The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal Savior, we thank You for the fellowship of Your Spirit and Your consolations of love. May our lawmakers remember that You are their rock and refuge. Lord, speak peace to their hearts in these turbulent times, guiding them along the path of Your wisdom. Reward their efforts with a joyful harvest, as they strive to build up and not tear down. Raise them above discord and division, helping them to work together to keep America strong.

We are grateful for the favor You have given this Nation and for surrounding us with the shield of Your compassion, mercy, and love. Strong Deliverer, accept our grateful praise.

We pray in Your mighty Name.

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

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

THE BUDGET AND TAX REFORM

Mr. MCCONNELL. Mr. President, the Senate is taking the next critical step in passing the comprehensive, fiscally responsible budget before us. It is pretty obvious that this is a good budget, and that is true whether you are looking at it from a fiscal perspective or an economic one.

Take the fiscal side first. It reins in government spending. It protects Social Security fully with the previous spending caps, while also providing for an increase for defense resources if a bipartisan agreement can be reached. In short, it is a fiscally responsible budget that will help put the Federal Government on a path to balance the budget. On the economic side, this budget can help our country realize better and more sustained economic growth, which is critical, given the last decade of missed opportunities for the middle class. One way this budget can help our economy is by providing legislative tools to advance tax reform.

As I have said many times before, tax reform represents the most important thing we can do today to get our economy reaching for its true potential. Tax reform is all about getting America going again and growing again. It aims to take more money out of Washington’s pockets and put more money in middle-class pockets, and it represents a once-in-a-generation opportunity to replace a failing tax bill that holds Americans back with one that works for them. Passing this budget is critical to getting tax reform done so we can strengthen our economy, after years of stagnation under the previous administration.

I know Members are eager to continue proposing amendments to this budget. We already adopted some good ideas yesterday. For instance, the Senate adopted an amendment offered by Senator HESTON to provide tax relief to American families with children so they can have more money to make ends meet.

We also adopted an amendment from Senator COLLINS to provide relief to small businesses, which have been responsible for the creation of about two-thirds of the net jobs in recent years.

That is according to statistics from the Small Business Administration. Both of these amendments reinforce the goals of the tax reform framework developed by the President, his team, and the tax-writing committees in Congress.

Today we will consider more ideas from colleagues on both sides of the aisle. I want to thank, particularly, Chairman ENZI and the members of the Senate Budget Committee for their good work in getting us to this point. The budget they produced is important to our fiscal and our economic future. I look forward to passing it soon.

I suggest the absence of a quorum.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2018

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H. Con. Res. 71, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.
The PRESIDING OFFICER. Under the previous order, the time until 11:45 a.m. will be equally divided between the managers or their designees.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I call up amendment 1116 as provided for under the previous order.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon (Mr. Wyden) proposes an amendment numbered 1302 to amendment No. 1116.

The amendment is as follows:

(Purpose: To strike the reconciliation instructions relating to tax reform.)

After section 2002, insert the following:

SEC. 2003. MODIFICATION TO RECONCILIATION INSTRUCTIONS.

Section 2001(a) and 2002(a) are null and void.

Mr. WYDEN. Mr. President and colleagues, later this morning, the Senate will be voting on the amendment I am offering to strike what are known as reconciliation instructions from the budget proposal.

The reason I will be focusing this morning on that is that it is absolutely key that we pass this amendment in order to get bipartisan tax reform. The fact is that reconciliation is an on-ramp to the most partisan process around, and the history of successful tax reform is in our working in a bipartisan way. For example, that is what the late President Reagan worked to do in 1986 with a whole host of Democrats, and they came up with a lot of very important, bold, progressive ideas. They chose to actually treat income from a wage in the same way as one would treat income from investments so as to send, in one fell swoop, a message that working-class people would get a fair shake, that the tax law was not about the 1 percent back then but that it was about working people. The middle class drives 70 percent of the American economy. They were not talking about massive tax handouts to big corporations and the wealthy; they were talking about the fact that, in our country, economic success is built around a thriving middle class—a middle class that can buy homes and cars and educate kids and pay for essentials.

What troubles me so much about these reconciliation instructions that would allow for a $1.5 trillion net tax cut is that it is just the opposite of the kind of approach that Ronald Reagan and the Democrats used in 1986. It is going to polarize us rather than bring us together.

I think that is particularly important right now, given the meeting that was held at the White House yesterday that I attended along with a number of Democratic colleagues on the Finance Committee, because at that meeting Democrats made it very clear to the President and the United States that we think that the Tax Code is broken, that it is a broken, dysfunctional mess. We described the letter we sent that lays out our principles that tax reform should focus not on the 1 percent but on the middle class and not savage Medicare and Medicaid and Social Security, which are our essential retirement programs.

What was striking about the discussion was that the President said: I agree with you on all of those things. He said: Tax cuts should not go for people like me. I want help for the middle class, and I don’t want to cut Medicare and Medicaid. I agree with what we are trying to do. I hope respectfully, Mr. President. I understood. Unfortunately, there is a big gap between the administration’s rhetoric on this and the reality of what is really on paper. That is why it is so important that we strike these reconciliation instructions and make it clear from the get-go that we are going to get tax reform right, that we are not just going to kind of utter these sort of sound bites and rhetorical plights and speeches, as the discussions go out from various committees.

So there is a common thread in these proposals. There is a common thread in this debate that is driven by partisanship and reconciliation, which is why I want to strike those instructions. What is actually on paper—not what is said—whether the speech itself is good or not and the like—is that the Republican plan doesn’t close the most egregious loopholes. It enshrines them as permanent features in our tax law. That is contrary to what the President said he wants to do and what he wants to see on paper, and I want to talk a little bit about what is actually on paper.

First, the Trump tax plan creates a massive new loophole, the Grand Canyon of all loopholes, by twisting and turning the passthrough loophole in a way that makes it pass through. It used to be that the tax on passthroughs was for a store or a restaurant or a garage. You see them all over Oregon. You see them all over America. Those are the people for whom we ought to be working together to give a boost to. That is not what is on paper. What is on paper is very different, and it is very different than what the President said yesterday he wanted.

For example, on paper is a new loophole that would allow tax cheats to self-declare as passthroughs, rake in income, and pay a much lower rate. It is a tax change that is deeply slanted toward what I call the top of the top—not just the 1 percent but the top of the top. Eighty-eight percent of the benefits of this kind of passthrough rate cut would go to those at the very top, according to recent analyses, the top 1 percent and those even more affluent, the 2 percent. We don’t want to dodge paying into Social Security and Medicare like every hard-working wage earner in America. This would leave a lot of those programs that are lifelines for working families a lot worse off than they are today and that, too, is something the President said he didn’t want.

Next, apropos again of the most affluent the President said he didn’t want to help, is the estate tax. Here, there is a proposal in the administration’s plan to abolish the estate tax. Let’s make sure everybody understands who is affected by that. The tax today touches estates worth more than $11 million, $5.5 million for a single individual—a tiny fraction of all the estates in the country. Eliminating the estate tax isn’t a policy change that has anything to do with helping the middle class. It is entirely about helping the megawealthy—exactly the people the President told us yesterday he didn’t want to help.

The Finance Committee Democratic staff put out a report last week that looked at some of the worst schemes that are used by the megawealthy to avoid paying estate tax. There is a cottage industry of crafty lawyers and accountants who have made careers out of getting the estate tax by engineering billion-dollar tax shelters for the 1 percent. So the estate tax is already full of loopholes, but this administration isn’t interested in closing them even after the Treasury Secretary, Mr. Mnuchin, admitted just the other day that it goes mostly to the people at the very top.

There have been some other whoppers apropos again of the most affluent. For example, there is a proposal to completely abolish the estate tax. What is striking is, I asked the Republicans’ economist acknowledged that there is a common thread in these proposals. There is a common thread in this debate that is driven by partisanship and reconciliation, which is why I want to strike those instructions. What is actually on paper—not what is said—whether the speech itself is good or not and the like—is that the Republican plan doesn’t close the most egregious loopholes. It enshrines them as permanent features in our tax law. That is contrary to what the President said he wants to do and what he wants to see on paper.
cuts to the wealthy. In the same interview, he delivered what sounded like a real ultimatum; that if the Congress doesn’t pass this plan so tilted to the megawealthy, oh, boy, it is going to be tough times on Wall Street. You have to approve the unpopular amnesty, but the ideas behind what the Treasury Secretary is talking about on tax reform pretty much leave your jaw on the floor. If that is where the administration has trained its focus, as far as tax cuts are concerned, the middle class is in tough straits.

In my judgment, this is yet another reason the Senate should reject using reconciliation for taxes and support my amendment. The fact is, the Congress has never used reconciliation to write a comprehensive tax reform bill. There is a template for comprehensive tax reform that has been proven to work, and I have mentioned it already. It is the one initiated by President Reagan, a big group of Democrats, a culmination of year and work. The bill I saw was real bipartisanship, which I define as not taking each other’s bad ideas but taking each other’s good ideas. The bill was considered under regular order; it was debated in the Finance Committee and on the Senate floor for months, and it was open to unlimited amendments and passed the Senate by a vote of 97 to 3. That is the kind of bipartisan process we would like to see.

Democrats have made it clear, and we made it clear again yesterday, that we have heard the President’s comments about how he wants to help the middle class and not the wealthy, that he understands how strongly we feel about protecting Social Security, Medicare and Medicaid, but the fact is—and this is the heart of the challenge—there is a big gap right now between what the President says his priorities are and what is actually written down on paper. That is the challenge, and we are not going to be able to address that challenge, in my view, by signing up for more partisanship, for taking the most partisan route on tax reform.

What we ought to be doing is saying that we all agree the Tax Code is broken; we all understand the key is helping the middle class, not more handouts for the top of the top, the 1 percent; that we are sensitive to long-term costs because we don’t want to pass those off to our children. Doing that is best going to be accomplished by saying that as we move now to the actual consideration of tax reform, we reject partisan approaches like reconciliation, and we come together. I know we can do it.

The fact is, what the President says when he speaks about this subject is in line with the principles in the Democrats’ letter. What we have talked about doesn’t even go as far as what President Reagan did in 1986. What is in the Democrats’ letter tracks a bipartisan piece of legislation that several colleagues here have been part of, including one in the President’s Cabinet now.

We can do bipartisan tax reform that is good for our country. We shouldn’t make it a lot harder to accomplish that goal, including going full-steam ahead with reconciliation instructions in the budget proposal. That is why I urge my colleagues to support my amendment to strip these reconciliation instructions when we vote on my amendment later in the morning.

I yield the floor.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized. Mr. SCHUMER. Mr. President, I ask unanimous consent to use leader time.

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

Mr. SCHUMER. Mr. President, first, on healthcare, my two good friends Senators ALEXANDER and MURRAY have constructed a good, fair, bipartisan agreement that gives us a way forward on healthcare. It will offer stability in the markets, and it will help lower premiums.

We have seen President Trump’s near constant equivocation on the agreement. We shouldn’t let it impede the progress of this very important bipartisan compromise. He is for the bill one day, against it the next. That is not uncommon; the President sometimes is for and against something in the same sentence. We can only hope he comes around again once he grasps what is in the bill.

The Alexander-Murray deal is not a bailout to the insurance companies at all; it is the opposite. We have taken pains to ensure that insurance companies do not reap any benefits from this program. That is what ALEXANDER and MURRAY have done. They have explicit provisions in the bill to ensure that the cost-sharing program does what it is intended to do: Lower premiums, deductibles, and out-of-pocket costs for Americans who can least afford it.

I was ready to join this morning where they interviewed a retired manufacturing worker in Pennsylvania who was upset by the President’s decision. The man said:

It seems like he is trying to hurt the middle class. . . . He [President Trump] says he’s going to make it better for everyone. How does a (premium) increase make it better?

That is the question the President should ask himself. Ending cost-sharing hurts people, not insurance companies. Restoring cost-sharing will help people, not insurance companies. Senators ALEXANDER and MURRAY have made sure of it. I have talked to them about their language. It is good language, well intended. Maybe we can make it better. If the President has a suggestion, we welcome it, but as it is, it is pretty strong.

Well-intentioned Members on both sides of the aisle would continue to sign their names onto this bill. I believe it has significant support within our caucus, and if Leader MCCONNELL puts it on the floor of the Senate, I am pretty certain it would pass.

I urge my Republican colleagues to take a good, hard look at the bill and to cosponsor it. So many of my Republican friends have said: Why can’t we be more bipartisan? This is a bipartisan agreement. It wasn’t one party coming up with something and telling the other to be for it, as too often happens in this Chamber. It was done together by the chair of the HELP Committee and the ranking Democrat of the HELP Committee. It is truly bipartisan, and it is a good way for us to go forward and set a metaphor for future bipartisanship.

