions, some recently found and many not yet seen; because the bill was given to lobbyists to read and change before Senators saw it; and because the bill was given to us on few hours' notice and has not been read fully or considered fully by a single Senator, I move that we adjourn until Monday so we can first read and then clean up this awful piece of legislation.

MOTION TO ADJOURN

Mr. President, I move that the Senate adjourn until Monday, December 4, 2017, at 12 noon, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

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

[Rollcall Vote No. 293 Leg.]

YEAS—48

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

NAYS—52

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

The motion was rejected.

The PRESIDING OFFICER (Ms. MURKOWSKI). The majority leader.

AMENDMENT NO. 1855 TO AMENDMENT NO. 1618

(Purpose: To provide a perfecting amendment.)

Mr. MCCONNELL. Madam President, I ask unanimous consent to call up amendment No. 1855; that the amendment be agreed to; that Senate amendment No. 1618, as amended, be considered original text for the purpose of further amendment; and that all points of order be preserved. I further ask that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. HATCH, proposes an amendment numbered 1855 to amendment No. 1618.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 1855) was agreed to.

AMENDMENTS NOS. 1720, 1854, AND 1850 TO AMENDMENT NO. 1618

Mr. MCCONNELL. Madam President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Sanders No. 1720, Brown. No 1854, and Rubio No. 1850. I further ask consent that the Senate now vote in relation to the Sanders amendment and that following disposition of the amendment, the Senate vote in relation to the above amendments in the order listed; finally, that there be 2 minutes equally divided between the managers or their designees prior to all further votes tonight and that they be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for others, proposes amendments numbered 1720, 1854, and 1850 en bloc to amendment No. 1618.

The amendments are as follows:

AMENDMENT NO. 1720

(Purpose: To create a point of order against legislation that cuts Social Security, Medicare, or Medicaid benefits)

At the appropriate place, insert the following:

SEC. ___. POINT OF ORDER AGAINST LEGISLATION THAT CUTS SOCIAL SECURITY, MEDICARE, OR MEDICAID BENEFITS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would—

(1) result in a reduction of guaranteed benefits scheduled under title II of the Social Security Act;

(2) increase either the early or full retirement age for the benefits described in paragraph (1);

(3) privatize Social Security;

(4) result in a reduction of guaranteed benefits for individuals entitled to, or enrolled for, benefits under the Medicare program under title XVIII of such Act; or

(5) result in a reduction of benefits or eligibility for individuals enrolled in, or eligible to receive medical assistance through, a State Medicaid plan or waiver under title XIX of such Act.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

AMENDMENT NO. 1854

(Purpose: To amend the Internal Revenue Code of 1986 to increase the Child Tax Credit, and for other purposes)

Strike section 11022 and insert the following:

SEC. 11022. INCREASE IN AND MODIFICATION OF CHILD TAX CREDIT.

(a) IN GENERAL.—Section 24 is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

"(1) with respect to each qualifying child of the taxpayer who has attained 6 years of age before the close of such taxable year and for which the taxpayer is allowed a deduction under section 151, an amount equal to $2,000, and

''(2) with respect to each qualifying child of the taxpayer who has not attained 6 years of age before the close of such taxable year and for which the taxpayer is allowed a deduction under section 151, an amount equal to $2,500.

''(b) LIMITATION.—

''(1) IN GENERAL.—The amount of the credit allowable under subsection (a) (including any increase pursuant to subsection (h)) shall be reduced (but not below zero) by an amount equal to 5 percent of the taxpayer's adjusted gross income which is in excess of the threshold amount.

''(2) THRESHOLD AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (1), the term 'threshold amount' means—

''(i) $250,000 in the case of a joint return,

''(ii) $200,000 in the case of an individual who is not married, and

''(iii) $125,000 in the case of a married individual filing a separate return.

''(B) MARITAL STATUS.—For purposes of this paragraph, marital status shall be determined under section 7703.'',

(2) in subsection (d)(1)—

(A) in subparagraph (A), by inserting '', subsection (h),'' after ''this subsection'', and

(B) in subparagraph (B)(i)—

(i) by striking ''15 percent'' and inserting ''45 percent'', and

(ii) by striking ''as exceeds $3,000'', and

(3) by adding at the end the following new subsections:

''(h) ADDITIONAL CREDIT FOR CERTAIN OTHER DEPENDENTS.—

''(1) IN GENERAL.—In the case of a taxable year beginning after December 31, 2017, and before January 1, 2026, the credit determined under subsection (a) shall be increased by $500 for each dependent of the taxpayer (as defined in section 152) other than a qualifying child described in subsection (c).

''(2) EXCEPTION FOR CERTAIN NON-CITIZENS.—Paragraph (1) shall not apply with respect to any individual who would not be a dependent if subparagraph (A) of section 152(b)(3) were applied without regard to all that follows 'resident of the United States'.

''(i) DEFINITION OF QUALIFYING CHILD.—In the case of a taxable year beginning before January 1, 2025, paragraph (1) of subsection (c) shall be applied by substituting '18' for '17'.

''(j) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2018, each of the dollar amounts in subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting '2017' for '2016' in subparagraph (A)(ii) thereof.

''(2) ROUNDING.—If any increase determined under paragraph (1) is not a multiple of $100, such increase shall be rounded to the next lowest multiple of $100.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) OFFSETS.—

(1) ADJUSTMENT AND TERMINATION OF CORPORATE RATE.—Section 11, as amended by section 13001 of this Act, is amended—

(A) in subsection (b), by striking ''20 percent'' and inserting ''25 percent''

(B) by adding at the end the following:

''(e) TERMINATION OF 25 PERCENT RATE.—In the case of any taxable year beginning after December 31, 2027—

''(1) the tax computed under subsection (a) shall be computed in the same manner as such tax was computed under subsection (b) (as in effect on the day before the date of the enactment of the Tax Cuts and Jobs Act), and

''(2) this title shall be applied and administered as if the amendments made by section 13002 of such Act had not been enacted.''.

(2) ADJUSTMENT OF HIGHEST RATE BRACKET.—

(A) JOINT RETURNS.—The last row of the table contained in section 1(j)(2)(A), as added by section 11001(a), is amended to read as follows:

''Over $1,000,000	$301,479, plus 39.6% of the excess over $1,000,000.''.

(B) HEADS OF HOUSEHOLDS.—The last row of the table contained in section 1(j)(2)(B), as added by section 11001(a), is amended to read as follows:

''Over $500,000	$149,348, plus 39.6% of the excess over $500,000.''.

(C) UNMARRIED INDIVIDUALS.—The last row of the table contained in section 1(j)(2)(C), as added by section 11001(a), is amended to read as follows:

''Over $500,000	$150,739.50, plus 39.6% of the excess over $500,000.''.

(D) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—The last row of the table contained in section 1(j)(2)(D), as added by section 11001(a), is amended to read as follows:

''Over $500,000	$150,739.50, plus 39.6% of the excess over $500,000.''.

(E) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years beginning after December 31, 2017.

(3) GLOBAL INTANGIBLE LOW-TAXED INCOME ON A COUNTRY-BY-COUNTRY BASIS.—

(A) IN GENERAL.—Section 951(a), as added by section 14201 of this Act, is amended by adding at the end the following:

''(g) DETERMINATION OF GLOBAL INTANGIBLE LOW-TAXED INCOME ON A COUNTRY-BY-COUNTRY RATHER THAN AGGREGATE BASIS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, the global intangible low-taxed income of any United States shareholder for any taxable year shall be determined separately with respect to each foreign country by taking into account such shareholder's pro rata share of net CFC tested income and net deemed tangible income return which is properly allocable to such foreign country.

''(2) APPLICATION.—The Secretary shall take such actions as are necessary to provide for the application of this section, and any provision of this title to which this section relates, on a country-by-country rather than an aggregate basis.''.

(B) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the amendments made by section 14201 of this Act.

AMENDMENT NO. 1850

(Purpose: To increase the refundability of the child tax credit, and for other purposes)

Beginning on page 46, strike line 5 and all that follows through page 48, line 21, and insert the following:

''(h) SPECIAL RULES FOR TAXABLE YEARS 2018 THROUGH 2025.—

''(1) IN GENERAL.—In the case of a taxable year beginning after December 31, 2017, and before January 1, 2026, this section shall be applied as provided in paragraphs (2) through (7).

''(2) CREDIT AMOUNT.—Subsection (a) shall be applied by substituting '$2,000' for '$1,000'.

''(3) LIMITATION.—In lieu of the amount determined under subsection (b)(2), the threshold amount shall be—

''(A) in the case of a joint return, $500,000, and

''(B) in the case of an individual who is not married or a married individual filing a separate return, $250,000.

''(4) DEFINITION OF QUALIFYING CHILD.—Paragraph (1) of subsection (c) shall be applied by substituting '18' for '17'.

''(5) PARTIAL CREDIT ALLOWED FOR CERTAIN OTHER DEPENDENTS.—

''(A) IN GENERAL.—The credit determined under subsection (a) (after the application of paragraph (2)) shall be increased by $500 for each dependent of the taxpayer (as defined in section 152) other than a qualifying child described in subsection (c) (after the application of paragraph (4)).

