

debt, we should vote to keep in place the rules we have put in place. These are spending caps. If we care about the next generation, we should vote for the spending caps. So I will put forward a motion that says: Let's obey our own rules.

It will be interesting to watch the vote and to see how it turns out—who truly cares about the debt on either side of the aisle, who is willing to say: You know what; I am for tax cuts but I am also for saying across the board that we need to have spending restraint. Will we obey our own rules? We have broken our own rules. This will be the 30th time we broke our own rules on budget caps since 2010. If you go back farther, it is in the hundreds of times. If you were scoring Congress on integrity and honesty about the rules we have set up, it would be a zero. We aren't adhering to our own rules.

So what I would admonish my colleagues to do is, if they care about debt, is to vote for this point of order that says that we should adhere to our budget caps and we should really truly care about the budget deficit.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

#### MEDICARE FUNDING

Ms. COLLINS. Mr. President, I rise in strong opposition to the point of order that will be offered by the Senator from Kentucky, which would have the effect of allowing harmful, indiscriminate budget cuts to be triggered. While there are certain safety net programs like Medicaid, food stamps, and Social Security that are exempt from these automatic cuts, the Medicare Program is not exempt, and there are a number of other vital programs in addition to Medicare, including Federal education programs, agricultural support for farmers, and funding for Citizenship and Immigration Services, among others, that would be subject to immediate automatic cuts if we failed to take action tonight to avert that outcome.

It has been deeply disturbing to me to see seniors frightened about the possibility that a \$25 billion cut in Medicare—that is a 4-percent reduction—would be automatically triggered. By waiving this point of order, we will prevent such cuts from taking place, reassuring our Nation's seniors and their loved ones.

Although the law that could cause this reduction has been waived some 16 times—and indeed never implemented since it was enacted—I felt that it was essential that our leaders publicly commit that Medicare reductions would not be triggered, given the amount of fear, anxiety, and misinformation that is out there.

I wrote to the Senate majority leader, urging that we immediately remove the threat of an automatic cut in Medicare's funding. In response, I am pleased to say that both the majority

leader and the Speaker of the House released a joint statement that pledged this will not happen, and that is the issue before us tonight.

Medicare provides essential healthcare benefits to our Nation's seniors. We must remove, immediately, the threat that an automatic reduction in the program's funding could occur, which would affect healthcare providers and diminish access that beneficiaries—including our seniors and disabled individuals—have to the services they need.

Earlier this month, AARP sent a letter to the House and the Senate leadership, alluding and supporting my inquiry and warning Congress of the potential consequences. The letter says:

The sudden cut to Medicare provider funding in 2018 would have an immediate and lasting impact, including fewer healthcare providers participating in Medicare and reduced access to care for Medicare beneficiaries. Healthcare providers may choose to stop accepting Medicare patients at a time when the Medicare population is growing by 10,000 new beneficiaries each day. . . . Furthermore, Medicare Advantage plans and Part D prescription drug plans may charge higher premiums or cost sharing in future years to make up for these cuts now.

These potential cuts would have an enormous impact on our hospitals, our nursing homes, our home health agencies, and other essential healthcare providers who play a critical role in providing healthcare services and also as important economic drivers in our communities.

It is critical for Congress to act quickly, to act tonight before we go home, so seniors do not have the anxiety of wondering whether the tax bill will somehow negatively affect their healthcare. We can act tonight to remove that anxiety and assure them it will not.

Mr. President, I ask unanimous consent that the exchange of letters I had with Majority Leader MCCONNELL and also the letter from AARP be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, November 28, 2017.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL: I write to express my deep concerns with the Congressional Budget Office's determination that an automatic four percent cut to Medicare, estimated to be roughly \$25 billion for fiscal year 2018, could be triggered by the passage of tax reform legislation as a result of the Pay-As-You-Go Act of 2010 (PAYGO) even though there is no intention for such a reduction to occur.

Since I do not believe it is anyone's intention to allow automatic cuts to Medicare to occur, I urge swift action to waive the PAYGO requirements. Medicare provides essential benefits to our nation's seniors, and we must remove immediately the threat that an automatic reduction in the program's funding could occur.

Since PAYGO was enacted, sixteen laws that would have otherwise triggered PAYGO's automatic spending cuts have in-

cluded provisions to exclude all or part of the law's budgetary impact, including the American Taxpayer Relief Act of 2012 that was enacted under the previous Administration.

I look forward to working with you to ensure that no Medicare cuts are triggered under PAYGO, a goal I believe is supported by members on both sides of the aisle. Thank you for your attention to this critical issue.

Sincerely,

SUSAN M. COLLINS, U.S. SENATOR.

U.S. SENATE,

Washington, DC, December 1, 2017.

Hon. SUSAN COLLINS,  
Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR COLLINS: Thank you for your letter expressing concern about the across-the-board spending cuts. You will be pleased to know that Speaker Paul Ryan and I issued the following joint statement earlier today:

"Critics of tax reform are claiming the legislation would lead to massive, across-the-board spending cuts in vital programs—including a 4-percent reduction in Medicare—due to the Pay-Go law enacted in 2010. This will not happen. Congress has readily available methods to waive this law, which has never been enforced since its enactment. There is no reason to believe that Congress would not act again to prevent a sequester, and we will work to ensure these spending cuts are prevented."

Again, thank you.

Sincerely,

MITCH MCCONNELL,  
Majority Leader.

AARP®,  
December 7, 2017.