Mr. President, now on the budget, today the Senate will vote on more amendments to the GOP budget resolution, which increases deficits by $1.5 trillion. Senator MUrray, one initiative has Medicaid by $1.5 trillion, and sets up this awful, partisan process—the same one our Republican friends used in healthcare.

The Democrats could have offered an unlimited number of amendments on this bill, but this bill is so bad that we didn’t want to be all over the lot. We wanted to focus on a few issues where we know the American people are overwhelmingly with us, not with the language in the bill.

Here is some of what we are doing.

We are going to make our colleagues say that they want to vote to increase the deficit by $1.5 trillion. After 8 years of crowing about debts and deficits under a Democratic President, the Republican deficit hawks seem to have flown the coop. This budget is going to increase the deficit by $1.5 trillion. Our amendment would say: No, it should be deficit neutral. We have heard that for the last 8 years. Whenever a spending program comes about, I know our side says that spending programs grow the economy; their side says that tax cuts grow the economy. But if there is going to be an actual deficit, we should vote for it. Put your convictions where your vote is.

We are also going to make our Republican colleagues vote on whether they want to raise taxes on the middle class. The President claims that his tax plan will cut taxes, but it actually will raise them on millions of hard-working families. Today, our Republican colleagues will decide whether they want to support those tax increases or protect the middle class from paying more taxes.

We are going to make our Republican colleagues vote on their specific proposal to eliminate the State and local deduction. Nearly one-third of all taxpayers take the deduction—red States,
blue States, everyone in between. As the chairman of the Finance Committee knows, 35 percent of Utahns take the State and local deduction. It goes right to the heart of the middle class and upper middle class, giving families tens of thousands of dollars in deductions that are lower. The elimination of State and local deductibility is a sure sign that the Republican tax plan does not favor the middle class.

In fact, AP reported yesterday that, according to experts, the GOP tax plan may still allow corporations to claim State and local deductibility but not individuals. Did you hear that? Corporations can claim it, but individuals can’t. Isn’t that backward? It shouldn’t be taken away from either one. What the GOP plan takes away from individuals and families, it makes sure remains for big corporations.

So today Democrats will ask our Republican friends to vote on our amendment, led by Senators CANTWELL and VAN HOLLEN, to protect State and local deductibility for middle-class families.

Senator CAPTO has an alternative amendment that is incredibly vague and leaves the door open to eliminating State and local deductibility. It doesn’t say it outright, but it leaves it open. That is why a coalition of groups, including the National Governors Association, the U.S. Conference of Mayors, and organizations representing firefighters, teachers, and homeowners, have just come out against Senator CAPTO’s amendment.

Senator CANTWELL and VAN HOLLEN’s amendment, by contrast, is crystal clear: no elimination of State and local deductibility for middle-class families.

Mr. President, finally, every morning I hear my friends the majority leader and the chairman of the Finance Committee talk about the need for tax reform, but the middle class is stuck in a rut and the economy isn’t working the way it should for American families. I agree with that assessment. We need to do more to grow the economy, create jobs, raise wages, and put money in the pockets of average Americans, but when you hear the details of the plan they have to solve those problems, your head spins. Lower the tax rate on big corporations and the top 1 percent, repeal the estate tax, which goes only to estates of over $5 million, and eliminate all deductions for middle-class taxpayers like State and local deductibility. In what world does that deliver middle-class tax relief or solve the problems we are talking about?

It is the same game they played with health care. I think about high premiums, deductibles, counties without enough insurers, and then each Republican bill exacerbates the problem.

The Republicans slide in their favorite solution—tax cuts for the rich—as the actions to everybody. If the economy is doing well, Republicans push tax cuts for the rich. If the economy is doing poorly, Republicans push tax cuts for the rich. If our healthcare system needs to be improved, tax cuts for the rich. It is entirely divorced from the real problems in the economy and our society.

Our economy suffers from massive inequality, which is growing, with a concentration of wealth in the very apex of our country’s elite. The rich are doing well in America. God bless them; I am glad they are. American corporations are recording record-high profits. Look at the stock market, which reflects them too. We hope they do well. But looking at the GOP tax plan, the American people have to wonder, is now the time to tilt the scales even further in favor of big corporations and the very rich? I believe the American people will reject that approach soundly and roundly, and after the amendment votes today, the American people will have a much clearer picture of what the Republican budget and tax plan is about.

There is still a chance to turn back from this budget and the one-party legislation that has stymied this Congress. I urge my colleagues on the Republican side to reject this budget. Come work with Democrats, and we can produce real, successful, bipartisan tax reform.

I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally to both sides.

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I know the Presiding Officer and all of our colleagues and those watching today know that we have been focused on the budget resolution. It is a very important document for the country, for the Senate, and for the Congress.

There are a lot of big issues that we are all focused on, but there is one I wish to talk about this morning that relates to the budget document. Actually, to be perfectly frank, it relates to a number of the speeches made by my colleagues on the other side of the aisle. They have been coming down to the floor and talking about issues related to energy, which is really important for America, the environment, which is also very important to America, and—a little bit to my surprise, from all of these experts coming to the floor—Alaska, which is my State.

I am going to say a little bit more about what my State and colleagues have been talking about—my State. There seems to be a few experts on Alaska from States like Massachusetts and Oregon. I just want to put things in perspective from a Senator who is actually from the State and not these other Senators who, to be honest, don’t know much about what they are talking about.

The one thing you are seeing is that it is for sure that you know there is kind of an issue in the debate on the floor when you see talking points that are just stale—talking points that, if you took a speech from 30 or 40 years ago, are the same talking points. They are stale talking points from the other side of the aisle that have been used for decades, that haven’t been updated or that don’t reflect what has really been happening in the country in terms of technological advances, environmental standards, and one thing that is important that has happened in America over the last decade, and that is the American energy renaissance—the American energy renaissance.

I know some of my colleagues on the other side of the aisle have been open to talk about it. They don’t like to acknowledge it: As to energy, we don’t produce that in America. Yes, we do. Yes, we do. We are doing it really, really well, and it is benefiting millions and millions and millions of Americans in every State in the country.

The budget resolution that we are debating has a provision in it that is really simple. I bet if you polled it with every American—Democrat, Republican, people watching on TV—it probably has a 90-percent approval.

There is a simple instruction in the budget resolution that says that Congress needs to look at ways to increase Federal revenues through American energy production. What could be wrong with increasing American energy production?

That provision that we are actually debating right now should be very bipartisan. Who is against that? Who could be against that? Why is this so important? Why is the American energy renaissance so important?

Well, as the Presiding Officer knows, because his State is involved in it, the energy renaissance that is happening in the United States right now is a win, win, win, win, win on almost every category you can imagine.

What do I mean by the energy renaissance? Right now in our great Nation with our resources, we are producing more oil, more natural gas, and more renewables than any other place in the world. That is really good for the country. What is the renewable energy that is really a revolution in energy production. It is something that you would think on the Senate floor should be completely bipartisan. Unfortunately, it isn’t.

Let me talk a little bit about how this energy renaissance and what is in the budget resolution will produce more energy for America by Americans, which is good for the country. Let’s count the ways. When I said win, win, win, win, win, win, the wins are all on the board.

First, there is energy security. For our Nation, it is lower cost energy. With the increase in natural gas, we are seeing the drop in the prices of natural gas that is actually helping workers and increasing manufacturing. These are enormously important for our Nation.

There is economic growth and jobs. In the energy sector there are good jobs. The Presiding Officer has a lot of these jobs in his State. I have a lot of these jobs in my State. These are really important jobs. When you look at...
the weak economic growth in the United States over the last 10 years, the one sector that is actually driving growth has been the energy sector.

How about the trade deficit? It is a big problem. Everybody has talked about it. President is very focused on it. We are now starting to export oil and export natural gas. My State has been exporting natural gas for over four decades. That helps our trade deficit.

Then, when you look at the Federal budget deficit, energy is a huge positive impact on the Federal budget deficit. That is what the budget resolution asks Congress to do in terms of policy: Let’s produce energy so we can produce more revenue for the Federal Government. That is a good idea. Nobody should be opposed to that.

Mr. President, as you know, when we are the world’s energy superpower, as we are, most people say, there is no need for national security. It really helps our foreign policy. A lot of Americans have been concerned for decades that we have troops in the Middle East, that we have troops in areas where energy is really important to supply it. I was in a meeting last year at the Munich Security Conference with the great Senator from Arizona and many of my colleagues. It was bipartisan. Senator McCain led that codel to the Munich Security Conference in Germany. We met with a very prominent Russian dissident who has been fighting and battling with Vladimir Putin. At the very end of the meeting, we asked him a question: What more can we do in the United States to help somebody like you, who is battling against a dictator who doesn’t have our interest at heart? Do you know what this very smart Russian official, a courageous Russian dissident, had to say? He said: Somebody needs to produce more energy. That is how you take down the leadership in the Kremlin—more energy. This is national security.

Let me say one more thing that doesn’t get talked about a lot. It is not just helpful in all of these areas. When the United States of America is producing energy, it helps the global environment. Some people say: Well, wait a minute. A lot of the colleagues on the other side of the aisle come to the floor and kind of insinuate that when our country produces energy, it actually hurts the environment. That is not the case. When the United States produces energy, it actually helps the global environment.

Why is that the case? Let me just pause for a minute because, like I said, a lot of my colleagues are coming to the floor and talking about Alaska, energy, and the environment. Again, it is not with a lot of knowledge. They are stale talking points, yes. They have been using them for 40 years. Literally. I think one of my colleagues has been in the Congress plus or minus 40 years and has been using the same talking points on this.

As somebody who came to the Senate previously from a job as attorney general and a commissioner of natural resources and energy in Alaska, I know a little bit about this topic. I can tell you two important points.

My colleagues talk a little bit about Alaska, the environment, and energy. First, Senator Frank Lautenberg and I care a lot more about the environment, the wildlife, the pristine wilderness in our great, amazing State than any other Member in this body. I don’t need Senators coming down from places like Washington, Vermont, and Rhode Island talking about Alaska’s environment. OK? Thanks. I don’t need it. I care way more than any of them. With all due respect, I know a heck of a lot more about it than any of them.

I also know this. In my State—and, I believe, in most of the country, particularly in Alaska—Democrats, Republicans, Alaskan Natives, and non-Natives can really support the highest standards on the environment, but we also support responsible resource development. Here is the key issue: We know we can do both. You can protect the pristine, amazing Alaskan environment, and you can responsibly develop our resources.

Let’s talk about how we do this. Let’s talk about how this applies to Alaska and how this applies to the rest of the country in general.

As I mentioned, this is a really important point. We have the highest standards on developing our resources and our energy than anywhere in the world, and we have some of the most technologically advanced and sustainable ways to develop resources in the energy sector. That allows us to do what I just mentioned, which is to protect the environment and to develop our resources.

Here is a really important point that a lot of my colleagues on the other side of the aisle miss. They come down here, and this is what they talk about—by the way, they were in alliance with the last administration: How do we shut down energy development? How do we make it harder? How do we delay it?

As I mentioned, I was attorney general and the DNR commissioner in Alaska for almost 6 years of the Obama administration. It was all about how to shut it down in Alaska, how to delay it in Alaska, and how to shut it down in America. This is not what the country wants. This is not what the country needs. This is one issue that is often overlooked. This doesn’t help the global environment, as they claim. It doesn’t. Why is that? Because when you chase away investment in places like Alaska, with the highest standards in the world, what does that do? That drives capital and that drives investment to places like Russia, Iran, and Brazil, whose standards are so much lower than ours.

Russians on the tundra in the Arctic don’t care anything about their environment. In my State and in the rest of America, we do.

I don’t need to remind people that Russia and Iran right now are certainly our adversaries. Yet the policies that some of my colleagues like to promote, and certainly the last administration promoted, are to drive away investment in America, drive away energy production in America, with the highest standards in the world, so the Russians and the Iranians can take the capital and produce energy. They do not have high standards on the environment, and they are our adversaries. It makes no sense—no sense.

So how do we do this in Alaska? What are the environmental standards that almost no other place in the world—maybe Norway, maybe, to some degree, Canada—uses? What is the technology that enables us to produce American energy, with American jobs, with the American people, with the highest standards in the world? Let me provide a few examples. First, what I want everybody here to be aware of is, do you know what a drilling rig is? It is called no impact exploration. What does that mean? It means we literally call no impact exploration. What are the environmental standards that almost no other place in the world has?