''(B) EXCEPTION FOR CERTAIN NONCITIZENS.—Subparagraph (A) shall not apply with respect to any individual who would not be a dependent if subparagraph (A) of section 152(b)(3) were applied without regard to all that follows 'resident of the United States'.

''(6) PORTION OF CREDIT REFUNDABLE.—In lieu of subsection (d), the following provisions shall apply for purposes of the credit allowable under this section:

''(A) IN GENERAL.—The aggregate credits allowed to a taxpayer under subpart C shall be increased by the lesser of—

''(i) the credit which would be allowed under this section without regard to this paragraph and the limitation under section 26(a), or

''(ii) the amount by which the aggregate amount of credits allowed by this subpart (determined without regard to this paragraph) would increase if the limitation imposed by section 26(a) were increased by an amount equal to the sum of the taxpayer's payroll taxes for the taxable year.

''(B) PAYROLL TAXES.—

''(i) IN GENERAL.—For purposes of subparagraph (A), the term 'payroll taxes' means, with respect to any taxpayer for any taxable year, the amount of the taxes imposed by—

''(I) section 1401 on the self-employment income of the taxpayer for the taxable year,

''(II) section 3101 on wages received by the taxpayer during the calendar year in which the taxable year begins,

''(III) section 3111 on wages paid by an employer with respect to employment of the taxpayer during the calendar year in which the taxable year begins,

''(IV) sections 3201(a) and 3211(a) on compensation received by the taxpayer during the calendar year in which the taxable year begins, and

''(V) section 3221(a) on compensation paid by an employer with respect to services rendered by the taxpayer during the calendar year in which the taxable year begins.

''(ii) COORDINATION WITH SPECIAL REFUND OF PAYROLL TAXES.—The term 'payroll taxes' shall not include any taxes to the extent the taxpayer is entitled to a special refund of such taxes under section 6413(c).

''(iii) SPECIAL RULE.—Any amounts paid pursuant to an agreement under section 3121(l) (relating to agreements entered into by American employers with respect to foreign affiliates) which are equivalent to the taxes referred to in subclause (II) or (III) of clause (i) shall be treated as taxes referred to in such clause.

''(C) EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.—Subparagraph (A) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.

''(7) SOCIAL SECURITY NUMBER REQUIRED.—No credit shall be allowed under subsection

(d) to a taxpayer with respect to any qualifying child unless the taxpayer includes the social security number of such child on the return of tax for the taxable year. For purposes of the preceding sentence, the term 'social security number' means a social security number issued to an individual by the Social Security Administration, but only if the social security number is issued to a citizen of the United States or is issued pursuant to subclause (I) (or that portion of subclause (III) that relates to subclause (I)) of section 205(c)(2)(B)(i) of the Social Security Act.''.

(b) INCREASE IN CORPORATE TAX RATE.—Subsection (b) of section 11, as amended by section 13001 of this Act, is amended by striking ''20 percent'' and inserting ''20.94 percent''.

(c) EFFECTIVE DATE.—The amendments made by

Mr. MCCONNELL. Madam President, the next three votes will be in relation to Sanders amendment No. 1720, Brown amendment No. 1854, and Rubio amendment No. 1850.

AMENDMENT NO. 1720

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on the Sanders amendment.

Mr. SANDERS. Madam President, could we have order, please?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Vermont.

Mr. SANDERS. Thank you.

Madam President, tonight is chapter 1 of the Republican Party Koch brothers plan.

Tonight, the Republicans provide $1 trillion in tax breaks to the wealthiest people in this country and to the largest corporations, while raising the deficit by over $1.4 trillion.

Part 2 of their plan—probably coming in a few months—will be to call for massive cuts to Social Security, Medicare, and Medicaid in order to pay for their tax breaks to the rich. For those of us who don't want to cut these vitally important programs that the American people have paid for, this amendment establishes a 67-vote threshold to make those cuts.

If you don't want to cut Social Security, Medicare, and Medicaid to give tax breaks to millionaires, support this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, the Sanders amendment is nongermane and would gut this legislation. The bill before us does not cut Social Security. It does not cut Medicare. It does not cut Medicaid benefits. So I encourage my colleagues to oppose the Sanders amendment and—does the Senator have any time remaining?

Mr. SANDERS. I would just say that I would be delighted to gut and destroy this legislation, but pursuant to section 904 of the Congressional Budget Act of 1974—I am sorry.

Mr. ENZI. I yield back the remainder of my time.

The pending amendment No. 1720 does not produce a change in outlays or a change in revenues, and this is extraneous to the instruction in H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018. Therefore, I raise a point of order against this measure pursuant to section 313(b)(1)(A) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 46, nays 54, as follows:

[Rollcall Vote No. 294 Leg.]

YEAS—46

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

NAYS—54

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

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 1854

There will now be 2 minutes of debate, equally divided, prior to a vote on the Brown amendment No. 1854.

The Senator from Ohio.

Mr. BROWN. Madam President, without the Brown-Bennet amendment, a Senator's kid gets more tax relief than the daughter of a family in Garfield Heights, OH, who makes $40,000 a year. I will say that again. A Senator's kid gets more tax relief than the daughter of a family earning $30,000 or $40,000.

Brown-Bennet is permanent; Rubio-Lee isn't.

Brown-Bennet provides more for small children at the most important time in their young lives.

My wife and I live in Cleveland, OH, in ZIP Code 44105. Our ZIP Code had more foreclosures in 2007 than any ZIP Code in the United States of America. This amendment helps to answer that. ZIP Codes should not be the determining factor for the future of a child.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, while this amendment expands the child tax credit provisions, it makes the credit available to fewer taxpayers. It also raises the corporate tax rate to 25 percent. The underlying bill already provides for a generous enhanced child tax credit with increased refundability that reaches far up into the middle class, giving relief to millions of families.

This amendment would undermine the balance struck in the drafting of this bill and diminish its potential to generate growth.

Has all time expired?

The PRESIDING OFFICER. All time has not expired. The Senator has 20 seconds.

Mr. ENZI. The pending amendment No. 1854 would cause the underlying legislation to exceed the Finance Committee's section 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this measure pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 48, nays 52, as follows:

[Rollcall Vote No. 295 Leg.]

YEAS—48

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

NAYS—52

Alexander	Boozman	Cassidy
Barrasso	Burr	Cochran
Blunt	Capito	Collins

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

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 1850

There will now be 2 minutes of debate equally divided prior to a vote on Rubio amendment No. 1850.

The Senator from Florida is recognized.

Mr. RUBIO. Madam President, this amendment would allow people making primarily between $20,000, $50,000, $60,000 a year—workers, firefighters, police officers—to keep more of their own payroll tax liabilities. In a moment, there will be a point of order, and the objection to this has been budgetary. This is paid for. Instead of cutting the corporate rate to 20 percent, it cuts it to 20.94 percent. Instead of a 15-point cut, we are asking for a 14.06 cut. Apparently, American corporations at 20 percent, America will be a corporate utopia, but at 20.94, it is a catastrophe. That is ridiculous. Voting against this today you are basically arguing that a 0.94 cut is something corporations can't afford, and that is more important to keep in place than giving American families an $800 child tax credit. That is ridiculous.

Apparently, American companies are allowed to immediately invest their investment in equipment and in land, but American parents should not be allowed to immediately invest their hard-earned money in our children and in our future. I ask all of you to fight for the American worker. This isn't perfect, but it is better than what we have now, and I ask everyone for your vote.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, with this amendment, Senators RUBIO and LEE stopped far short of meaningful relief for millions of vulnerable American families and leave out altogether so many deserving children like the Dreamers.

After 2025, Rubio-Lee offers a double standard. Their child tax credit expires, even while multinational corporations get permanent tax breaks for shipping jobs overseas. Democrats want to provide strong, permanent protection for all working families, rather than temporary protection for some like Rubio-Lee. The best way to protect these families is not through a puny bandaid approach but through permanent help that America's struggling families richly deserve.

Madam President, I make a point of order that the pending amendment violates section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 29, nays 71, as follows:

[Rollcall Vote No. 296 Leg.]

YEAS—29

Blunt
Capito
Cassidy
Collins
Cotton
Crapo
Cruz
Donnelly
Ernst
Fischer
Gardner
Heitkamp
Heller
Hoeven
Kennedy
King
Klobuchar
Lee
Manchin
McCaskill
Moran
Murkowski
Nelson
Peters
Risch
Rubio
Sasse
Stabenow
Sullivan

NAYS—71

Alexander
Baldwin
Barrasso
Bennet
Blumenthal
Booker
Boozman
Brown
Burr
Cantwell
Cardin
Carper
Casey
Cochran
Coons
Corker
Cornyn
Cortez Masto
Daines
Duckworth
Durbin
Enzi
Feinstein
Flake
Franken
Gillibrand
Graham
Grassley
Harris
Hassan
Hatch
Heinrich
Hirono
Inhofe
Isakson
Johnson
Kaine
Lankford
Leahy
Markey
McCain
McConnell
Menendez
Merkley
Murphy
Murray
Paul
Perdue
Portman
Reed
Roberts
Rounds
Sanders
Schatz
Schumer
Scott
Shaheen
Shelby
Strange
Tester
Thune
Tillis
Toomey
Udall
Van Hollen
Warner
Warren
Whitehouse
Wicker
Wyden
Young

The PRESIDING OFFICER (Mr. BOOZMAN). On this vote, the yeas are 29, the nays are 71.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator MENENDEZ be recognized to offer a motion to commit and that there be 2 minutes of debate, equally divided, prior to a vote on the motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Jersey is recognized.