Hon. MITCH MCCONNELL,  
U.S. Senate,  
U.S. Capitol, Washington, DC.  
Hon. CHARLES E. SCHUMER,  
U.S. Senate,  
U.S. Capitol, Washington, DC.  
Hon. PAUL D. RYAN,  
House of Representatives,  
U.S. Capitol, Washington, DC.  
Hon. NANCY PELOSI,  
House of Representatives,  
U.S. Capitol, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, SPEAKER RYAN, AND MINORITY LEADER PELOSI: On behalf of our members and all Americans age 50 and older, AARP is writing to express concerns about the potential for automatic cuts to Medicare beginning in January 2018. AARP, with its nearly 38 million members in all 50 States and the District of Columbia, Puerto Rico and the Virgin Islands, represents millions of individuals whose health care depends on Medicare. We urge you to act now to prevent these cuts to Medicare.

The Congressional Budget Office (CBO) recently provided an explanation of the impact H.R. 1 and its \$1.5 trillion deficit increase will have on Medicare and other programs. The CBO estimated that because of statutory pay-as-you-go and the increase in the deficit, Medicare providers will be subject to an automatic \$25 billion cut in fiscal year 2018, and additional cuts in subsequent fiscal years. According to CBO, the automatic cuts, or sequester, would begin as soon as January, 2018.

In a statement responding to Senator Collins's inquiry on statutory pay-as-you-go and the risk of Medicare cuts, Leader McConnell and Speaker Ryan provided the following assurance: "Congress has readily available methods to waive this law, which has never been enforced since its enactment. There is no reason to believe that Congress

would not act again to prevent a sequester, and we will work to ensure these spending cuts are prevented." It is of paramount interest to our members, and other older Americans, that you act to prevent these spending cuts as soon as possible.

The sudden cut to Medicare provider funding in 2018 would have an immediate and lasting impact, including fewer providers participating in Medicare and reduced access to care for Medicare beneficiaries. Health care providers may choose to stop accepting Medicare patients at a time when the Medicare population is growing by 10,000 new beneficiaries each day. Cutting reimbursement in 2018, and possibly each year thereafter, would discourage health care providers from treating this growing population. We need to protect and strengthen the Medicare program and ensure there is a health care workforce able and willing to take on new patients. Furthermore, Medicare Advantage plans and Part D prescription drug plans may charge higher premiums or cost-sharing in future years to make up for the cuts now. These cuts also come at a critical time in the program when providers are adopting the new payment systems according to MACRA (P.L. 114-10) which overwhelmingly passed Congress in 2015. An across-the-board cut to provider reimbursement will leave health care providers fewer resources to invest in their practices, and make them less inclined to take on risk in new alternative payment models. The sudden payment cut will stifle the transition toward payment based on value, having implications for future Medicare cost growth. In any event, Medicare beneficiaries will pay the price for these sudden and significant cuts.

Our members and other older Americans are counting on you to preserve their access to Medicare services, including their doctors and hospitals. We urge you to act swiftly to prevent automatic cuts to Medicare. If you have any questions or need additional information, please feel free to contact me or contact Joyce Rogers, Senior Vice President of Government Affairs.

Sincerely,

JO ANN C. JENKINS,  
Chief Executive Officer.

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The majority leader.

#### DEPARTMENT OF HOMELAND SECURITY BLUE CAMPAIGN AUTHORIZATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 1370.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 1370) entitled "An Act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes.", with an amendment.

#### MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 1370.

I ask unanimous consent that Senator PAUL be recognized for up to 2

minutes to make a budget point of order; that Senator COLLINS or her designee be recognized for up to 2 minutes to make a motion to waive the point of order; that Senator LEAHY be recognized for up to 5 minutes; that following the use or yielding back of that time, the Senate vote on the motion to waive; and that following the disposition of the motion to waive, the Senate vote on the motion to concur, with a 60 affirmative vote threshold, all without any other intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Kentucky.

Mr. PAUL. Mr. President, the question is, Do deficits matter? We have had a lot of debate over deficits and people complaining that tax cuts add to deficits. Well, tonight we will have a vote on whether we should honor what are called pay-go budget caps. We have had these in place for about 6 years. Congress has disobeyed their own rules 30 times as of tonight. These budget caps would keep spending in order. Yet we are going to have them waived tonight.

My budget point of order would actually say that we should not waive these budget caps. We should honor them because deficits do matter.

We borrow \$1 million a minute. The deficit this year will be over \$700 billion. The overall debt is \$20 trillion. We have a spending problem. We have rules to keep spending in check, and we disobey our own rules.

With that, I make a point of order on the statutory pay-go scorecard that says we should spend within certain limits. This budget point of order is pursuant to section 306 of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we simply cannot allow these harmful, indiscriminate budget cuts to be triggered. It is so disturbing to see our seniors worried about the possibility of a \$25 billion cut in the Medicare Program. That is a 4-percent reduction. That would affect healthcare providers and healthcare services. There is no need for this indiscriminate cut to occur.

It is critical that Congress act tonight, act immediately, so that seniors and our disabled citizens do not have the anxiety of wondering whether the tax bill will somehow negatively affect their healthcare. By voting to waive the point of order, we can remove that anxiety and prevent the indiscriminate cuts in Medicare and other essential programs from occurring.

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 House message to accompany H.R. 1370, 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.

Mr. DURBIN. 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. LEAHY. 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. LEAHY. Mr. President, I yield back the time on this side.

The PRESIDING OFFICER. The question now occurs on agreeing to the motion to waive.

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 91, nays 8, as follows:

[Rollcall Vote No. 324 Leg.]

#### YEAS—91

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

#### NAYS—8

Crapo	Kennedy	Risch
Cruz	Lee	Sasse
Flake	Paul	

#### NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 8.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

#### VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion to concur.

Mr. ROUNDS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.