Let me give one famous example. In the 1970s, we were debating in the Senate and I think one of my colleagues was maybe here then, probably using the same talking points—the Trans-Alaska Pipeline System, one of the greatest energy infrastructure projects in the history of the world: 800 miles, 16 billion barrels of oil; at one point, 2 million barrels a day. This is the greatest energy infrastructure project in the history of the world—maybe Norway, maybe, to some degree, Canada—uses? What is the technology that enables us to produce American energy, with American jobs, with the American people, with the highest standards in the world? Let me provide a few examples. First, what I want everybody here to be aware of is, do you know what a drilling rig is? It is called no impact exploration. What does that mean? It means we literally drive away investment in America, drive away energy production in America, with the highest standards in the world, so the Russians and the Iranians can take the capital and produce energy. They do not have high standards on the environment, and they are our adversaries. It makes no sense—no sense.

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impact on these great species like the polar bear. Again, we care a lot more about our animals than my colleagues on the other side of the aisle.

What does no impact exploration mean? Well, we undertake exploration required by State standards—these are not Federal standards—where we essentially have what are called ice roads and ice pads. Let me show my colleagues what that means. We only allow for exploration in the winter on the tundra. When an exploration crew comes out, they have to build an ice road—it is a road made of ice—over the tundra. This photograph is an example of an ice road. Then they do exploration on an ice pad. They have drills, and they do all this work on the ice, on the tundra. They have about 4 months to do it and then they are done and then they leave.

What does the tundra look like after that exploration on ice? Right here. This is just one capped exploration well. Nobody was on where there—literally zero impact. These are Alaska standards, the highest in the world. They are expensive, yes, but we do it because we care so much about the environment. That is the exploration process.

How about the production phase? What has happened in the production phase? The innovations in technology, many of which have occurred in my State, have made it so the surface footprint has shrunk dramatically when we look at this chart, we see Prudhoe Bay in the 1970s. The other developments in Alaska include Kuparuk, Alpine, and Liberty. What happens is, the surface footprint has shrunk dramatically to 11, 12 acres now. Yet the ability to horizontally drill extends the reach of these wells underneath the ground, where we can reach resources in an incredibly vast manner without impacting the environment at all.

If a rig was placed right here on the Capitol Building, in terms of horizontal drilling, it could extend out to Andrews Air Force Base in Southeast, Silver Spring, MD, to the north, and well into Fairfax County—miles and miles and miles. Yet the surface footprint—the impact on the environment—is minimal.

That is what we do. We don’t hear about it on the other side of the aisle. It is as tough a problem as I mentioned, going to be an instruction for increased revenues for the country for more American energy production. It is a simple instruction.

As I mentioned, this should be very noncontroversial. What could be wrong with more energy production, particularly in a State like mine, where the standards are the highest in the world, and the technology is the most advanced in the world. What could be controversial about more energy production? More energy production means more American jobs, more American economic growth, more American national security, more American energy security, increased Federal budgets and trade deficits, and a more sustainable global environment because no one in the world produces energy more responsibly than Americans, especially Alaskans.

Nevertheless, some of my Democratic colleagues will be putting forth an amendment that does just the opposite. Think about that, an amendment that says let’s kill energy production, thereby undermining American job growth, good jobs, American economic growth, American national security and energy security, while increasing our budget and trade deficits and harming the global environment. That is a lose-lose-lose scenario to me, but that is what is at stake.

Later this afternoon, when we debate that amendment—and I certainly ask all of my colleagues on both sides of the aisle to reject any attempts to not take advantage of this incredible opportunity to have an American energy renaissance that we need to continue—and this afternoon we are going to have an opportunity to do that.

Thank you.
I yield the floor.
The PRESIDING OFFICER. The Senator from Virginia.

NUCLEAR AGREEMENT WITH IRAN

Mr. Kaine, Mr. President, I rise to speak about the President’s action last week stepping away from certifying Iran’s compliance with the nuclear deal that was negotiated between the U.S. allies and the nation of Iran.

National security is about military power, but there is more to it than that. America also comes from the power to use diplomacy.

In October 1945, President Harry Truman, my favorite President, changed the seal of the Office of the President to have the eagle face the olive branches of diplomacy instead of the arrows of war, signifying that America would also prefer that we use diplomacy first. In modern times, our judgments to go to war rather than use diplomacy have been flawed. Under this administration, diplomacy, in my view, is under assault, and that is why I rise today.

We see a decimated State in the USAID budget. We see bellicose rhetoric from the President. We see efforts to undermine, publicly, American diplomats engaged in negotiations. We see the refusal to even nominate key State Department diplomatic appointees.

As of last week, the administration has not put forward a nominee for approximately seven of high-level positions at the State Department that require approval by the Senate. Thirty-two countries do not yet have Ambassadors in place, and that includes no nomination from the White House for Ambassadors to key countries like South Korea, Egypt, Jordan, Saudi Arabia, and Qatar. No one has been nominated for Assistant Secretary for Arms Control, for Assistant Secretary for International Non-Proliferation, for Assistant Secretary for Near Eastern Affairs, Assistant Secretary for South and Central Asian Affairs, or for East Asian and Pacific Affairs.

How serious can the administration be about nuclear threats with no Ambassador to South Korea or no ambassadorial nomination for the key State Department official around non-proliferation? And the President has repeatedly undercut his Secretary of State’s diplomatic efforts with North Korea.

President Trump’s most recent action—his recent attack on diplomacy—is the decision to decertify the Iran deal, and I think this could be the most dangerous yet. By stepping back from a diplomatic deal that the United States made with the global community that is clearly working, the President is publicly undercutting negotiations, and he is setting us on a road where military options become increasingly more likely. I will state it bluntly. If you weaken diplomacy, you raise the risk of unnecessary war, and that is what this President is doing.

First, President Trump’s refusal to make the Iran certification and his threat to abandon the nuclear deal with Iran recalls the disastrous U.S.-led entry into the Iraq war in 2003, where intelligence was politicized, and the administration repeatedly made false claims to justify going to war—a war of choice—to overthrow Saddam Hussein.

The Bush administration insisted that regime change in Iraq was necessary, and it insisted on that because of the claim of Iraq’s continuing productions of weapons of mass destruction.

In March of 2003, the IAEA came out and said there was no credible evidence that Iraq had a program of weapons of mass destruction and that there was no evidence they had revived the nuclear program they shelved in the 1990s, but the Bush administration would not accept that claim. It did not fit with the narrative they were selling to the American people about Saddam Hussein so they said the IAEA was wrong. That is why we need diplomacy—one that has proven so costly to Virginians and to Americans in treasure and in regional stability but especially in American lives—to prevent Iraq from obtaining weapons of mass destruction.

We went to war. It turned out the scientists and the technicians and the IAEA were right. Iraq didn’t have a program of weapons of mass destruction. The politicians who tried to undermine the credibility of the international agencies were wrong. Of course, the consequences of that decision are significant. Ironically, you
could claim—I believe there is strong evidence—that decision in 2003 has today led to greater Iranian influence in Iraq and the region and a proliferation of extremist groups that didn’t exist before.

We are now hearing the Trump administration make similar claims about Iran; that Iran will soon enough have a nuclear weapons program, that the IAEA cannot be trusted, that Iran supports al-Qaida, and from a Republican colleague: "The policy of the United States should be regime change in Iran," and from Secretary of State Tillerson, we need a “peaceful transition” of the Iranian Government.

We should stop to think, Is this really about the nuclear deal or is it about beginning a drumbeat from the administration to march the United States toward another preventable war in the Middle East?

Second, while threatening to unilaterally terminate the nuclear deal at any time, the Trump administration also wants to revisit the terms of the deal to address what he sees as its flaws. This isn’t new. Since the day the deal was announced, some critics have argued that we could get a better deal or push harder, yesterday, today, nor am I now, interested in the world of hypotheticals. I am interested in the world of facts. The fact is, the deal is working, and it is dramatically better than the alternative for at least 15 years, possibly longer.

Additionally, if we want to renegotiate the deal, Iran will seek to do the same. If we take a step back from the deal, Iran will take a step back, and what will they ask for—that they get to now increase centrifuges or get some of their enriched uranium back? I don’t want to give Iran one thing back from this deal, but if we step back from a deal that is working and say we want to renegotiate, they will, too, and I don’t think we should tolerate that.

Most wars start because of miscalculations. The notion that we can renegotiate the deal just on our side and the other side wouldn’t think of renegotiation is magical thinking. The U.S. entrance in World War I 100 years ago started with miscalculations—most nations do. A miscommunication, a misunderstanding, another step, another step, and you are at war. We should be very, very wary.

I also worry very, very willing to go after Iran on the nonnuclear front. It was just 2 months ago that we passed—the Senate, both as a member of the Senate Foreign Relations Committee. I have had to cast two war votes in 23 years in public life. As a Member of Congress, I may have to cast other votes to go to war against other nations, whether against nonstate terrorist groups or against a nation like North Korea or even Iran if we break for war. If I have to cast that vote, if I have to contemplate putting Congress on record that we should go to war, I want to be able to look American troops in the face and say: I exhausted every diplomatic option, I thought that is an obligation we owe to the public and to our troops. We have to exhaust diplomacy.

There may come a time when that eagle just cannot face the olive branches of diplomacy, but we have to insist on military strength to keep order in the world and protect Americans. But if we turn to those arrows of
war, we should be able to look at our public and look at our troops and say we exhausted diplomacy.

Stepping away from a diplomatic deal that is working is exactly the wrong thing for us to do at this time. It is my hope that Congress will not dignify what the President is doing in this regard and that we will insist, yes, upon strict compliance and also insist upon sanctions against Iran for non-nuclear behavior. But let’s not be a nation that refuses to keep its diplomatic commitments. The stakes are just too high.

Mr. President I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I wish to take a few minutes to support the effort to pass the fiscal year 2018 budget resolution. I am on the Budget Committee, and I am pretty familiar with the approach provides a pathway to balance. It actually has a $197 billion surplus in 2027, and it allows for tax cuts.

To Republicans—and Democrats too; you are welcome to join—the only way we are ever going to meaningfully get a tax cut is a budget reconciliation instruction. This budget allows us to cut taxes. I hope some Democrats will join us, but if they choose not to, we can do it with a simple majority. If we don’t pass this budget, we can’t cut taxes.

If you look at the details of the budget, you would find that it cuts spending by $5.1 trillion over the next decade, and it actually creates a system for tax cuts to spur economic growth.

If we could grow the GDP number by just 1 percent, that would be trillions of dollars of revenue. To those who are interested in this, we have been growing at about 1.9 percent GDP per year over the last 8 years—right around 2, sometimes under, sometimes a bit over. The historical average since World War II has been 2.2. If we could get back to 3.2 percent GDP growth, there would be trillions of dollars coming in to the Treasury, and I believe we can.

President Trump is trying to deregulate America after 8 years of heavy regulation. It is a budget reconciliation instruction. This budget allows us to cut taxes.

If we can’t muster the votes necessary to pass this budget resolution to cut your taxes, then everybody who supported us for all these years should feel let down, and we will have let you down. I hope that doesn’t happen. I am confident it won’t. But to those Republicans who believe we are a Republican and you don’t want to simplify the Tax Code and cut taxes, we have to cut taxes. If this budget resolution fails, the ability to cut taxes on President Trump’s watch goes away.

To those of you on the Republican side who have been claiming that we need tax cuts and a simpler tax code, this is your chance. If we don’t succeed now, we are going to fail for the entire term of President Trump. That will be the end of us as a party, because if you are a Republican and you don’t want to simplify the Tax Code and cut taxes, what good are you to anybody? Our friends on the other side have really invested in “the government.” Somebody needs to be involved in American politics who would actually like to send more money to you and less money to the government in a reasonable way.

So I hope we are going to cut the corporate tax rate to make us competitive. We are going to double the standard exemptions so working people will have more money in their pockets. We are going to say yes to the defense caps. There is one member of our caucus who claims that this budget is somehow fiscally irresponsible. It is not. It actually leads to a surplus.

There is nothing in this budget that allows for more defense spending. The overseas contingency operations account is money set aside for our military to deal with the wars we are fighting that are not part of the Budget Control Act. We have been doing that for years. So for anybody to suggest that this authorizes an explosion of spending on the defense would mislead. You know what you are talking about. If you looked at the details of the budget, you would find that it cuts spending by $5.1 trillion and actually has a $197 billion surplus 10 years from now.

But I want to let the body know—and the Presiding Officer will be right in that fight—that I, along with Senator McCAIN, President Trump, General Mattis, Senator SULLIVAN, Senator BLUNT, and many others, am going to do everything I can to give the military more resources to fight wars we can’t afford to lose.

I look forward to this debate with some of my colleagues on the other side and a few on this side.

Really, is it smart to have the smallest Navy since 1950? Is it really smart to have an Army 1940s-size given what is going on in the world, having fighter squadrons grounded not because the enemy shot us down but because the Congress shot us down? Is it really smart to have a 350-ship Navy, not 278; that we have an Army consistent with the threats—about 520,000 versus 420,000.