MOTION TO COMMIT

Mr. MENENDEZ. Mr. President, I have a motion to commit at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] moves to commit the bill H.R. 1 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee; and

(2) would eliminate the repeal of the State and local tax deduction if State and local spending on investments in Medicaid and other health care, infrastructure, or services for children or seniors, education, or law enforcement is reduced or taxes on the middle class are increased.

Mr. MENENDEZ. Mr. President, I rise once again to stand up for the good people of New Jersey and other States to offer a motion to restore the State and local tax, or SALT, deduction.

Ending the SALT deduction will subject millions of middle-class families to double taxation, but that is not all. It will also set the stage for huge cuts to education, law enforcement, infrastructure, public health, and other critical services. But don't take my word for it. Listen to the teachers and police officers, the doctors and nurses and firefighters.

The National Education Association opposes it because it will hurt our public schools. The Fraternal Order of Police and the National Sheriffs' Association oppose it because it will make our streets less safe. The American Medical Association and the American Hospital Association oppose it because people will lose access to healthcare. The AARP opposes it because it will lead to cuts in Medicare and Medicaid and hurt our seniors. Even the New Jersey Chamber of Commerce opposes it because it will hinder investments in the infrastructure that businesses need in order to compete.

My motion to commit would restore the SALT deduction if these all too predictable consequences happen. A corporate tax cut cannot build a road, care for a senior, teach a child, or help keep our streets safe. If corporations can keep the State and local tax deduction, so should middle-class families. We cannot afford to roll the dice and risk these investments in the middle class.

I urge the adoption of the motion to commit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does any Senator seek time in opposition?

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, let's keep in mind that the State and local tax, or SALT, deduction disproportionately benefits wealthy taxpayers in high tax States. More than 70 percent of American families currently take the standard deduction, so they will not even be impacted at all by this bill's treatment of SALT. Let's also keep in mind that our improving amendment strikes a compromise on SALT. It includes, as does the House bill, a deduction of up to $10,000 for property tax paid to State and local governments.

Democrats insisting on keeping the entire SALT deduction in place should explain why they have prioritized a tax deduction for wealthy taxpayers over middle-class tax relief. Our bill addresses this issue in an appropriate way, and I urge my colleagues to vote against this motion.

I yield the floor.

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

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

[Rollcall Vote No. 297 Leg.]

YEAS—48

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

NAYS—52

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

The motion was rejected.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENTS NOS. 1852 AND 1846 TO AMENDMENT NO. 1618

Mr. CORNYN. Mr. President, I ask unanimous consent that the following amendments be called up and reported by number: Cruz No. 1852, Kaine No. 1846; further, that following disposition of the Kaine amendment, Senator MANCHIN be recognized to offer a motion to commit and that there be 2 minutes of debate, equally divided, prior to a vote on the motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN], for others, proposes amendments numbered 1852 and 1846 en bloc to amendment No. 1618.

The amendments are as follows:

AMENDMENT NO. 1852

(Purpose: To allow limited 529 account funds to be used for elementary and secondary education, including homeschool)

At the end of part IV of subtitle A of title I, insert the following:

SEC. 11033. 529 ACCOUNT FUNDING FOR ELEMENTARY AND SECONDARY EDUCATION.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 529(c) is amended by adding at the end the following new paragraph:

''(7) TREATMENT OF ELEMENTARY AND SECONDARY TUITION.—Any reference in this subsection to the term 'qualified higher education expense' shall include a reference to—

''(A) expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school, and

''(B) expenses for—

''(i) curriculum and curricular materials,

''(ii) books or other instructional materials,

''(iii) online educational materials,

''(iv) tuition for tutoring or educational classes outside of the home (but only if the tutor or instructor is not related to the student),

''(v) dual enrollment in an institution of higher education, and

''(vi) educational therapies for students with disabilities,

in connection with a homeschool (whether treated as a homeschool or a private school for purposes of applicable State law).''.

(2) LIMITATION.—Section 529(e)(3)(A) is amended by adding at the end the following: ''The amount of cash distributions from all qualified tuition programs described in subsection (b)(1)(A)(ii) with respect to a beneficiary during any taxable year shall, in the aggregate, include not more than $10,000 in expenses described in subsection (c)(7) incurred during the taxable year.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to contributions made after December 31, 2017.

(c) OFFSET.—

(1) MODIFICATION OF RULES RELATING TO HARDSHIP WITHDRAWALS FROM CASH OR DEFERRED ARRANGEMENTS.—Section 401(k) is amended by adding at the end the following:

''(14) SPECIAL RULES RELATING TO HARDSHIP WITHDRAWALS.—For purposes of paragraph (2)(B)(i)(IV)—

''(A) AMOUNTS WHICH MAY BE WITHDRAWN.—The following amounts may be distributed upon hardship of the employee:

''(i) Contributions to a profit-sharing or stock bonus plan to which section 402(e)(3) applies.

''(ii) Qualified nonelective contributions (as defined in subsection (m)(4)(C)).

''(iii) Qualified matching contributions described in paragraph (3)(D)(ii)(I).

''(iv) Earnings on any contributions described in clause (i), (ii), or (iii).

''(B) NO REQUIREMENT TO TAKE AVAILABLE LOAN.—A distribution shall not be treated as failing to be made upon the hardship of an employee solely because the employee does not take any available loan under the plan.".''.

(2) CONFORMING AMENDMENT.—Section 401(k)(2)(B)(i)(IV) is amended to read as follows:

''(IV) subject to the provisions of paragraph (14), upon hardship of the employee, or".''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to plan years beginning after December 31, 2017.

AMENDMENT NO. 1846

(Purpose: To provide middle class tax relief)

Beginning on page 95, strike line 7 and all that follows through page 97, line 14 and insert the following:

Subtitle B—Permanent Individual Income Tax Relief for Middle Class

SEC. 12001. AMENDMENT OF INCOME TAX BRACKETS.

(a) MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES.—The table contained in subsection (a) of section 1 is amended to read as follows:

If taxable income is:	The tax is:
Not over $19,050	10% of taxable income.
Over $19,050 but not over $77,400	$1,905, plus 12% of the excess over $19,050.
Over $77,400 but not over $140,000	$8,907, plus 22% of the excess over $77,400.
Over $140,000 but not over $320,000	$22,679, plus 24% of the excess over $140,000.
Over $320,000 but not over $400,000	$65,879, plus 32% of the excess over $320,000.
Over $400,000 but not over $480,050	$91,479, plus 35% of the excess over $400,000.
Over $480,050	$119,496.50, plus 39.6% of the excess over $480,050.

(b) HEADS OF HOUSEHOLDS.—The table contained in subsection (b) of section 1 is amended to read as follows:

If taxable income is:	The tax is:
Not over $13,600	10% of taxable income.
Over $13,600 but not over $51,800	$1,360, plus 12% of the excess over $13,600.
Over $51,800 but not over $70,000	$5,944, plus 22% of the excess over $51,800.
Over $70,000 but not over $160,000	$9,948, plus 24% of the excess over $70,000.
Over $160,000 but not over $200,000	$31,548, plus 32% of the excess over $160,000.
Over $200,000 but not over $453,350	$44,348, plus 35% of the excess over $200,000.
Over $453,350	$133,020.50, plus 39.6% of the excess over $453,350.

(c) UNMARRIED INDIVIDUALS OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS.—The table contained in subsection (c) of section 1 is amended to read as follows:

If taxable income is:	The tax is:
Not over $9,525	10% of taxable income.
Over $9,525 but not over $38,700	$952.50, plus 12% of the excess over $9,525.
Over $38,700 but not over $70,000	$4,453.50, plus 22% of the excess over $38,700.
Over $70,000 but not over $160,000	$11,339.50, plus 24% of the excess over $70,000.
Over $160,000 but not over $200,000	$32,939.50, plus 32% of the excess over $160,000.
Over $200,000 but not over $426,700	$45,739.50, plus 35% of the excess over $200,000.
Over $426,700	$125,084.50, plus 39.6% of the excess over $426,700.

(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—The table contained in subsection (d) of section 1 is amended to read as follows:

If taxable income is:	The tax is:
Not over $9,525	10% of taxable income.
Over $9,525 but not over $38,700	$952.50, plus 12% of the excess over $9,525.