The No. 1 job of the Congress and the Federal Government is to defend the Nation. That is a different debate. That is not part of the budget. The budget resolution doesn’t change defense spending caps. Hopefully, we can do that later, working with our Democratic friends.

This is the last best chance we will have to cut taxes. If this budget resolution fails, the ability to cut taxes on President Trump’s watch goes away.

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majority-only vote and gets to balance or a surplus in 2027.

From a Republican point of view, this is the most important vote we are going to cast in 2017. If we fail, that is the end of this party’s ability to grow. All of those who worked hard to get us here are going to be disappointed, and they should be.

We are not going to disappoint you. We are going to pass this budget resolution. We are going to cut your taxes, and we are eventually going to rebuild and replace ObamaCare, which is failing, with a block grant that gets the money and power closer to where you live, in the hands of the people you can vote for. We are going to succeed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, let me first agree with the point that the Senator from South Carolina just made about the importance of passing a tax bill this year. He made the point—and if he didn’t, I will make it—that if we don’t pass a tax bill this year or at least get most of the way there—I hope we get done with this tax process this year. If we don’t get that done, I think we will have another opportunity to pass a tax bill in the next 4 years.

On the other hand, if we do pass a tax bill this year, we will have the incentive to take a second look in 2019, maybe 2020, but probably in 2019. The point I make is, if we don’t have to do everything that could possibly be done to improve the Tax Code this year to take an important step. But if we don’t take that important step, my belief is we are likely not going to have the kind of tax relief that working families need in the next 4 years. So not only is the pressure on the Republican Senate, the Republican House, and a White House that wants to work with us to get this done, but the pressure should be on everyone who cares about hard-working families. And the pressure should be on everyone who wants to see tax relief for those families happen. We need to understand that it needs to happen now.

Fights that can’t be won in the next few weeks can be won in this Presidential term but only if we take this step successfully right now. As the Senator from South Carolina and others have pointed out, this is an important step.

The first step is a budget that allows us to move forward so that we can do this under the budget rules and allow 51 Senators to pass a bill on tax reform. By the way, they don’t have to be 51 Republicans. I suspect that is what we’re going to get. If we get to 51 Republicans, I would love to see Democrats join us. I would love to see them join us before that.

This is the kind of help that hard-working families need. Families who, for 9 years, have worked hard, where their buying power wasn’t increasing, their job opportunities weren’t increasing. They generally were not seeing that better job out there that was largely available to those very same hard-working families in the past because we aren’t as competitive as we need to be.

There ought to be a couple of things we face. If we create tax relief for working families right now so that, as soon as possible, they begin to see a check that has more take-home pay? The other way to increase take-home pay is to increase starting to make those jobs better. That is where we need to be looking on the other end of the spectrum.

On the end that creates jobs, what do we need to do to make ourselves more competitive? What do we need to do to constantly have the kind of pressure on the working job market that allows people who are working hard for a living to have better opportunities than they would have otherwise because we are more competitive than we would be otherwise.

I think the entire focus of this discussion should be, what do we do that improves the opportunities and improves the future for hard-working families? You can do that with a tax cut right now, which we should do. You can do that with a tax cut that makes more sense as we try to compete with the people we compete with around the world.

You can’t have the highest corporate tax in the entire world and assume you are going to be the most competitive country in the entire world. You can’t have a tax system that is uniquely different as it relates to products you sell overseas and expect to be more competitive than the countries who don’t have that unique system, which penalizes rather than encourages American products to be sold in other places.

The Senate will vote later today on a budget resolution that reduces Federal spending by $5 trillion over 10 years, putting a strong foundation for economic growth, and allows us to move forward in the first, necessary legislative step in the Senate so that we can then move immediately to tax policy. This is a budget that will allow us to reduce taxes by $1.5 trillion over 10 years, a budget that would put more money in the pockets of hard-working families, a budget that would add some opportunity to that struggle where, for almost a decade now, things haven’t been strong enough for our economy or our economy.

They seemed to be getting more difficult because we were less competitive and there was less pressure to find the workforce to do the jobs that need to be done. And then this is a tax code that will make it simpler and fairer and move uniformly impactful on everyone who pays taxes.

Most people don’t mind paying taxes on the income they have until they find out that their neighbor next door with the same income has figured out how not to pay taxes. There is a reason American families and American businesses can’t get through April without a bottle of aspirin. There is a reason this Tax Code creates headache after headache.

There is one estimate that individuals and businesses complying with the complicated tax system we have costs $267 billion a year. That is half of the defense budget. If people are spending half of defense dollars just to comply with the Tax Code, there has to be something wrong with that, and we can do better. I think the proposals we are talking about will do a better job.

Right now, the Individual Tax Code has seven different brackets—seven rates—and you have to figure out how they apply to whatever income you have had. It has 100 different credits, deductions, exclusions, and other provisions that make it extremely difficult to know what you owe or when you are going to owe what you owe.

According to the American Action Forum, the IRS currently imposes 8.1 billion hours of paperwork on Americans, which amounts to about 54 hours per taxpayer who is paying taxes. It is more for some, less for some, but a 54-hour-a-year work—tax hours for taxpayers who pay their taxes. Every taxpayer gives that week to the Federal Government.

We are streamlining the Tax Code, increasing the basic deduction that families can have. If they don’t want to go through the complicated Tax Code—here is how many of us there are who live at our house. Here is the basic deduction we get for each of those people living at our house. Here is how much we subtract from the money we make. Here is how much we need to pay.

There is no reason that one of the compliance options can’t be a postcard or a piece of paper. In fact, when the current income tax was imposed on the American people, the entire set of instructions were on the entire set of instructions for everyone who had to fill out the income tax form— with the assurance that only the richest people would ever pay any income tax, so most Americans would never have had to read that instruction sheet at all.

Now most Americans find it almost impossible to read the 100 pages of instructions that just get them to the Tax Code itself. Streamlining the Tax Code, helping families keep more of their money, figuring out a way we can be more competitive so there is opportunity for better jobs in the future, all should be important priorities for this Congress.

Passing a budget today will allow us to take the first step, which then allows us to take the next step in tax relief that matters and makes sense to the American people. We will take that step today. We should take that step today.

We should then follow up as quickly as possible to win the fights that can start next year understanding that their Tax Code is simpler, the Tax Code is fairer, and their opportunities are
Mr. WYDEN. Mr. President, how much time remains on our side?

Mr. TOOMEY. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided prior to each vote in the 11:45 a.m. vote series this morning.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. WYDEN. Mr. President, I think I have made the case.

To my colleagues, what the American people have told us—and they certainly have not responded well to this last work period—is that they understand that the big challenges in this country require bipartisan approaches. That is what President Reagan understood when he brought together Democrats and Republicans for comprehensive tax reform.

We need to pass this amendment to strike the reconciliation instructions from the budget because they send all of the wrong signals with respect to tax reform.

The American people understand what it takes to tackle big issues. They understand that tax reform should be about the middle class. It should not be about causing a huge, new sea of red ink.

I urge my colleagues to support my amendment to strike the reconciliation instructions from the budget.

The PRESIDING OFFICER. Who seeks time in opposition?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, we have an opportunity today to give ourselves the tool to pass a tax reform bill that will absolutely mean tax relief for middle-income and working-class families and will promote the kind of economic growth that we have been waiting for, but to do it, we are going to have to defeat this amendment and pass the underlying budget.

What my friend from Oregon is suggesting is that we give a minority in the Senate the opportunity to defeat tax reform by filibuster. That is what would happen if we were to pass this amendment.

I have disagreed strongly with the notion that somehow this is not a bipartisan exercise. There is nothing about reconciliation that in any way discourages or prevents full Democratic participation. We are going to have a markup in the Senate Finance Committee, and there will be unlimited amendment opportunities. If we are able to report something out, then there will be unlimited amendment opportunities on the floor. There is nothing that we could do to stop it if we wanted to because those are the rules of reconciliation. Every Democrat in this body will have an unlimited opportunity to weigh in on this, to influence this, and to amend this, and it will be a fully bipartisan exercise.

I urge a “no” vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BARRASSO. 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 47, nays 52, as follows:

[Rollcall Vote No. 225 Leg.]

YEAS—47

Baldwin  Brown  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Coons  Cortez Masto  Donnelly  Duckworth  Ernst  Feinstein  Franken

NAYS—52

Alexander  Barrasso  Binns  Boozman  Burr  Capito  Cassidy  Cochran  Collins  Corker  Cornyn  Cotton  Cruz  Cruse  Daines  Enzi  Ernst  Fischer

NOT VOTING—1

Menendez

The amendment (No. 1302) was rejected.

AMENDMENT NO. 1393 TO AMENDMENT NO. 1116

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1393, offered by the Senator from West Virginia, Mrs. CAPITO.
The Senator from West Virginia.

Mrs. CAPITO. Madam President, I call up amendment No. 1393.

The PRESIDING OFFICER. The clerk will report.

The Senator from West Virginia [Mrs. Carro] proposes an amendment numbered 1393 to amendment No. 1116.

Mrs. CAPITO. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To help provide tax relief to middle-class Americans by reducing their tax liability, for Federal tax purposes, of Federal tax laws which may include reducing Federal deductions, such as the state and local tax deduction which disproportionately favors high-income individuals, to ensure relief for middle-income taxpayers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of fiscal years 2018 through 2027."

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX RELIEF FOR HARD-WORKING MIDDLE-CLASS AMERICANS.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include reducing Federal deductions, such as the state and local tax deduction which disproportionately favors high-income individuals, to ensure relief for middle-income taxpayers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of fiscal years 2018 through 2027.

Mrs. CAPITO. Thank you, Madam President.

I would like to speak, for my 1 minute, about this amendment, which prioritizes tax relief for the middle class over the State and local tax deduction, which disproportionately benefits the wealthy and high earners.

Only 1 percent of the State and local deduction goes to taxpayers who earn less than $50,000 annually. Tax reform means higher wages, lower taxes for middle-class workers. To unlock these benefits, we must reduce expensive deductions that do little to benefit everyday Americans. Keeping the State and local tax deduction without modification would cost more than $1 trillion over 10 years. That money would be better spent on relief for the middle class.

Middle-class workers will benefit from the enhanced 0-percent bracket, enhanced child tax credit, and lower rates that will be part of this reform. We cannot let an unwillingness to reduce deductions for the wealthy stand in the way of relief for the middle-class working folks of this great country.

I hope my colleagues will join me in prioritizing middle-class families by supporting this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I rise in strong opposition to the Capito amendment.

Mr. Wyden, who here are the taxpayers claiming the State and local deduction make less than $100,000. These hard-working, middle-class folks are not going to appreciate Congress double-taxing them.

The fact is the Capito amendment is Washington lingo that would produce a Republican tax plan that hits the middle class, yet again, with more taxes. Under Capito, you could again have one hand giving and the other hand taketh away. You might have the Republicans say let's double the standard deduction, but then when those middle-class folks lose their deduction for State and local taxes and their personal exemptions, they've lost the bag.

Reject this amendment. Reject slighthead tax policy and those approaches like this that hard-working, middle-class families.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENZI. 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 result was announced—yeas 52, nays 47, as follows:

**YEA—52**

Alexander
Barrasso
Brentn
Blumenthal
Brooker
Brown
Cassidy
Cochran
Collins
Cornyn
Cotton
Crapo
Cruz
Daines
Enzi
Ernst
Fischer
Franken
Gardner
Gillibrand
Hagel
Harris
Hassan
Hatch
Heitkamp
Hirono
Kasin
King
Klobuchar
Coons
Cortez Masto
Donnelly
Duckworth
Durbin
Feinstein
Franken
Gardner
Hagel
Hassan
Hatch
Heitkamp
Hirono
Kasin
King
Klobuchar

**NAY—47**

Balzer
Bennet
Binns
Brown
Brown
Carlin
Carper
Casey
Coch
Curtis
Donnelly
Duckworth
Durbin
Feinstein
Franken
Hagel
Hassan
Hatch
Heitkamp
Hirono
Kasin
King
Klobuchar

NOT VOTING—1

Menendez

The amendment (No. 1393) was agreed to.

AMENDMENT NO. 114 TO AMENDMENT NO. 116

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1141, offered by the Senator from Washington, Ms. CANTWELL.

Ms. CANTWELL. Madam President, I call up amendment No. 1141, as provided under the previous order.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Ms. Cantwell] proposes an amendment numbered 1141 to amendment No. 1116.