If taxable income is:	The tax is:
Over $38,700 but not over $70,000	$4,453.50, plus 22% of the excess over $38,700.
Over $70,000 but not over $160,000	$11,339.50, plus 24% of the excess over $70,000.
Over $160,000 but not over $200,000	$32,939.50, plus 32% of the excess over $160,000.
Over $200,000 but not over $240,026	$45,739.50, plus 35% of the excess over $200,000.
Over $240,026	$59,748.60, plus 39.6% of the excess over $240,026.

(e) ESTATES AND TRUSTS.—The table contained in subsection (e) of section 1 is amended to read as follows:

If taxable income is:	The tax is:
Not over $2,550	10% of taxable income.
Over $2,550 but not over $9,150	$255, plus 24% of the excess over $2,550.
Over $9,150 but not over $12,700	$1,839, plus 35% of the excess over $9,150.
Over $12,700	$3,081.50, plus 39.6% of the excess over $12,700.

(f) INFLATION ADJUSTMENT.—Section 1(f)(2)(A), as amended by this Act, is amended by striking ''1992'' and inserting ''2017''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 12002. CORPORATE TAX RATE.

(a) IN GENERAL.—Section 11(b), as amended by this Act, is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2018.

The PRESIDING OFFICER. Who yields time?

The Senator from Texas is recognized.

AMENDMENT NO. 1852

Mr. CRUZ. Mr. President, tonight I ask your support for this commonsense amendment, which will expand the already immensely popular 529 college savings plan so that parents can also save for K–12 elementary and secondary school tuition, including educational expenses for homeschool students.

This change will have real and significant effects. Your vote will expand options for parents and children spending their own money and will prioritize the education of the next generation of Americans. By expanding 529s, which Americans already value greatly, we will help ensure that each child can receive an education that meets his or her individualized needs, and this reasonable expansion will enable hard-working parents to better save for the educational future of their kids.

This amendment was in the House bill, and it is fully paid for, and I urge your support.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, Senator CRUZ's amendment expands tax subsidies for upper income households to aid private or parochial schools by allowing 529 account balances to spend up to $10,000 a year on private or parochial school tuition and supplies.

Colleagues, this is nothing less than a backdoor assault on the public K–12 education system. The real goal seems to be to take more and more children from the public schools and put them into private schools and shrink the funds that would be available to the public schools that give all of America's children the chance to get ahead.

Members should oppose the amendment because it undermines America's public education system.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 298 Leg.]

YEAS—50

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

NAYS—50

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

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the amendment, No. 1852, is agreed to.

AMENDMENT NO. 1846

The PRESIDING OFFICER (Mr. LANKFORD). There will now be 2 minutes of debate, equally divided, prior to a vote on Kaine amendment No. 1846.

The Senator from Virginia.

Mr. KAINE. Mr. President, may I ask that amendment No. 1846 be called up?

The PRESIDING OFFICER. It is already called up.

Mr. KAINE. Thank you, Mr. President.

It is impossible to fix all the problems with this bill in a 1-minute amendment, but my amendment fixes two problems. It makes the middle-class tax cuts permanent, and it takes nearly $1 trillion away from the massive deficit caused by this big give-away.

How does the amendment do these two things? First, it leaves the AMT where it is under current law instead of scaling it back. Second, while making middle-income tax cuts permanent, it provides no individual tax relief to those Americans currently in the top bracket. Third, it cuts the corporate tax rate from 35 to 25, rather than 20.

If you care about deficit reduction, support this amendment. If you care about permanent middle-class tax cuts, support this amendment. If you believe a reasonable corporate tax cut could help grow the economy, support the amendment. Finally, if you believe tax reform should be bipartisan, support this amendment.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, taking the time in opposition, first, I want to acknowledge that we share the goal of making the individual tax rates permanent, and I hope we will have an opportunity to do that, but, more importantly, I want to thank the Senator from Virginia for acknowledging and complimenting our work, acknowledging that we have cut taxes for working-class and middle-income families.

There are people who came down here during the course of the last couple of days suggesting that somehow wasn't true. I appreciate your honesty in acknowledging that we did, in fact, cut taxes for middle-income families, for working-class families, so much so, in fact, that you want to make our policy permanent, and I commend you for that. Unfortunately, you also added a huge tax increase on the very businesses that are going to help drive our growth.

By lowering our rate to 20 percent, which is what we do in our bill and which you would undermine, we would lose the opportunity to create new businesses, existing business growth, and the wage and job growth we want to drive.

I would suggest we work together on making our individual tax cuts permanent in the future, but I would urge my colleague to oppose this amendment in the current form.

Mr. KAINE. Mr. President, do I have any remaining time?

Mr. SCHUMER. Mr. President, I ask unanimous consent that he be given a minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KAINE. Mr. President, I don't need a full minute. I am just here to say that permanent middle-class tax cuts is more important than 25 to 20 percent for corporations.

The problem with the Republican bill is the priority. It prioritizes the corporate tax cuts over individual tax cuts for middle-class people and that is why we oppose it and that is why everyone should support this amendment. People come first.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the pending amendment No. 1846 offered by Senator KAINE has unknown budgetary effects. Therefore, I raise a point of order against this measure pursuant to section 4105 of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I am shocked to learn that at 10 after 12 we are actually following a procedure that is a normal budget procedure, but since that has been raised, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

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

The yeas and nays resulted—yeas 34, nays 65, as follows:

[Rollcall Vote No. 299 Leg.]

YEAS—34

Baldwin	Franken	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Schatz
Brown	Kaine	Shaheen
Cantwell	King	Stabenow
Cardin	Klobuchar	Udall
Carper	Leahy	Van Hollen
Casey	Manchin	Warner
Coons	McCaskill	Whitehouse
Donnelly	Menendez	Wyden
Duckworth	Merkley	
Feinstein	Murray	

NAYS—65

Alexander	Gardner	Perdue
Barrasso	Gillibrand	Portman
Blunt	Graham	Reed
Booker	Grassley	Risch
Boozman	Harris	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hirono	Sanders
Cochran	Hoeven	Sasse
Collins	Inhofe	Schumer
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cortez Masto	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Tester
Cruz	Markey	Thune
Daines	McCain	Tillis
Durbin	McConnell	Toomey
Enzi	Moran	Warren
Ernst	Murkowski	Wicker
Fischer	Murphy	Young
Flake	Paul	

NOT VOTING—1

Heitkamp

The PRESIDING OFFICER. On this vote, the yeas are 34, the nays 65.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the disposition of the motion to commit, the Cantwell amendment No. 1717 be called up and reported by number.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO COMMIT

Mr. MANCHIN. Mr. President, I have a motion to commit at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN] moves to commit the bill H.R. 1 to the Committee on Finance with instructions to report the same back to the Senate in 3 days, not counting any day on which the Senate is not in session, with changes that—

(1) are within the jurisdiction of such committee;

(2) make the reductions to individual tax rates for middle class and working people permanent;

(3) would maintain at existing levels—

(A) the medical expense deduction;

(B) the student loan interest deduction;

(C) retirement savings incentives;

(D) homeownership incentives; and

(E) the historic tax credit;

(4) provide small businesses with permanent maximum tax relief; and

(5) fully offset the changes described in paragraphs (2) through (4) by setting the corporate tax rate at 25 percent.

Mr. MANCHIN. Mr. President, I want to thank Senator HEITKAMP for her support of this motion.

Our motion would simply send this legislation back to the Senate Finance Committee with instructions to change provisions important to West Virginians.

First, it would call for the reductions on individual tax rates for middle-class and working people to be made permanent. Currently, individuals receive temporary relief, while corporate changes are made permanent—a gimmick that provides uncertainty for West Virginia taxpayers and North Dakotans.

Next, it directs the committee to maintain important priorities, such as the medical expense deduction, student loan interest deduction, retirement savings incentives, homeownership incentives, and the historic tax credit.

It is important that we provide this permanent relief to American taxpayers who are slated to see higher taxes as rates go up in the later years of this bill. In my State alone, 79 percent of West Virginians make under $75,000 and will see their taxes spike as their tax relief expires.

Finally, the amendment calls for small businesses to receive much needed relief and for the corporate tax rate to be set at 25 percent. In my State, 95.6 percent of businesses are small businesses and employ over 50 percent of West Virginians.

I urge my colleagues to support sending this bill back to committee and to work in a bipartisan way to pass a fiscally responsible tax reform bill that positions this country to thrive for future generations.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, what our friend from West Virginia is proposing is to make the United States uncompetitive in a global economy.

Right now, we have the highest tax rate in the industrialized world, and what we are doing is lowering that tax rate to make us competitive and in so doing, taking the advice of Barack Obama in his 2011 State of the Union message; advice from the Democratic leader, Senator SCHUMER; and Senator WYDEN, the ranking member of the Finance Committee, who has recommended a lower rate than that contained in this motion to recommit.

We think we should take the advice of President Obama, President Clinton, Senator WYDEN, Minority Leader SCHUMER, and other prominent Democrats—the advice they have given us over the last few years to lower these corporate rates and make us more competitive so we can bring jobs back home, improve wages, and get the economy growing again so people can pursue their American dreams.

I would encourage our colleagues to defeat this motion to commit.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. If I could just say—

The PRESIDING OFFICER. There is no time remaining.

Mr. MANCHIN. I ask unanimous consent for an additional 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, a 33-percent decrease from 35 percent to 25 percent is quite substantial. I have not had a corporation yet, if you have spoken to any of them, that wouldn't be tickled to death with 25 percent. That basically sustains that we can help more people. I think it would be great for the economy of the United States of America, and I ask everyone to consider that. It is a most reasonable request.

The PRESIDING OFFICER. The question is on agreeing to the Manchin motion to commit.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Rhode Island (Mr. WHITEHOUSE) is necessarily absent.

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

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 300 Leg.]

YEAS—38

Baldwin	Hassan	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	McCaskill	Udall
Donnelly	Menendez	Van Hollen
Duckworth	Merkley	Warner
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—61

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

NOT VOTING—1

Whitehouse

The motion was rejected.

AMENDMENT NO. 1717 TO AMENDMENT NO. 1618

The PRESIDING OFFICER. The clerk will report the Cantwell amendment by number.

The legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 1717 to amendment No. 1618.

The amendment is as follows:

(Purpose: To strike title II)

Strike title II.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided.

The Senator from Washington.

Ms. CANTWELL. Mr. President, my amendment strikes the title requiring oil development in the Arctic National Wildlife Refuge. This refuge is the largest refuge in our Nation and the last pristine ecosystem for the Arctic in North America.

Requiring oil development in the heart of the Arctic National Wildlife Refuge should not be in this bill.

Although the bill text has been changed to address Byrd Rule violations, the Congressional Budget Office continues to estimate that it will raise less than $1 billion over 10 years.

Opening the Arctic National Wildlife Refuge to oil drilling doesn't even meet the $1 billion reconciliation instruction.

It certainly doesn't represent a serious offset to huge deficits in the Republican bill.

To put this in perspective, this represents less than seven one-hundredths of 1 percent of the $1.5-trillion-dollar increase in the national debt that the Republican tax policies will cause.

Drilling in the Arctic has nothing to do with serious budgetary policy, but it has everything to do with evading regular order to pass something that could never be enacted on its own.

In addition to drilling in the Arctic refuge, this bill would sell 7 million barrels of oil from our Nation's strategic petroleum reserve.

A portion of that sale is necessary simply to meet the committee's reconciliation instructions. The sale of oil from the reserve would also provide for a $300 million windfall to four States: Texas, Louisiana, Mississippi, and Alabama.

So this bill is selling off oil from our strategic petroleum reserve in order to pay for oil drilling in the Arctic National Wildlife Refuge.

It doesn't make any sense.

The Arctic National Wildlife Refuge is one of the crown jewels of the national wildlife refuge system.

The U.S. Fish and Wildlife Service, which manages the refuge, describes it as ''the only conservation system unit that protects, in an undisturbed condition, a complete spectrum of the arctic ecosystems in North America.''

It is home to an incredible diversity of wildlife: 47 different species of mammals, including polar bears, grizzly bears, wolves, Dall's sheep, moose, musk-ox, and the Porcupine caribou herd.

The refuge provides important habitat for over 40 species of fish and more than 200 species of migratory birds whose lives depend on the Arctic refuge.

The refuge was first established by the Eisenhower administration. Congress later protected this amazing Arctic ecosystem in 1980. It did so specifically to protect wildlife and wildlife habitat in its natural diversity.

The Arctic National Wildlife Refuge is known as the Last Great Wilderness and is truly one of our last great wild places.

But the provisions of this bill turn the purpose of the Arctic refuge on its head.

It would make oil and gas development on the refuge's coastal plain one of the statutory purposes of the wildlife refuge.

Under this bill, our Nation's most pristine national wildlife refuge will become the only refuge where oil and gas development is required by law.

It opens up the entire 1.5-million-acre coastal plain for oil and gas exploration and requires leasing of at least 800,000 acres.

It requires leasing of areas with the highest oil and gas potential, no matter the consequences for wildlife or the environment.

The bill requires that the Arctic National Wildlife Refuge be managed as a petroleum reserve, which is unprecedented and undercuts managing the refuge for wildlife.

The bill includes no clear requirements to comply with environmental laws or to protect wildlife. Its sponsors, however, say they are not preempting environmental laws, and that, in fact, laws like the National Environmental Policy Act will ''fully apply.''

Given the assurances that environmental and wildlife refuge laws will continue to apply, I do not understand why their bill adds oil development as a purpose of the Arctic National Wildlife Refuge.

Adding oil development as a purpose of the refuge seems contrary to its primary purpose, which is to protect wildlife.

What a no-brainer: The purpose of a wildlife refuge is to protect wildlife. Refuges must be managed that way.

At every other national wildlife refuge in the country, development within the refuge is only permitted to the extent it is compatible with the primary purpose of the refuge: protecting wildlife.

But because the bill makes oil and gas development a refuge purpose, oil drilling in the refuge will no longer be subject to a meaningful ''compatibility determination.''

This bill essentially waives one of the most important management protections that applies to every other national wildlife refuge.

They have to do this because they know that oil and gas isn't compatible with protecting wildlife—it is just the opposite.

This bill does not provide energy security. There is no prohibition in the bill against exporting oil from the Arctic refuge. In all likelihood, much of this oil will end up being exported.

The Republican majority agreed to include only one amendment during the Energy Committee's consideration of this issue, and that amendment required the sale of 5 million barrels of oil from the strategic petroleum reserve to give $300 million to the States of Texas, Louisiana, Mississippi, and Alabama.

The bill has now been amended to require the sale of 7 million barrels from our strategic petroleum reserve.

So at the same time as we are being told we need to ruin a pristine national wildlife refuge to drill for more oil, the very same bill is selling off millions of barrels out of our strategic oil reserve, which was used most recently during this hurricane season to protect Americans from gas price spikes.

The impact of oil and gas exploration in the Arctic National Wildlife Refuge and the danger to its wildlife cannot be overstated. The importance of the refuge for wildlife such as polar bears and caribou have been documented in letters I have received from biologists and other scientists who have worked in the Arctic.

I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE JANE GOODALL INSTITUTE,
November 14, 2017.

DEAR UNITED STATES SENATOR: It seems that each day brings ever more dire news about what we humans are doing to harm our planet, the animals that share it with us and, by doing so, harming ourselves also. You have an important opportunity to make a difference both now, and for future generations, by voting to oppose oil development in one of the world's most spectacular wilderness areas—the Arctic National Wildlife Refuge.

This Refuge is a truly wonderful place—nearly 20 million acres of pristine and ecologically significant habitat. There is compelling scientific evidence as to why it is truly important to protect this place. For one thing, it provides key breeding habitat for the millions-upon-millions of birds that migrate there from six of our planet's seven continents. It is also a calving ground for the 200,000–strong Porcupine caribou herd. And it is one of the most important denning habitats on earth for polar bears. Moreover it plays a significant role in helping to protect us from the onslaught of climate change.

But the Arctic National Wildlife Refuge is more than that. Its very wildness speaks to our deeply rooted spiritual connection to nature, a necessary element of the human psyche. The Gwich'in people understand this and call the area ''The Sacred Place Where Life Begins''.

If we violate the Arctic Refuge by extracting the oil beneath the land, this will have devastating impact for the Gwich'in people for they depend upon the caribou herds to sustain their traditional way of life. Around the globe so many indigenous people have been harmed in the name of 'progress'—let us not add one more tragedy to the list. We have other sources of energy.

And so I beg you: Please use your voice and your vote as a U.S. Senator to protect the Gwich'in people and the American treasure that is the Arctic National Wildlife Refuge.

America has helped lead the world in the conservation of wildlife and your voice has been so meaningful in this regard, your example so powerful. Please take this opportunity to demonstrate your commitment to the natural world and to future generations and stand with me to protect the Arctic National Wildlife Refuge.

Please vote against oil development in the Arctic National Wildlife Refuge.

Sincerely,

JANE GOODALL, DBE, Ph.D.,
Founder—the Jane Goodall Institute, & UN Messenger of Peace.

NOVEMBER 26, 2017.

Hon. MARIA CANTWELL,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR CANTWELL: Research across North America including Alaska has revealed much about how we can monitor and mitigate the effects of industrial activities on migratory tundra caribou. We have learnt that, although the Prudhoe Bay oilfield displaced calving and post-calving caribou of the Central Arctic herd, the effects were offset by reduced hunting. Consequently the herd increased but between 2010 and 2016 the herd is declining at the rate of halving every 4 years. We have also learnt that industrial activities including roads can displace caribou by larger distances than previously realized.

Caribou across North America are part of a global decline. The Porcupine herd is the only herd of migratory tundra caribou in North America that is not currently declining. It has the diversity of ranges and habitats that allow the caribou to respond to the changing climate by choosing the best habitats for their survival. This is true for calving as the PCH calves in the 1002 area and the western Canadian coastal plain depending on weather. The coastal plains are so narrow that even a small footprint for oil and gas activities may be too much for the caribou already trying to adapt to a changing climate.