Ms. CANTWELL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To create a point of order against legislation that would raise taxes on middle-class families by double-taxing income already taxed at the state or local level)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST ANY TAX BILL THAT RAISES TAXES ON MIDDLE-CLASS FAMILIES BY ELIMINATING OR LIMITING THE STATE AND LOCAL DEDUCTION.

(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 repeals or limits the State and Local Tax Deduction.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

Ms. CANTWELL. Madam President, this amendment simply raises a point of order on any legislation that modifies or eliminates State and local tax deductions. I know there are many States that have the ability to itemize from their Federal obligations on property, but I am specifically talking about States like Washington, Wyoming, Nevada, South Dakota, Alaska, Florida, Texas, and Tennessee.

We have had the ability to itemize and deduct our sales tax from our Federal income tax. That has resulted in a savings to the taxpayers. Under the President's proposal of increasing the standard deduction, even for households between $50,000 and $70,000, if you repeal their ability to continue to itemize, even with the standard deduction, you are raising taxes on them. It will not be covered. The standard deduction is only $12,000. For that bracket in my State, they are deducting up to $23,000.

Please do not raise taxes on our constituents without a due process and a budget point of order that says that we are all going to be a part of this process and discussion before you take away a way for our citizens to save money.

I ask my colleagues to support this amendment.
The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, this amendment is corrosive to the budget resolution’s privilege. So it falls outside the scope of what is appropriate for inclusion. Adoption of corrosive amendments could be fatal to the resolution’s privilege, and loss of privilege could compromise our ability to pass tax reform and enforce the budget spending limits. Further, this amendment is also non germane. The Congressional Budget Act requires that amendments to a budget resolution be germane, which is a statutory requirement we can’t ignore. So I raise a point of order against this amendment under the Budget Act, section 305(b)(2).

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive section 305(b)(2) of that act for the 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 assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The yeas and nays resulted—yeas 47, nays 52, as follows:

[Rollcall Vote No. 227 Leg.]

YEAS—47

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

NAYS—52

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

NOT VOTING—1

Menendez

The PRESIDING OFFICER. On this vote, the yeas are 47, 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 Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 10 minutes, and that following my remarks, the Senator from Washington, Mrs. MURRAY, be allowed to speak for up to 10 minutes.

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

HEALTHCARE

Mr. ALEXANDER. Mr. President, a week ago Saturday night, I was having dinner with my wife. It was about 8:30 in the evening, and the telephone rang, my cell phone, sitting in my pocket. I pulled it out, and it was the White House operator. The President was calling. So I walked out of the restaurant, sat on a curb outside in the dark, and had about a 15-minute conversation with the President of the United States while my dinner got cold.

President Trump said: I am calling about the cost-sharing reduction payments. I have cut them off as of October 1. The court says they are illegal. I don’t want insurance companies to be bailed out. I think I can get block grants to replace ObamaCare, but I don’t want people to suffer in the meantime.

So I said to me: I think I might want to get a bipartisan interim deal, a short-term deal. I have called CHUCK SCHUMER and told him that.

The President put that out in a tweet that day.

So the President said to me: Why don’t you negotiate with Senator MURRAY and try to get one; meaning a short-term, bipartisan deal.

I said: Well, what about the CSR payments?

He said: I can put them back, and you can use that as a negotiating tool to get a better deal with the Democrats.

I responded that I was already working on an agreement with Senator MURRAY.

He said: Finish it, and let me know. I called him again last Saturday. We talked about it again, and we talked twice yesterday.

I reported to the President that we have finished negotiations and that we are here today to present to the Senate the agreement we recommend.

The bill has 22 sponsors, half Democratic and half Republican—very few bills come to the floor with that many cosponsors originally—and there are a number of others on the Republican side and I understand from Senator MURRAY a number on the Democratic side who support the idea.

I ask unanimous consent that a list of the cosponsors I am about to read be printed in the Record following my remarks.

Mr. President, I ask unanimous consent that the text of the agreement that Senator MURRAY and I would like to present to the Senate for its consideration and the President’s consideration and the consideration of the House of Representatives be printed in the Record following my remarks.

Mr. ALEXANDER. Mr. President, in addition to me, are Senator ROUNDS, Senator GRAHAM, Senator MCCAIN, Senator CASSIDY, Senator COLLINS, Senator ERNST, Senator MURKOWSKI, Senator BURR, and Senator CRUZ. I thank them all for doing that. Senator MURRAY will talk about the equal number of Democratic cosponsors that we have.

We hope Senator MCCONNELL and Senator SCHUMER, the President of the United States, and the House of Representatives will consider our proposal. This is a first step—improve it and pass it, sooner rather than later. Our purpose is to stabilize and then lower the cost of premiums in the individual insurance market for the years 2018 and 2019.

In plain English, most Americans get their insurance from the government or on the job. About 6 percent of insured Americans, or 10 million Americans, bought into the marketplace to buy it. They are the ones we are worried about. They are the ones we are seeking to help. There are 350,000 such people in Tennessee—songwriters, farmers, small business women—they are the ones who are terrified by the prospect of skyrocketing premiums and even the possibility that they might not be able to buy insurance at all.

Our agreement tries to help in two ways. No. 1, it permanently amends the Affordable Care Act to give new flexibility for States to create insurance policies that have a larger variety and lower costs. No. 2, it continues the cost-sharing reduction payments during 2018 and 2019.

Now, first, about cost-sharing. Cost-sharing reduction payments are subsidies that pay for co-pays and deductibles for low-income Americans. That is what they are. Every Democrat wants them to continue, so do many Republicans, including every Republican in the majority in the House who voted for their repeal and replace bill this year because it continued the cost-sharing payments for two years.

Let me say that again. Every Republican voted to repeal and replace the Affordable Care Act and the House of Representatives who voted to repeal and replace ObamaCare this year voted for a provision that continued the cost-sharing payments for two years. Our bill does the same thing. The only difference is, we eliminate any question about whether paying them is legal.

Now, why would so many Republicans and so many Democrats support these payments for 2 years and why would the President of the United States be interested in them? It is because the Congressional Budget Office has told us that if we don’t do it—if we let them expire—premiums in 2018 will go up an average of 20 percent. They
are already set, in most cases. The Federal debt will increase by $134 billion because of the extra cost of subsidies to pay the higher premiums, and up to 16 million Americans may live in counties where they are not able to buy any insurance in the individual market.

So unless the cost-sharing payments, which the President says are illegal—and I agree with him. The Federal Court in Washington, DC, has told him they are illegal, not properly authorized by Congress. Unless they stay replaced by something else temporarily, there will be chaos in this country, and millions of Americans will be hurt.

The President says there should be no bailout of insurance companies—no bailout of insurance companies. I agree 100 percent and so does Senator Murray. She can speak for herself. I have said to the President in our telephone calls—as I mentioned, 4 of them in the last 10 days—that if there is a way to improve the language in our bill, we would welcome that. We have an hour and a half to make it clear that the benefits go to consumers, not insurance companies. That can always be improved.

Some conservatives object to the idea of paying them at all, but I would ask this: What is conservative about unaffordable premiums? What is conservative about $134 billion of new Federal debt? What is conservative about creating chaos so millions can’t buy insurance or at least failing to deal with the chaos that has been created? What is conservative about a four-lane highway that would be the chaos that leads to a single-payer solution for insurance in this country? Do we really think that if 50 counties in Tennessee or Iowa or Kansas or any State are in a situation where no one can buy insurance on the individual market, that government-sponsored insurance is not far behind? Of course it is. That is why Senator Cassidy and Senator Cramer cosponsored our bill, because our bill would have been part of the Senate Republican repeal-and-replace bills if budget rules had allowed it.

Senator Graham and Senator Cassidy know that if we repeal and replace ObamaCare in 1 year or 2 years or 3 years, it takes 2 or 3 years for it to take effect. We still need the cost-sharing payments for the interim, and you can’t pass those in the Senate with 51 votes. It is just not doable. The Republican House majority has voted for it. The sponsor of the Senate repeal-and-replace bills are cosponsors of this agreement. It sounds like something that might actually become law before the end of the year.

Second, flexibility. The biggest difference between the Senate Republicans and the Senate Democrats with regard to health insurance and the individual market is whether Washington should write more of the rules or States should write more of the rules. Our position has been that States should write more of the rules. We have had about 50 votes—maybe more—and we have lost them all. We have made thousands of speeches, and we have lost them all. In the last 7 years, we haven’t moved an inch toward our objective of giving States more flexibility in creating insurance policies in the individual market. This agreement does.

It provides and authorizes States to offer an insurance policy called catastrophic insurance for people of all ages that would keep a medical catastrophe from turning into a financial catastrophe. It encourages interstate agreements among States in health insurance. It streamlines the innovation waiver—section 1332, we call it—for States that want to do what Alaska did, which is to create a fund to pay for the very sick and then reduce premiums for everybody else by 20 percent and use no new Federal dollars. Most important, it changes the law to make it easier for States like Iowa, Oklahoma, New Hampshire, Minnesota, Utah, Kentucky, Alabama, Kansas, and many others to use their creativity to write policies that offer more choices and lower costs.

Some have said: Well, that is not enough. Well, that is more than we have gotten for 8 years, and it is the first step.

I welcome anyone who wants to negotiate further with Senator Murray or Senator Schumer. That is what the legislative process is about. Now, because I forgot to do it when I listed the sponsors, I would like to add Senator Isakson and Senator Grassley to the sponsor list, which would be two additional Republican sponsors, I would say to Senator Murray. That gives us a total of 12. I thank Senator Grassley for his support.

The only thing I would say to those who want to negotiate further to get more flexibility is to keep in mind that with the cost-sharing payments, you can’t get away with changes without 60 votes in the Senate.

I thank Senator Murray for being an able and effective negotiating partner. We have worked on many pieces of legislation together. She is tough and respected in her caucus. She does what she says she will do, and she is interested in getting a result. I respect that and I thank her.

I thank President Trump for his encouragement. He called me 10 days ago, he called Senator Cassidy, he called me again yesterday. I thank him for his encouragement—to encourage someone to come up with a bipartisan agreement to cover these 2 years so people wouldn’t be harmed—and his willingness to consider what we are offering today.

I thank Senator McConnell and Senator Schumer because they have created an environment in which Senator Murray and I could make this proposal. I hope they and our other colleagues will seriously consider it. The President was right to suggest that we need a short-term agreement so people will not be hurt. Now, some people are still objecting to the idea of continuing these temporary cost-sharing payments for 2 years and the other provisions that would have as the objective to keep premiums from going up in 2018 and for premiums to begin to go down in 2019.

They are listening to groups around Washington, DC. I would suggest they listen to some other people. Listen to the waitress, listen to the songwriter, listen to the bricklayer, listen to the small businesswoman, and the people of Arizona—and there are 350,000 in Tennessee—who may be terrified by the prospect of increasing premiums or even by the prospect of not being able to buy insurance at all. These are people who don’t get insurance from the government. They don’t get it on the job. They might never know when they are going to lose their job and they will be in this individual market.

We have a solution here. Senator Murray and I—24 total Senators—are offering it today. We are certain it can be enacted. We are working with those who would improve it, but I do not believe Congress would want to fail to deal with a problem that will hurt millions of Americans if we allow it to continue.

I predict this agreement that we 24 Senators are suggesting today will become law in some fashion before the end of the year. I think most Senators and most House Members will be looking around for a solution when they consider the consequences of a failure to act. When they look for a solution, I believe this solution supported by 24 Senators—half Democrats, half Republicans—will be the easiest solution to adopt. I believe all the Democrats want it. Almost all of the House Republicans have already voted for it this year, and the Senate Republican leaders who would prefer to repeal and replace ObamaCare would put it in their bill if they could get it in there, but they can’t because the budget rules will not allow it.

I thank the Presiding Officer.

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

LIST OF REPUBLICAN CONSPONSORS


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

Title: To stabilize individual market premiums for the 2018 and 2019 plan years and provide meaningful State flexibility.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bipartisan Health Care Stabilization Act of 2017”.

SEC. 2. WAIVERS FOR STATE INNOVATION.

(a) STREAMLINING THE STATE APPLICATION PROCESS—Section 1332 of the Protection and Affordable Care Act (42 U.S.C. 18052) is amended—
(1) in subsection (a)(1)(C), by striking “the law” and inserting “a law or has in effect a certification”; and
(2) in subsection (b)(2)—
(A) by striking paragraph heading, by inserting “OR CERTIFY” after “LAW”; and
(B) in subparagraph (A)—
(i) by striking “A law” and inserting the following:
“(i) LAWS.—A law”;
(ii) by adding at the end the following:
“(ii)—A certification described in this paragraph is a document, signed by the Governor of the State, that certifies that such Governor has the authority under federal and State law to take action under this section, including implementation of the State plan under subsection (a)(1)(B);”;
and
(C) in subparagraph (B)—
(i) in the subparagraph heading, by striking “OF OPT OUT”;
and
(ii) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—
“(i) repealing a law described in subparagraph (A)(1); or
“(ii) terminating a certification described in subparagraph (A)(ii), through a certification of termination signed by the Governor of the State.”;
(b) GIVING STATES MORE FUNDING FLEXIBILITY, TO ESTABLISH REINSURANCE, HIGH RISK POOL, INSURANCE STABILITY FUND STABILITY AND OTHER PROGRAMS.—Section 1332(a)(5) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(b)(5)) is amended—
(1) in the first sentence—
(A) by inserting “or would qualify for a reduced portion of” after “would not qualify for”;
(B) by inserting “, or the State would not qualify for or would qualify for a reduced portion of basic health program funds the State would have received,” after “this title”;
and
(C) by inserting “, or basic health program funds the State would have received,” after “this title”;
and
(d) PROVIDING EXPEDITED APPROVAL OF STATE WAIVERS.—Section 1332(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(b)) is amended—
(1) in paragraph (1) by striking “180” and inserting “120”;
(2) by adding at the end the following:
“(3) EXPEDITED DETERMINATION.—
“(A) IN GENERAL.—With respect to any application under subsection (a)(1) submitted prior or on or after the date of enactment of the Bipartisan Health Care Stabilization Act of 2017 or any such application submitted prior to such date of enactment and under review by the Secretary on such date of enactment, the Secretary shall make a determination on such application for approval otherwise applicable under this section, not later than 180 days after the receipt of such application, and shall allow the public notice and comment at the State and Federal levels described under subsection (a)(4) to occur concurrently if such State application—
“(i) is submitted in response to an urgent situation, with respect to areas in the State that the Secretary determines are at risk for excessive premium increases or having no health plans offered in the applicable health insurance market for the current or following plan year; or
“(ii) is for a waiver that is the same or substantially similar to a waiver that the Secretary has already approved for another State.
“(B) APPROVAL.—
“(i) URGENT SITUATIONS.—
“(1) PROVISIONAL APPROVAL.—A waiver approved under the expedited determination process under paragraph (A)(i) shall have in effect for a period of 3 years, unless the State requests a shorter duration.
“(2) FULL APPROVAL.—Subject to the requirements for approval otherwise applicable under this section, not later than 1 year before the expiration of a provisional waiver period described in subsection (i) with respect to an application described in subparagraph (A)(i), the Secretary shall make a determination on whether to extend the approval of such waiver for the full term of the waiver requested in such application, subject to such a total approval period not to exceed 6 years. The Secretary may request additional information as the Secretary determines appropriate to make such a determination.
“(ii) APPROVAL OF SAME OR SIMILAR APPLICATIONS.—An approval of a waiver under subparagraph (A)(i) shall be subject to the terms of such approval.
“(C) GAO STUDY.—Not later than 5 years after the date of enactment of the Bipartisan Health Care Stabilization Act of 2017, the Comptroller General of the United States shall conduct a review of all waivers approved pursuant to an application under subsection (a)(1) to determine whether the waivers met the requirements of subsection (b)(1) and whether the applications should have qualified for such expedited process.”.
(g) APPLICABILITY.—The amendments made by this Act to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18032) are applicable under this section, with the following exceptions:
(1) with respect to applications for waivers under such section 1332 submitted after the
date of enactment of this Act and applications for such waivers submitted prior to such date of enactment and under review by the Secretary on the date of enactment, shall be treated as if made on the date of enactment of this Act; and

(2) with respect to applications for waivers approved under such section 1332 before the date of enactment of this Act, the Secretary shall recalculate the amount of funding provided under subsection (a)(3) of such section.

(b) CLARIFYING BUDGET NEUTRALITY.—Section 1321(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)(1)(B)(ii)) is amended by inserting “over both the term of the proposed waiver and the term of the 10-year budget plan” after “Government.”

SEC. 3. COST-SHARING PAYMENTS.

(a) IN GENERAL.—There is appropriated to the Secretary of Health and Human Services (referred to in this section as the “Secretary”), out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions under section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) for the period of plan year 2017 that begins on the date of enactment of this Act, and for plan years 2018 and 2019.

(b) Ensuring Consumer Benefit in 2018.—

(1) COST-SHARING PAYMENTS.—

[(A) IN GENERAL.—(1) AVAILABILITY OF FUNDS.—For plan year 2018, except with respect to issuers of qualified health plans in a State described in clause (ii)(I), amounts appropriated under subsection (a) shall not be made available for payments for cost-sharing reductions under such section 1302 to issuers of qualified health plans in such State that submitted certifications and States that adopt a State plan under this subparagraph shall prominently post a notice that enrollees may qualify for rebates or other means of providing a direct financial benefit to individuals enrolled in a qualified health plan and the Federal Government, as applicable, for the 2018 plan year.

[(B) STATE PLAN.—

[(i) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue a report describing the activities taken by issuers of qualified health plans in States that submitted certifications and States that adopt a State plan under this subparagraph shall prominently post a notice that enrollees may qualify for rebates or other means of providing a direct financial benefit to individuals enrolled in a qualified health plan and the Federal Government, as applicable, for the 2018 plan year.

[(ii) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue a report describing the activities taken by issuers of qualified health plans in States that submitted certifications and States that adopt a State plan under this subparagraph. Each such report shall include a summary, including information on a State-by-State basis where available, of—

[(A) the website;

[(B) the call center;

[(C) navigators;

[(D) agents and brokers;

[(E) the enrollment assistant program; and

[(F) directly from issuers or web brokers; and

[(G) other means.

[(b) OPEN ENROLLMENT AFTER ACTION REPORT.—For plan year 2018, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program Marketplace with respect to the performance goals established in the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

[(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

[(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18011(i)), including—

[(A) the performance objectives established by the Secretary for such patient navigators; and

[(B) the number of consumers enrolled by such a patient navigator;

[(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

[(D) with respect to the performance objectives described in subparagraph (A)—

[(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of the appropriate plan credit, cost-sharing reductions, or other coverage;

[(ii) how the Secretary worked with patient navigators to establish such objectives; and

[(iii) how the Secretary adjusted such objectives for case complexity and other contextual factors.

(c) REPORT ON ADVERTISING AND CONSUMER OUTREACH.—Not later than 3 months after the completion of the annual open enrollment period for the 2018 plan year, the Secretary shall issue a report regarding the advertising and outreach to consumers for the open enrollment period for the 2018 plan year. Such report shall include a description of—

[(1) the division of advertising and consumer outreach among individual advertising platforms, including television and radio advertisements and digital media,
to raise consumer awareness of open enrollment;
(2) the division of spending on individual outreach platforms, including email and text messages, to raise consumer awareness of open enrollment; and
(3) whether the Secretary conducted targeted outreach to specific demographic groups or geographic areas.
(d) OUTREACH AND ENROLLMENT ACTIVITIES.—
(1) OPEN ENROLLMENT.—Of the amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations), the Secretary shall obligate $105,800,000 for outreach and enrollment activities for each of the open enrollment periods for plan years 2018 and 2019.

(2) OUTREACH AND ENROLLMENT ACTIVITIES.—
(A) IN GENERAL.—For purposes of this subsection, the term ‘‘outreach and enrollment activities’’ means—
(i) activities to educate consumers about coverage options or to encourage consumers to enroll in or maintain health insurance coverage (including assistance to the call center for the Federal Exchange); and
(ii) activities conducted by an in-person assistance program that does not have a conflict of interest and that, among other activities, facilitates enrollment of individuals through the Federal Exchange, and distributes impartial information concerning enrollment through such Exchange and the availability of tax credits and cost-sharing reductions.

(B) FEDERAL EXCHANGE.—Activities conducted under this subsection shall be in connection with the operation of the Federal Exchange, to provide special benefits to health insurance issuers participating in the Federal Exchange.

(C) CONTRACT AUTHORITY.—The Secretary may contract with a State to conduct outreach and enrollment activities for plan years 2018 and 2019. Any outreach and enrollment activities conducted by a State or other entity at the direction of the State, in connection with such activities, shall be treated as Federal activities to provide special benefits to participating health insurance issuers consistent with OMB Circular No. A-119.

(D) CLARIFICATIONS.—
(A) PRIOR FUNDING.—Nothing in this subsection shall be construed as requiring or cancelling any funds already obligated on the date of enactment of this Act for outreach and enrollment activities for plan year 2018.

(B) AVAILABILITY OF FUNDING.—The Secretary shall ensure that outreach and enrollment activities are conducted in all applicable States, as necessary, by providing for such activities through contracts described in paragraph (3).

SEC. 6. OFFERING HEALTH PLANS IN MORE THAN ONE STATE.

Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the National Association of Insurance Commissioners, shall issue regulations for the implementation of health care choice mandates established under section 1333 of the Patient Protection and Affordable Care Act (42 U.S.C. 1890SS) to allow for the offering of health plans in more than one State.

Mr. ALEXANDER. I yield the floor to Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, first I thank Chairman ALEXANDER for his leadership in launching a bipartisan process, as well as his dedication to seeing it through and getting a result, as he said.

I have to say that, after 7 years of intense partisanship on these issues, which would lead everyone to believe that the Republicans and Democrats have come together and work to strengthen our healthcare, I am really pleased with this common ground we have been able to find, providing multiple years of certainty when it comes to payments to reduce out-of-pocket costs that affect the people Senator ALEXANDER just talked about—the waitresses, the songwriters, and people who care and need this—restoring critical investments, making sure people know about enrollment and can get coverage, and offering States more flexibility to innovate, as the Affordable Care Act intended, while maintaining those essential health benefits, like maternity care, protecting people with preexisting conditions, and doing all this while making sure that costs do go down for our families and preventing insurers from double-dipping and getting the benefit of both cost reduction and higher premiums. If there are ways to do this without makingsure that patients come first and insurers can’t pad their profits, I, as I know Senator ALEXANDER is, as well, am open to that.

Chairman ALEXANDER just took some time to lay out the policies we are putting forward in this legislation. So I will not go into those details. But I do want to take a few minutes to focus on what this legislation would mean for the people we are all here to serve because what is really at stake is that patients and families across the country are now looking ahead to next year, and they are realizing they are about to pay the price for the uncertainty and partisanship we have seen, especially from this administration, on healthcare over the last 9 months.

To many of those families, that out-of-pocket cost-reduction payment we are debating in Congress has nothing to do with politics and has everything to do with whether they will be able to make ends meet at the end of the month. Now the law is very clear that these payments are required, but with the President’s decision to stop them, families are looking to this Congress and the administration and asking what we plan to do.

So I am very glad that Democrats and Republicans agreed that we need to act. We could do much better working together under regular order rather than doubling down on partisanship and dysfunction. As a result of the hard work of Chairman ALEXANDER and members of our HELP Committee and with input from both of the Senate, we were able to put forward an answer—a bipartisan solution that prevents families from spending too much of our time and energy on sabotage and uncertainty and one that Members on both sides of the aisle can be proud to support, starting with the list of original cosponsors we are revealing today. Senator ALEXANDER listed the 12 Republicans. The 12 Democrats are Senators MURRAY, KING, SHAHEEN, DONELLY, KLOBUCHAR, HEITKAMP, FRANKEN, MANCHIN, CARPER, BALDWIN, MARKEY, and EMERY.

We are doing this today not only because it will help protect our families from premium spikes that are set to kick off in the next year but because it sends a powerful message that, when Republicans and Democrats just put our talking points and take a few steps out of our partisan corners, there is a lot we can agree on and a lot we can get done.

Chairman ALEXANDER and I are going to continue to make the case for this agreement. We are already getting a promising response from many Senators on both sides of the aisle. I am very appreciative of Senator SCHUMER for his strong support and I am optimistic that, with Chairman ALEXANDER working on this, we will continue to build momentum and, as he said, we will get this done.

At the end of the day, this isn’t about Republicans or Democrats. It is about doing the right thing for the people we serve. That means having an answer to the premium spikes that are going to set in and burden our families next year. We have been able to find one. It is bipartisan. We both gave on this. I really hope all of our colleagues will work with us to get this signed into law and show the American public that we can get the job done for them and we understand the priorities of this country.

I yield the floor.

Mr. ALEXANDER. Mr. President, if I could ask a question, through the Chair, to the Senator from Washington.

In my conversations with President Trump, he has made it clear—and every candidate made it clear on the Republican side—that they don’t want to bail out insurance companies. What I responded is that I 100-percent agree.

I have already said this to the President, but I think it is important for our colleagues to know that probably the most heated debate Senator MURRAY and I had was not over whether we agreed with that but on how to actually do it in the most effective, strong, toughest way possible.