The Porcupine herd is jointly managed between the Alaska Department of Fish and Game (ADFG), the US Fish and Wildlife Service (USFWS), and the Yukon, NWT and Canadian governments. Collaboration on monitoring and research has been coordinated by the Porcupine Caribou Technical Committee, a group recognized in the International Porcupine Caribou Agreement signed by Canada and the US in 1987.

The question is not just what would development in 1002 lands mean to caribou but it is what it means to the people in USA and Canada who depend on the caribou. Faced with uncertainty about the caribou, the cautionary approach is to do no harm until we have a better understanding. The oil and gas is secure in the ground; the caribou and the people are not.

ANNE GUNN,
Retired GNWT biologist, CircumArctic Rangifer Monitoring and Assessment (CARMA) Network.

DON RUSSELL,
Retired Canadian Wildlife Service Biologist, Past Co-Chair International Porcupine Caribou Board, CircumArctic Rangifer Monitoring and Assessment (CARMA) Network.

POLAR BEARS INTERNATIONAL,
November 28, 2017.

Hon. MARIA CANTWELL,
Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR CANTWELL: I've studied polar bears for 37 years—solving many of the mysteries about their life cycle. I led polar bear research in Alaska for 30 years, and my research team at the USGS provided the information that led Interior Secretary Kempthorne to list polar bears as a threatened species. I am currently the chief scientist at Polar Bears International.

I am reaching out today because I'm concerned about the likely impacts on Alaska's polar bears should the Arctic National Wildlife Refuge be opened to oil and gas development.

The ANWR coastal plain is vitally important to polar bears. Pregnant female polar bears head to this area every fall to create snow dens where they give birth to their young. In fact, the region has higher concentrations of polar bear maternal denning habitat than other coastal areas on Alaska's North Slope. In recent years, the ANWR has become even more important as a polar bear denning site because the deterioration of historically stable sea ice in the Beaufort Sea has forced more polar bears to den onshore, rather than risk giving birth on unstable ice.

In addition to the ANWR's importance as a critical denning area for polar bears, the region faces profound impacts from climate change unless we transition away from fossil fuels. Warmer temperatures mean less sea ice habitat, which polar bears rely on to catch their seal prey. In addition, encouraging more fossil fuel usage, as opening the ANWR would do, will only add to ongoing global warming.

If we continue to follow a ''business as usual'' reliance on fossil fuels, average annual temperatures in Alaska's Arctic are projected to be more than 10 degrees Celsius (18 degrees Fahrenheit) higher, at century's end, than they are now. Such high temperatures would assure ice-free summers in the Arctic, with devastating impacts on polar bears and other Arctic wildlife. And, of course, ramifications reach the rest of life on Earth—including humans.

With ''on the ground'' drilling activities posing a threat to polar bear denning sites, and prolonged reliance on fossil fuels continuing to melt the sea ice polar bears need to catch their prey, oil and gas development in the ANWR would serve a double whammy. Opening the ANWR to drilling, therefore, is a path we should avoid—for the sake of polar bears, our children, and our grandchildren.

Respectfully,

STEVEN C. AMSTRUP,
Chief Scientist, Polar Bears International.

NOVEMBER 9, 2017.

Hon. LISA MURKOWSKI, *Chair.*
Hon. MARIA CANTWELL, *Ranking Member Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR SENATORS MURKOWSKI AND CANTWELL: As scientists who have either conducted research in Arctic Alaska or traveled in the Arctic National Wildlife Refuge, we are writing to highlight for you the fundamental importance of fully protecting its 1.5–million acre coastal plain. Based on our experience in the Arctic, we oppose oil exploration, development and production in the Arctic Refuge. Such activity would be incompatible with the purposes for which the refuge was established, including ''to conserve fish and wildlife populations and habitats in their natural diversity.''

When the original Arctic National Wildlife Range was established in 1960 by the Eisenhower Administration, it was done with the foresight and wisdom to protect an entire ecosystem, both south and north of the Brooks Range, including the rich coastal plain. Decades of biological study and scientific research within the Arctic Refuge have confirmed that the coastal plain specifically is vital to the biological diversity of the entire refuge. Within the narrow (15–40 miles) coastal plain, there is a unique compression of habitats which concentrates a wide array of wildlife native to the Arctic, including polar bears, grizzly bears, wolves, wolverines, caribou, musk oxen, Dolly Varden char, Arctic grayling, and many species of migratory birds. In fact, according to the U.S. Fish and Wildlife Service, the Arctic Refuge coastal plain contains the greatest wildlife diversity of any protected area above the Arctic Circle.

In 2003, the National Research Council (NRC) published a report on the ''Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope.'' Led by Dr. Gordon Orians, University of Washington, this report was prepared by a panel of prominent scientists following an extensive review of the literature and consultations with experts. It remains the best, most comprehensive synthesis of the effects of oil development on wildlife and the landscape of Arctic Alaska. Among the report's ''major findings'' (Chapter 11) are the following:

Three-dimensional seismic surveys require a high spatial density of trails. ''Seismic exploration can damage vegetation and cause erosion, especially along stream banks.''

The effects of roads, pads, pipelines, and other infrastructure extend far beyond the physical footprint itself, and the distances at which impacts occur vary with the environmental component affected. ''Effects on hydrology, vegetation, and animal populations occur at distances up to several kilometers . . .''

''Roads have had effects as far-reaching and complex as any physical component of the North Slope oil fields.''

Denning polar bears are among the animals that ''have been affected by industrial activities on the North Slope.''

Readily available food supplies in the oil fields attract higher-than-normal densities of predators, which then prey on birds and their eggs and young. The reproductive success rate of some bird species in the developed parts of oil fields ''has been reduced to the extent that it is insufficient to balance mortality.''

The spread of industrial activity, especially to the east where the coastal plain is narrower than elsewhere [i.e., the Arctic Refuge], ''would likely result in reductions in reproductive success'' for caribou.

Although oilfield technologies continue to improve, the NRC's findings are still of concern today. Indeed, proposals that would limit the ''footprint'' of oil development to 2,000 acres on the coastal plain within the Arctic Refuge are of little value, since those acres may be spread over much of the coastal plain. This would be especially true if oil reserves are scattered in multiple pockets across the refuge, as is suggested by the U.S. Geological Survey (Fact Sheet 0028–01). Since the effects of industrial activities, starting with seismic surveys, are not limited to the footprint of a structure or to its immediate vicinity, it is highly likely that such activities would result in significant impacts on a variety of wildlife in the refuge's narrow coastal plain.

Development of yet another oilfield would further set back efforts to limit the carbon emissions that are fueling the dramatic changes in climate now affecting Alaska. Polar bears—listed as ''threatened'' under the Endangered Species Act—are already struggling with deteriorating sea ice and increasingly are forced to den on land on the eastern Beaufort Sea coast, including the coastal plain of the Arctic Refuge. In fact, three-fourths of the refuge coastal plain is designated as critical habitat for polar bears, which are highly vulnerable to disturbance due to oil and gas activities.

The NRC report and subsequent work done in Arctic Alaska strongly indicate that the cumulative impact of many seemingly small changes is significant. New development on the coastal plain of the Arctic Refuge, one of the nation's and planet's premier protected areas, will only contribute to these harmful impacts on wildlife. For all these reasons, we oppose oil and gas exploration, development and production on the coastal plain of the Arctic Refuge.

Thank you for your consideration.

Sincerely,

R. Terry Bowyer, Ph.D., Professor Emeritus, Wildlife Ecology University of Alaska Fairbanks, Fairbanks, Alaska; Jim Dau, M.Sc., Alaska Dept. of Fish & Game (retired), Kotzebue, Alaska; Mike Boylan, M.Sc., National Wildlife Refuges Association, Anchorage, Alaska; Anthony R. DeGange, M.Sc., U.S. Geological Survey (retired), Anchorage, Alaska; Jedediah Brodie, Ph.D., Craighead Chair, Wildlife Conservation, University of Montana, Missoula, Montana; Jeff Fair, M.Sc., Fairwinds Wildlife Services, Palmer, Alaska.

Stephen Brown, Ph.D., Shorebird Biologist, Saxtons River, Vermont; Kathy Frost, M.Sc., Alaska Dept. of Fish & Game (retired), Kailua Kona, Hawaii; F. Stuart Chapin III, Ph.D., Professor Emeritus, Ecology, University of Alaska Fairbanks, Fairbanks, Alaska; H. River Gates, M.Sc., Shorebird Biologist, Anchorage, Alaska; Dave Cline, M.Sc., National Audubon Society (retired), U.S. Fish & Wildlife Service (retired), North Bend, Washington; Mary E. Hogan, M.Sc., U.S. Fish & Wildlife Service (retired), Anchorage, Alaska; David R. Klein, Ph.D., Professor Emeritus, Wildlife Management, University of Alaska Fairbanks, Fairbanks, Alaska.

John Coady, Ph.D., Alaska Dept. of Fish & Game (retired), Fairbanks, Alaska; Jack Lentfer, M.Sc., U.S. Marine Mammal Commission (retired), Alaska Dept. of Fish & Game (retired), Gustavus, Alaska; Peter G. Connors, Ph.D., Bodega Marine Lab (retired), University of California—Davis, Bodega Bay, California; Joe Liebezeit, M.Sc., Audubon Society of Portland, Portland, Oregon; Joseph Cook, Ph.D., Professor of Biology, University of New Mexico, Albuquerque, New Mexico; Lloyd Lowery, M.Sc., Alaska Dept. of Fish & Game (retired), Kailua Kona, Hawaii.

Rosa H. Meehan, Ph.D., U.S. Fish & Wildlife Service (retired), Anchorage, Alaska; Stanley Senner, M.Sc., National Audubon Society, Missoula, Montana; Sterling Miller, Ph.D., Alaska Dept. of Fish & Game (retired), National Wildlife Federation (retired), Missoula, Montana; David W. Shaw, M.Sc., Biologist-guide, Fairbanks, Alaska; Russell M. Oates, M.Sc., Former Refuge Biologist, Arctic NWR, U.S. Fish & Wildlife Service (retired), Burnsville, North Carolina; E. LaVerne Smith, M.Sc., U.S. Fish & Wildlife Service (retired), Anchorage, Alaska.

Gordon Orians, Ph.D., Professor Emeritus, Biology, University of Washington, Seattle, Washington; Dan Taylor, M.Sc., Audubon California (retired), Sacramento, California; Martha Raynolds, Ph.D., Arctic Plant Ecologist, Fairbanks, Alaska; Nils Warnock, Ph.D., Audubon Alaska, Anchorage, Alaska.

Martin Robards, Ph.D., Arctic Beringia Program, Wildlife Conservation Society, Fairbanks, Alaska; Robert G. White, Ph.D., Professor Emeritus, Zoophysiology, University of Alaska Fairbanks, Fairbanks, Alaska; George Schaller, Ph.D., Wildlife Conservation Society, West Lebanon, New Hampshire; Kenneth R. Whitten, M.Sc., Alaska Dept. of Fish & Game (retired), Fairbanks, Alaska.

Scott Schliebe, Ph.D., U.S. Fish & Wildlife Service (retired), Anchorage, Alaska; John W. Schoen, Ph.D., Alaska Dept. of Fish & Game (retired), Audubon Alaska (retired), Anchorage, Alaska; Nathan Senner, Ph.D., University of Montana, Missoula, Montana; Steve Zack, Ph.D., Wildlife Conservation Society (retired) Portland, Oregon.

Ms. CANTWELL. The Arctic Refuge's coastal plain and nearby waters are designated as critical habitat for polar bears, which were designated as a threatened species under the Endangered Species Act in 2008. Female polar bears head to this area every fall to create snow dens where they give birth to their young.

The Arctic National Wildlife Refuge is also famously known as the summer calving grounds for the Porcupine caribou herd. The herd's range extends into Canada. A treaty between our countries protects the herd and its habitat.

The almost 200,000-member herd has an annual migration of hundreds of miles—and in some cases thousands of miles—wintering south of the refuge.

These caribou are an important food source for many Alaska Natives, but in particular the Gwich'in people, who live south of the refuge. Wildlife biologists argue that the risk to the caribou herd—and those who rely on this herd—could be quite significant.

Do you know what Webster's definition of stewardship is? The careful and responsible management of something entrusted to one's care. Since 1960, under President Eisenhower, this iconic refuge has been protected. Tonight, unless you help strike this, you will be joining the ranks of those that believe in polluting a wildlife refuge, and you will be joining an administration that I guarantee you is going to go down in history as getting an F in stewardship.

The Arctic National Wildlife Refuge is too special and important; it is one of the crown jewels of the National Wildlife Refuge System.

We should not destroy this pristine landscape and allow it to be turned into an oil field.

I want to remind my colleagues of the words of the great environmental steward Olaus Murie.

After decades of scientific exploration in Alaska, Olaus testified in the Senate in 1959 in support of creating the Arctic refuge.

He said, ''We long for something more, something that has a mental, a spiritual impact on us. This idealism, more than anything else, will set us apart as a nation striving for something worthwhile in the universe.''

What is setting us apart today, colleagues, is just the opposite. We are striving for short-term gains.

In a hundred years, when the economic effects of this tax bill are long forgotten, we will still bear the blame for letting go of ''something worthwhile in the universe.''

We didn't create the Arctic coastal plain, and we cannot recreate, but we can surely destroy it.

I urge my colleagues to oppose sacrificing the Arctic National Wildlife Refuge, and to support removing this provision from the bill.

I yield the floor.

Mr. SANDERS. Mr. President, I would like to enter into the CONGRESSIONAL RECORD the scores produced by the Congressional Budget Office for section 20001 as it appears in Senate amendment 1618; and the score of section 20001 as it appears in Senate amendment 1855.

In Senate amendment 1618, CBO estimates that opening the coastal plain for oil and gas leasing and managing ''it in accordance with requirements of the Naval Petroleum Reserves Production Act of 1976 (including regulations)'' will result in net Federal receipts of $1092 million from 2018 through 2027.

In Senate amendment 1855, CBO estimates that managing lease sales ''in a manner similar to the administration of leases under the Naval Petroleum Reserves Production Act of 1976 (including regulations)'' will result in net

Federal receipts of $910 million from 2018 through 2027, a decrease of $182 million compared to the language in Senate amendment 1618.

I ask unanimous consent that the following CBO tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, November 8, 2017.

HON. LISA MURKOWSKI,
Chairman, Committee on Energy,
U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for a Legislative Proposal Related to the Arctic National Wildlife Refuge.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

KEITH HALL, *Director*.

Enclosure.

A LEGISLATIVE PROPOSAL RELATED TO THE ARCTIC NATIONAL WILDLIFE REFUGE

As posted on the website of the Senate Committee on Energy and Natural Resources (FLO17783) on November 8, 2017

SUMMARY

The legislation would direct the Secretary of the Interior to implement an oil and gas leasing program for the coastal plain of the Arctic National Wildlife Refuge (ANWR). Based on information provided by the Department of the Interior (DOI), the Energy Information Administration (EIA), and individuals working in the oil and gas industry, CBO estimates that implementing the legislation would increase net offsetting receipts, which are treated as reductions in direct spending, by about $1.1 billion over the 2018–2027 period.

Because enacting the legislation would affect direct spending pay-as-you-go procedures apply. Enacting the legislation would not affect revenues.

CBO estimates that enacting legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of the legislation is shown in the following table. The costs of this legislation fall within budget functions 300 (natural resources and environment) and 800 (general government).

	By fiscal year, in millions of dollars—											
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2018–2022	2018–2027
DECREASES IN DIRECT SPENDING [a]												
Estimated Budget Authority	0	0	0	0	−725	*	*	−366	−1	−1	−725	−1,092
Estimated Outlays	0	0	0	0	−725	*	*	−366	−1	−1	−725	−1,092

Components may not sum to totals because of rounding; * = between −$500,000 and zero.

[a] CBO estimates that implementing the legislation also would cost about $10 million over the 2018–2022 period, assuming the availability of appropriated funds, for environmental reviews and the administrative costs of conducting the lease sales.

BASIS OF ESTIMATE

For this estimate, CBO assumes that the legislation will be enacted near the end of 2017 and that the funds necessary to implement the legislation would be available.

Description of the Legislation

The legislation would direct the Secretary of the Interior to implement an oil and gas leasing program for lands located within the coastal plain of ANWR, which includes about 1.5 million acres of federal land on the northeast coast of Alaska. Under current law, activities related to oil and gas leasing in ANWR are prohibited.

The legislation would require the Secretary to hold two lease sales over a seven-year period following enactment and to offer at least 400,000 acres of land in ANWR for lease at each sale. Any lease sales in ANWR would be carried out in accordance with procedures used to conduct oil and gas leasing within the National Petroleum Reserve in Alaska. For each lease awarded, lessees would pay the federal government bonus bids to acquire the leases, annual rent to retain the leases, and royalties based on the value of any oil or gas production from the leases. The legislation would establish a 16.67 percent royalty on oil and gas produced in ANWR. (Under current law, the federal government charges royalties of 12.5 percent for oil and gas produced onshore and 18.75 percent for oil and gas produced in the Outer Continental Shelf.) Finally, under the legislation, Alaska would receive one-half of the gross proceeds generated from the leasing program.

Spending Subject to Appropriation

CBO estimates that implementing the legislation would cost $10 million over the 2018.2022 period for environmental reviews and administrative costs associated with the leasing program subject to the availability of appropriated funds. Based on information provided by the Government Accountability Office, we estimate that completing the environmental reviews required under the National Environmental Policy Act would cost $2 million. In addition, CBO estimates that other implementation costs would total between $1 million and $2 million per year over that period.

Direct Spending

CBO estimates that implementing the legislation would increase net offsetting receipts by about $1.1 billion over the 2018–2027 period.

Bonus Bids. CBO estimates that gross proceeds from bonus bids paid for the right to develop leases in ANWR would total $2.2 billion over the 2018–2027 period. That estimate is based on historical information about oil and gas leasing in the United States and on information from DOI, EIA, and individuals working in the oil and gas industry about factors that affect the amounts that companies are willing to pay to acquire oil and gas leases. In addition, CBO relied on estimates prepared by the United States Geological Survey of the amount of oil that might be produced from the coastal plain of ANWR. As specified in the legislation, one-half of all receipts from leases in ANWR would be paid to Alaska, leaving net federal receipts totaling $1.1 billion over the 2018–2027 period.