So I wish to emphasize the point that these payments are designed to help low-income Americans pay their copays and deductibles. We have in our agreement a page and a half of language that requires every State to make sure the benefits of those payments go to the consumers in 2018 and not to the insurance companies.

I wish to ask Senator MURRAY if she sees any disagreement at all between her and me, and my colleagues on that side of the aisle and over here, about whether we want to bail out insurance companies or whether we...
would be willing to consider any effective language that would improve our own language.

Mrs. MURRAY. Mr. President, I would respond to my colleague, through the Chair, that negotiations are sometimes the hard part. If there are things you disagree on, and you have to work your way to an answer. The one issue we did not disagree on but we worked the hardest on and had the most discussion on was how we make sure we have the language in place on this—that concern, if it is not a bailout for insurers. We absolutely share that point, and I know we both heard from Members on both sides of the aisle that they share that point.

We have strong language in here, but we are still open together to make it stronger under anybody’s suggestion because our intent is to make sure our constituents get the result of this. We are together on that and working on that. I, absolutely, disregard anyone who says this is a bailout for insurers. We absolutely share that point.

I thank Senator Alexander for his attention, discussions, and hard work to reach this point.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, before I speak on an amendment that is expected to be voted on later this afternoon, I wish to take just a brief moment and thank my colleague, the Chairman of the HELP Committee and his ranking member, Senator MURRAY. The work they have done to knit together this compromise—and we all recognize it is a compromise—is such an important one, and it comes at such an important time.

It is not only good from a policy perspective to ensure that we don’t pull out the underpinnings on the individual market here, but it is good, from the perspective of the health of our institution, to be able to demonstrate that, at a time when things are a little tense, let’s just say, on issues that are highly emotional, highly personal, and highly complex, we can come together and we can demonstrate the ability to govern. It doesn’t come without great patience and persistence, and these two individuals, these two leaders, have really helped guide us here in the Senate to find a better path, not only when it comes to dealing with access to healthcare, reducing costs, reducing premiums, and providing for better levels of care but also a better path for the Senate.

So I want to acknowledge and show my genuine appreciation for their leadership.

Mr. President, as chairman of the Energy Committee, I come to the floor today to urge every Member here to vote against amendment No. 1301, which will be voted on later on this afternoon.

The fiscal year 2018 budget resolution instructs the Energy Committee to raise $1 billion over the next decade. That is all that it does. It just says: Go out and find $1 billion over the next decade.

I appreciate Chairman Enzi’s willingness to include this instruction, and I have confidence that our committee will be able to meet the instruction. There are good reasons why we should be able to meet it, and, really, very good reasons why we should oppose an amendment that would preemptively strike it.

I think it is important to say that we have opportunities within the energy sector to help advance this country when it comes to our energy security, our national security, and our economic security. But we need to be able to move forward with that.

So what we are able to do within this instruction, which is pretty wide open, is to focus on those areas where we might be able to see increased energy production that could bring us new wealth—that could create new wealth in this country.

I am going to be the first to agree that some of our options within this open instruction are better than others. Some will create jobs. Some may end up reducing energy costs as opposed to raising them. Some will increase our energy and mineral security as opposed to sacrificing or selling it off.

What I hope Members will do is look at this instruction as an opportunity to do something constructive for the country. The best example of that is to expand energy development in our Federal areas where we have seen decline in recent years.

I think we recognize that responsible development not only will reduce our immediate deficits, but it is about jobs and job creation. It is about wealth and wealth creation, allowing us to build new wealth and create prosperity. It will help energy affordability for our families and businesses. That is something I hear about all the time. It will strengthen our national security and our competitiveness.

This is a point that needs to be emphasized over and over again. It is not only energy security, but it is national security. When we are dependent on other nations for our energy resources, there is an energy insecurity and vulnerability. We also realize energy production will ensure the type of growth we need to finally begin reducing the Federal debt, which is now over $20 trillion.

In short, what we will be able to do with this energy instruction is allow us to create new wealth. Why wouldn’t that be something we would all embrace? I think the instruction will allow us to see some enduring benefits that will be felt all across our country. I think it is important to recognize and to state that this does not come at the expense of others. This is not an either/or proposition. Anyone familiar with modern development can recognize that as the scare tactic it is.

Senator SULLIVAN, when he spoke earlier, spoke to the broader opportunities we have seen in the Arctic with Arctic development in general. I want to raise a few facts about ANWR more specifically, since it clearly has been put out there for discussion.

As an Alaskan, and one who has been part of these debates for many years and not only on this but in Alaska, we know what we are talking about when we discuss the issue of Arctic development. We know and understand what ANWR is, where the wilderness area is, and what the 1002 area is.

I think it is important to put it into context. ANWR is an area of 19.3 million acres. It is about the size of the State of South Carolina. Included in this ANWR area are 8 million acres of Federal wilderness that are appropriate as wilderness area, you have refuge area, but you have nonwilderness area designated as the 1002 area. That is this area on the coastal plain. This is an area of 1.5 million acres. Delaware is about 1.3 million acres. The 1002 area is what was specifically set aside under ANILCA that would allow for consideration for its oil and gas potential. When ANWR was established, it was recognized that there were areas that had potential and there were areas that were appropriate to be reviewed and considered for their exploration and production potential.

That is what we are talking about within the 1002 area. Even within this area that was specifically set aside, we are not asking to develop all of the 1002. We are asking to develop just 2,000 Federal acres within it, effectively one ten-thousandths of the refuge area.

You can’t see it, but that little red dot is basically what we are talking about. We can say this. We can say we don’t need to do more than 2,000 acres, in this 19.3 million-acre area that has been set aside specifically for oil and gas production, because of what has happened over the decades with regard to new technology, how we have worked to reduce the footprint since Prudhoe Bay opened over 40 years ago. Well pads on the North Slope have shrunk by over 80 percent in these intervening years. We are talking now about a pad area that is 12 acres in size—10, 11, 12 acres in size.

We have reduced the footprint dramatically, but what we have expanded
dramatically is the subsurface reach. The new technologies have allowed us to increase the ability to reach out under the surface to an area 125 square miles—125 miles. We have increased it by 4,000 percent, in the years we have been producing, exploring, and innovating due to the technologies we use for exploration. Senator SULLIVAN showed the ice roads we use that reduce the impact on the surface and avoid the need for permanent roads.

We use forward looking infrared cameras to survey for polar bear dens so we can avoid them. There was actually a story just this spring about a polar bear that was denning. We found where she was by using the technologies that we know and literally working around where that polar bear was until she emerged from her den with her cub in the spring. It is working with the technologies we have to allow for the activity but with minimal disturbance to not only the land but to the wildlife there.

Caribou. We all know about the caribou in the North Slope area. What we have learned is that over the years, the caribou that occupy these areas have not suffered. In fact, they have thrived. When oil development first began, we were looking at herds in the numbers of about 5,000. Just this last year, the caribou herd is numbering about 22,000, and it has maintained steady and substantial levels.

When you understand what the 1002 area really is and what development would actually look like, it is not hard to understand why you have Alaskans’ support. Over 70 percent of Alaskans support responsible development there.

I want to give you one of the best examples. Matthew Rexford is the president of Kaktovik Inupiat Corporation, KIC, which is a member of the Voice of the Arctic Inupiat. This is a group of community leaders from our North Slope communities. A great opinion piece not too long ago, explaining why he supports responsible development in the 1002 area.

I ask unanimous consent to have printed in the RECORD Matthew Rexford’s op-ed:

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


ALASKANS SAY YES TO DRILLING IN ANWR (By Matthew Rexford)

The Arctic National Wildlife Refuge is the largest wildlife refuge in America. Spanning more than 19 million acres, it’s an area larger than 10 U.S. states. This vast expanse is home to caribou, fox, bears and other species. Much of that land is also home to the Native Inupiat, and our people have used the resources it has blessed us with for more than 10,000 years. One of those natural resources lies beneath this great land—oil and gas, and lots of it.

The debate over opening ANWR to drilling gained national recognition in 1980, when President Jimmy Carter set aside less than 8 percent of the refuge for potential oil and gas development. This section of ANWR became known as the 1002 area, after a section of the Alaska National Interest Lands Conservation Act.

Since then, Alaskans and the oil and gas industry have fought unsuccessfully to open the 1002 area to drilling, which literally requires an act of Congress. At the same time, Lower 48 lawmakers, special interest groups across the country, folks and organizations around the world have waged war on the idea, citing the disruption of wildlife and the pristine Arctic.

As ANWR debates occur, the views of the Inupiat who call the area home are often times left out. The wishes of the people who live and around the coastal plain frequently are drowned out by people who live hundreds—even thousands—of miles away, many of whom have never bothered to set foot anywhere near the Arctic. Well, today is a new day.

Voice of the Arctic Inupiat, an organization with 21 members from across the Arctic Slope region, including members from Kaktovik located inside ANWR, have voted unanimously to pass a resolution supporting oil and gas development in the 1002 area. This is an unprecedented show of unity by community leaders of the North Slope—those who live in and around the coastal plain of ANWR. This resolution is a clear message to America that we support development of a portion of the coastal plain.

My fellow Inupiat and I firmly believe in a sustainable future. Years ago, many feared perhaps no other potential project in the history of America has called for such a blessing from local indigenous peoples more than this one. When oil was first discovered on our land in 1969, the Inupiat were worried of industry activities and fought hard for self-determination to protect our subsistence resources. So fully supports the trepideration from outsiders: the fear that the presence of industry on the coastal plain of ANWR could disrupt wildlife and affect America’s manufactured perspective of our land and culture.

However, over the decades of experience working with the oil and gas industry to implement stringent regulations to protect our lands, and the industry consistently has lived up to our standards. Prudhoe Bay, the largest oil field on the continent, located 60 miles west of the coastal plain of ANWR, has demonstrated for four decades the capacity to manage wildlife and protect the Arctic by adhering to the best practices of the oil and gas industry to implement stringent regulations.

The oil and gas industry supports our communities by providing jobs, business opportunities and infrastructure investments, has built our schools and hospitals, and has provided other basic services most Americans may take for granted. Our region recognizes its importance to our local and state economy, and we believe that development can be done responsibly in a portion of the 1002 area. We are not alone.

I am with Matthew and a strong majority of Alaskans are. These are the voices we need to be listening to. My answer on this discussion is yes. Opening the nonwilderness 1002 area to development is an option to meet the instructions to the Energy Committee, but it is not the only option. I will tell you, it is the best option, and it is on the table.

We should be clear, amendment No. 1901 is not a vote to open the 1002 area or to keep it closed. It is about whether this instruction should stay in the budget resolution, and it is about whether we are going to recognize the substantial benefits that await us or whether we are going to ignore our future needs and once again end up in a situation where we see prices rising, families hurting, and everyone is wondering: Why didn’t you act when you had a chance?

I think will recognize that we are enjoying some benefits of lower energy prices, and some have suggested here: Hey, we are all fine. We don’t need to do anything. A few have even said that...
because we are exporting oil now, we don’t need to do more for ourselves here. It is truly an open invitation to ignore the supply side. That is just a bad idea. Quite honestly, we have been down that road before, and we know enough that the price will be gained.

The EIA, the Energy Information Administration, projects that in 2040, the world will be using more oil, not less. They project that our country will still be importing about 7 million barrels a day on a net basis. They project prices will lie above $100 a barrel. There are other experts who are already pointing to other signs. The International Energy Agency recently found that “global oil supply could struggle to keep pace with demand after 2020, risking a sharp increase in prices, unless new projects are approved soon.”

My point here is we have an opportunity. We have an opportunity not only to help America create jobs, to allow for opportunities not only in my home state of Delaware, but around the country. We have an opportunity to ensure a level of energy security while at the same time broadening this to enhance our national security.

So what I am asking my colleagues today is to not preempt this very important conversation. Give us a chance to consider this instruction within our committee. We will have an opportunity for hearings, and we will be able to put these options out on the table and understand fully how we can do more when it comes to energy production in this country. Let the Energy and Natural Resources Committee do its part in helping. Let’s not pull the plug even before we get going.

Given everything that we have heard here on the floor about strengthening our economy and protecting the middle class and making life better for people whom we serve, I think we really have to ask the very legitimate question: Why would one leave energy out of tax reform at a time when we are facing hard decisions in revenue rather than to add to our national debt. It is the right policy, and it has been in place for years. So it is, frankly, jarring that this budget document would include a provision that explicitly exempts a $1.5 trillion tax reform bill from the pay-go rule.

Look, I agree that we need to work together toward a bipartisan tax reform bill that would benefit our country. We have an opportunity to ensure a level of energy security while at the same time broadening this to enhance our national security.

The Energy and Natural Resources Committee wanted to see this instruction and understand what resolution we can do more when it comes to energy production in this country. Let the Energy and Natural Resources Committee do its part in helping. Let’s not pull the plug even before we get going.