Estimates of bonus bids for leases in ANWR are uncertain. Potential bidders might make assumptions that are different from CBO's, including assumptions about long-term oil prices, production costs, the amount of oil and gas resources in ANWR, and alternative investment opportunities. In particular, oil companies have other domestic and overseas investment options that they would evaluate and compare with potential investments in ANWR. The potential profitability for a wide range of such global investment options would probably be a significant factor in prospective bidders' ultimate choices of how much to bid for ANWR leases. The number of factors that affect companies' investment decisions result in a wide range of estimates for bonus bids. CBO's estimate reflects our best estimate of the midpoint of that range.

Other Receipts. In addition to receipts from bonus bids, CBO estimates that the federal government would collect net receipts from rental payments totaling about $2 million over the 2022–2027 period. (Lease holders make an annual rental payment until production begins.) CBO also estimates that the federal government would receive royalty payments on oil produced from ANWR leases; however, based on information from EIA regarding the typical amount of time necessary to drill exploratory wells, complete production plans, and build the necessary infrastructure to produce and transport any oil produced in ANWR, CBO expects that no significant royalty payments would be made until after 2027.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR THE LEGISLATIVE PROPOSAL RELATED TO THE ARCTIC NATIONAL WILDLIFE REFUGE

	By fiscal year, in millions of dollars—											
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2018–2022	2018–2027
Statutory Pay-As-You-Go Impact	0	0	0	0	−725	0	0	−366	−1	−1	−725	−1,092

MANDATES

The legislation contains no intergovernmental or private-sector mandates as defined in UMRA,

The legislation would benefit the State of Alaska by increasing the generation of royalties from oil and gas production on public lands in ANWR. Portions of the royalties would be shared with the state under formulas specified by the legislation and under federal laws governing oil and gas production. Over the 2018–2027 period, CBO estimates that Alaska would receive a total of about $1.1 billion in royalties.

INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS

CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

ESTIMATE PREPARED BY

Federal Costs: Jeff LaFave; Mandates: Zachary Bynum.

ESTIMATE APPROVED BY

H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PRELIMINARY ESTIMATE OF DIRECT SPENDING EFFECTS OF TITLE II OF RECONCILIATION RECOMMENDATIONS AS PROVIDED BY THE SENATE COMMITTEE ON THE BUDGET ON NOVEMBER 30, 2017 (MCG17C35)

	By fiscal year, in millions of dollars—											
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2018–2022	2018–2027
ESTIMATED INCREASES FOR DECREASES (−) IN DIRECT SPENDING												
Sec. 20001—Oil and Gas Program												
Estimated Budget Authority	0	0	0	0	−605	*	*	−304	*	*	−605	−910
Estimated Outlays	0	0	0	0	−605	*	*	−304	*	*	−605	−910
Sec. 20002—Limitation on Amount Distributed Qualified Outer Continental Shelf Revenue												
Estimated Budget Authority	0	0	0	150	150	0	0	0	0	0	300	300
Estimated Outlays	0	0	0	150	150	0	0	0	0	0	300	300
Sec. 20003—Strategic Petroleum Reserve Drawdown & Sale												
Estimated Budget Authority	0	0	0	0	0	0	0	0	−235	−240	0	−475
Estimated Budget Authority	0	0	0	0	0	0	0	0	−235	−240	0	−475
Total Estimated Budget Authority	0	0	0	150	−455	*	*	−304	−235	−240	−305	−1085
Total Estimated Outlays	0	0	0	150	−455	*	*	−304	−235	−240	−305	−1085

Notes: Components may not sum to totals because of rounding: * = between −$500,000 and zero.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I strongly oppose this motion to strike. This is our opportunity to provide jobs, to create revenues and resources, and to protect an environment that as Alaskans we know how to protect. We are seeking with this energy title to develop 2,000 acres out of 19.3 million acres, one ten-thousandths of all of ANWR, and we are seeking to do it with a smaller, limited footprint, using the technologies that have become available over the decades that we have been seeking to advance these opportunities—opportunities for Alaska, opportunities for the Nation.

I would implore colleagues. For 40 years now we have been looking for the opportunity to best protect our long-term energy and national security. This is our chance.

The pending amendment No. 1717 would cause the underlying legislation to exceed the Energy and Natural Resources Committee's section 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this measure pursuant to section 302(f) of the Congressional Budget Act of 1974.

Ms. CANTWELL. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 48, nays 52, as follows:

[Rollcall Vote No. 301 Leg.]

YEAS—48

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

NAYS—52

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

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1856 TO AMENDMENT NO. 1618

Mr. MERKLEY. Mr. President, I call up amendment No. 1856.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 1856 to amendment No. 1618.

On page 289, strike lines 17 through 19

Mr. MERKLEY. Mr. President, this amendment strikes a tax earmark that singles out one college in America from the university endowment tax set forth in the underlying bill.

To be sure, I don't like the endowment tax in this bill. It diminishes the ability of colleges to provide scholarships to financially challenged students. But if the majority is intent on having an endowment tax, then no college should be exempted.

The argument for the exemption is that this college doesn't take Federal funds. But remember why: They were sued in the 1980s for discriminatory practices, and they wanted to continue those practices. This school, Hillsdale College, does have powerful friends, including our Secretary of Education, but isn't that just the type of insider deal for the wealthy and well connected that we should oppose?

A vote against this amendment is a vote for an earmark for a school with powerful friends and for subsidizing discrimination. A vote for my amendment is a vote to strike down such an earmark, a vote for fair treatment of schools, and a vote against discrimination, and I urge you to vote aye.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, Hillsdale College has been unfairly maligned on the Senate floor. The fact is, Hillsdale College was the first college in America to prohibit in its charter any discrimination based on race, religion, or sex and was an early force in the abolition of slavery.

But it is not really about Hillsdale college, exclusively. This is a broader idea. The idea here, and it is in this amendment, is that for any college that chooses to forgo Federal funding for its students—chooses not to be a burden on the taxpayers that way—it is reasonable for us to respond by sparing that college a tax on the endowment fund. That is all.

Now there are colleges, a number of colleges, including one in Pennsylvania, that choose this mode. They would prefer to have the freedom to operate as they see fit rather than have to deal with Federal regulations, and I suspect that is a big part of what the real problem is on the other side of the aisle. But, folks, I think it is a perfectly reasonable proposition that if a college chooses to forgo the very substantial funds available to it from Federal taxpayers, it is OK to say that it will be exempt from this endowment. So I urge my colleagues to vote no on the amendment.

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

Mr. MERKLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

[Rollcall Vote No. 302 Leg.]

YEAS—52

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

NAYS—48

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

The amendment (No. 1856) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Colleagues, we are moving now to final passage.

I know of no further amendments to the bill.

AMENDMENT NO. 1618, AS AMENDED

The PRESIDING OFFICER. There will be 2 minutes of debate on amendment No. 1618, as amended.

Mr. McCONNELL. Mr. President, I yield back our time.

The PRESIDING OFFICER. All time is yielded back for the majority.

Mr. SCHUMER. Mr. President, I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 1618), as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the vote on H.R. 1.

The Senator from Oregon.

Mr. WYDEN. Mr. President, millions of Americans must be watching in stunned disbelief tonight as the Republican Senate betrays the middle class for the benefit of faceless, multinational corporations.

Colleagues, how many middle-class families need to see their hard-earned pay snatched away in tax hikes before these corporate handouts are no longer worth it? How many more Americans need to see their jobs shipped overseas before corporate paymasters no longer call the shots? How many Americans need to lose their healthcare or see their premiums shoot sky-high before this is stopped?

What is happening tonight is the worst of the U.S. Senate. There is a trail of broken promises—broken promises to working families in the mad dash to pass this bill. The American people understand this is the first step of continuing attacks on Medicare, on Medicaid, and on Social Security. This vote will not be forgotten.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I yield back the time on this side.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

[Rollcall Vote No. 303 Leg.]

YEAS—51

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

NAYS—49

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

The bill (H.R. 1), as amended, was passed.

The VICE PRESIDENT. The Tax Cuts and Jobs Act, as amended, is passed.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. PERDUE). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 495, Kirstjen Nielsen.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

Mitch McConnell, Tom Cotton, Roy Blunt, Rob Portman, James E. Risch, Lindsey Graham, Richard Burr, Mike Crapo, John Boozman, Roger F. Wicker, Ron Johnson, John Thune, John Hoeven, Steve Daines, Marco Rubio, John Cornyn, John Barrasso.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call for the cloture motion be waived.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate vote on this cloture motion at 5:30 p.m. on Monday, December 4.

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

The PRESIDING OFFICER. The Senator from Wyoming.

TAX CUTS AND JOBS BILL

Mr. ENZI. Mr. President, earlier this week, I said it was historic that we began the consideration of the Tax Cuts and Jobs Act. Today is even more