Given everything that we have heard here on the floor about strengthening our economy and protecting the middle class and making life better for people whom we serve, I think we really have to ask the very legitimate question: Why would one leave energy out of this debate? Why would we limit our opportunity to create new wealth in this country?

I would again urge the Senate to reject this amendment. It would deprive us of a substantial opportunity to benefit our country and ensure that we have great prospects and possibilities in front of us. The Energy and Natural Resources Committee wanted to see this instruction and understand what resolution we can do more when it comes to energy production in this country. Let the Energy and Natural Resources Committee do its part in helping. Let’s not pull the plug even before we get going.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 1138 TO AMENDMENT NO. 116

Mr. COONS. Mr. President, I join my colleague from the State of Virginia, Senator WARNER, in offering an amendment that will prevent tax reform from bailing out deficits.

The Republican budget, which we are currently considering, includes a troubling provision that would exempt a $1.5 trillion tax reform bill from the important requirement that legislation that adds costs to the U.S. Government must be paid for rather than merely added to our deficit. This rule, well known to our colleagues, is one by which I am troubled to see a number of my long-time friends choose to ignore this time around—a rule long known in the Senate as the pay-as-you-go rule, or pay-go. It is an important rule that forces Congress to be responsible stewards of taxpayer dollars. It forces Congress to pay for new programs or find offsets for reductions in revenue rather than to add to our national debt. It is the right policy, and it has been in place for years. So it is, frankly, jarring that this budget document would include a provision that explicitly exempts a $1.5 trillion tax reform bill from the pay-go rule.

Look, I agree that we need to work together toward a bipartisan tax reform bill that would benefit our country. We have an opportunity to ensure a level of energy security while at the same time broadening this to enhance our national security.

The United States was hit very hard by three hurricanes and many wildfires this year. In particular, Puerto Rico, a U.S. territory of 3.4 million people, was devastated by Hurricane Maria, which affected the entire island. It caused massive damage and is now resulting in a humanitarian crisis. Puerto Rico’s 3.4 million people is several times more than live in my State of Delaware. It is about the size of Connecticut.

Once we get past this initial crisis and restore power, provide clean drinking water, get hospitals functioning, and ensure people have housing, then Puerto Rico, the U.S. Virgin Islands, the areas of Houston, TX, and Miami, and areas of California and those other parts of our country will have significant re-building needs.

We have representatives of the Governor of Puerto Rico and the Governor himself here on the Hill this week to clarify just how much more will be needed for the Marshall Plan-style investment to rebuild Puerto Rico. I am going to be advocating that we provide funding for that support for the Corporation for National and Community Service, AmeriCorps volunteers, and NCCC volunteers. Thousands of them have served in response to these emergencies. We are going to need investment for CDBGs for parks and for infrastructure.

Before I hand it over to my colleague from Virginia, I want to reference a second amendment that would prevent us from moving forward with tax reform until we first provide for the needs of Americans who have been affected by these disasters and emergencies. I wish we would take that up.

Let me close by thanking my colleague from Virginia for his long leadership on the issue of responsible fiscal management for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, let me thank my friend, the Senator from Delaware, for his kind comments. More importantly, I think him for his good work that he brings to the issue of fiscal responsibility. Before he served here in the Senate, he served as the head of one of the largest counties in Delaware. Whether you serve as a county chairman or as a Governor, you are used to the notion that you have to pay your bills. I very much appreciate his support for this amendment, that of keeping pay-go in place.

Let me also echo that I absolutely support his notion that the American citizens in Puerto Rico deserve not to be forgotten and deserve to receive the same attention we have bestowed upon Americans in Texas or in Florida or in Louisiana or elsewhere around our great country when they were victims of natural disasters. I hope the Senator from Delaware gets a chance to submit his amendment.

While Puerto Rico is not receiving sufficient attention, there is another American territory nearby, the U.S. Virgin Islands, that also has those same kinds of challenges. If the Senate gets a chance to submit that amendment, I hope he will include the U.S. Virgin Islands in there as well.

Mr. President, I call up amendment No. 1138, which I filed at the desk.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will report.

The bill clerk reads as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 1138 to amendment No. 116.

Mr. WARNER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:
(Purpose: To strike the Senate pay-as-you-go exemption for tax cut reconciliation legislation and the exception to rules preventing any legislation increasing the deficit over the short-term)

On page 50, line 8, strike "", and "" and all that follows through "ledger," on line 9.

Beginning on page 50, strike line 23 and all that follows through page 51, line 23.

Mr. WARNER. Mr. President, I rise to speak in favor of my amendment to strike language in this budget resolution that would exempt the $1.5 trillion tax reconciliation instructions from Senate rules. Senator McConnell meant to prevent this body from dramatically increasing our debts and deficits.

I know that everybody is coming back from lunch, and they probably feel pretty good and do not want to get indigestion, but remember, our country is sitting on top of a $20 trillion debt at this point, an accumulation in which both parties have unclean hands.

In the years that I have been in this institution, I have worked with my Republican colleagues on issues that are to address debts and deficits, but there is the notion that we are about to take on a budget resolution this afternoon and start with the premise that the rules that are there to try to protect us from being fiscally irresponsible are going to be blown off at the outset. To say that we are going to start with $1.5 trillion in the hole before we start counting is beyond irresponsible. I thank my friend, the Senator from Delaware, for joining me in offering this amendment.

Mr. CORNYN. Will the Senator from Virginia yield for a question?

Mr. WARNER. I am pleased to yield to my friend, the Senator from Texas, for a question as long as I still get a chance to finish my comments.

Mr. CORNYN. Mr. President, I appreciate that. And the Senator from Virginia is my friend. We work together closely on the Intelligence Committee and a number of matters.

I just want to ask a pretty basic question, which is whether the Senator from Virginia believes that it is possible to improve economic growth as a result of tax reform in such a way as it will close that $1.5 trillion gap that he is so concerned about. Some economists—one who I believe are people we can depend on—have suggested that as much as a four-tenths of 1 percent increase in our GDP will essentially improve our economy to the point at which that gap will close to zero, and we will actually see true deficit reduction.

Does the Senator agree with that or disagree?

Mr. WARNER. Mr. President, I thank the Senator from Texas for his comment.

Let me say where I might agree with some of Senator CORNYN’s principles. I believe that we need a more simplified Tax Code. I believe that a goal of our Tax Code ought to put American business on a competitive basis with those of other countries around the world. I believe, as well, that to do that, one of the goals of tax reform ought to be to lower corporate rates. I will point out, though, three quick things so that I may get back to finishing my comments.

One, let’s actually look at where America’s tax burden stands versus those of other nations that actually have lower corporate tax rates, for example. Out of the 34 OECD nations—35 now—if you were to listen to some folks on this floor, you would think that America must rank at the top of that list, but we are 31 out of 35.

The PRESIDING OFFICER. All time has expired.

Mr. CORNYN. Thank you, Mr. President. We will continue our conversation.

Mr. WARNER. Mr. President, I ask unanimous consent, since I had a few moments and I was trying to give courtesy to answer my colleague, for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Just to clarify, is the request for an additional 5 minutes of debate?

Mr. WARNER. Five minutes to answer the Senator’s question and to make my very short statement.

Mr. CORNYN. I object to any additional time.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the amendment.

All time has expired. The time was until 2 p.m.

Mr. WARNER. 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.

Mr. CORNYN. The following Senator is necessarily absent:

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 228 Leg.]

YEAS—47

Alexander
Barrasso
Bennet
Bingaman
Brocker
Brown
Canwell
Cardin
Casper
Cuccinelli
Cotton
Crapo
Daines
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Hassan
Heinrich
Hickamp
Hirono
King
Kaine
Klobuchar
Leahy
Lamarqull
McCaskill
Murray
Nelson
Peters
Reed
Sanders
Schatz
Shelby
Tester
Van Hollen
Warner
Warren
Whitehouse
Wyden

NAYS—51

Flake
Gardner
Graham
Grassley
Hatch
Heller
Hoven
Inhofe
Insko
Johnson
Kennedy
Lankford
Lee
McCaslin
McConnell
Moran
Murray
Peters
Paul
Perdue
Portman
Rubio
Sasse
Scott
Shaheen
Sullivan
Tester
Tillis
Toomey
Wicker
Young

The amendment (No. 1138) was rejected.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

Mr. MCCAIN. Mr. President, I came to the floor today in support of the budget resolution for one reason. It is because it provides the Senate a path forward on tax reform. I strongly support this effort to fix America’s burdensome tax system. It is my hope that reform will lead to simplifying the Tax Code, strengthening the middle class, and ultimately boosting our economy.

Unfortunately, I cannot offer my support without reservation, so I have come to the floor today to explain my concerns and remind my colleagues of the important work ahead of us. Even as we support this resolution as a means to achieve meaningful tax reform, we must acknowledge the fact that the underlying budget contains an insufficient level of funding for national defense. As chairman of the Senate Armed Services Committee, my highest priority is to ensure that our men and women serving in uniform have the training, equipment, and resources they need to keep our Nation safe.

The Senate budget resolution will set fiscal year 2018 defense spending at the levels dictated by the Budget Control Act cap. This budget is $54 billion less than the President’s request and $86 billion less than this body authorized just last month in the National Defense Authorization Act. We passed the National Defense Authorization Act by a vote of 99 to 0, demonstration of the overwhelming bipartisan belief that the Budget Control Act level of defense spending is inadequate and unacceptable.

Let me be clear. There is no BCA-level defense budget that would be sufficient to provide our military with what they need to fulfill current missions and prepare for future threats.

For those of us who have been paying attention, we heard the warnings of the steady decline of our military. Time and again our senior military and civilian defense leaders have sounded the alarm about the dangers of the Budget...
The Senate began its session on October 19, 2017, with a speech by Senator John McCain, who addressed the pressing issues facing the military and the nation. McCain highlighted the trend of training accidents, which have occurred far too often, and noted that the Department of Defense is currently operating under a continuing resolution, which he referred to as the “National Defense Authorization Act.” He emphasized the need for adequate, stable, and predictable funding as the only answer to the problems facing the military.

McCain cited examples of recent accidents, such as the crash of an Army Black Hawk helicopter during a training mission off the coast of Yemen, where one soldier died. He also mentioned the tragic accidents in the news, such as the collision of a U.S. Navy helicopter with a tanker near Singapore, which resulted in the deaths of two sailors. McCain noted that these accidents are not isolated incidents and that they reflect a broader trend of inadequate funding and resource allocation.

McCain argued that the military needs adequate funding to maintain readiness and capability. He was critical of the Budget Control Act and its impact on defense spending, stating that it has led to a reduction in the military’s ability to maintain readiness and capability. He believed that this reduction has had a negative effect on the military’s ability to defend the homeland and project power.

McCain also spoke about the need for budget reform and tax reform, which he believed are necessary to fund the military adequately. He urged Congress to delay any further cuts in defense spending until a budget deal is reached.

In summary, Senator McCain’s speech emphasized the need for adequate funding and reform in the defense budget to maintain the military’s readiness and capability. He called for a bipartisan approach to budgeting and urged Congress to prioritize the nation’s defense needs.

This speech was delivered on October 19, 2017, and is a part of the Congressional Record—Senate S6613.
should be a statement about priorities for the coming year and for the coming decade.

Let's take a moment and examine what this budget says about the majority's priorities. With any budget, I think you need to look at the end result and ask a couple of very simple questions.

First, does this budget help reduce Federal deficits and debt with a responsible, sensible approach? Second, does this budget actually, truly put us on a sustainable fiscal path?

The answer to these questions is a clear no. Instead, this budget is primarily intended to allow the majority to use an expedited procedure to move tax breaks that would increase the deficit by $1.5 trillion over the next decade.

My colleagues on the other side of the aisle will say that this lost revenue is offset by spending cuts and promises of new revenues from economic growth far beyond what almost every single mainstream economist predicts.

Let's look at the trillions in cuts that the majority is proposing. Where the budget is specific, it is bad. Medicaid is cut by $1 trillion. Medicare, which provides essential healthcare services to our seniors, is cut by $700 billion. On top of that, the budget includes over $3 trillion in unspecified cuts.

You don't have to be an expert in the Federal budget to know that $3 trillion in unspecified cuts means one of two things. They are either, No. 1, cuts to programs that families and communities rely on, like Head Start, Pell grants, and transportation funding, or, No. 2, they are unspecified because they are simply never going to happen.

That is what we are voting on today. There is nearly $1.5 trillion in cuts to Medicare and Medicaid, and then there are trillions in cuts that are either so unpainful that no one dares name what they are or trillions more in deficits because there is not a plan.

The Federal budget is about choices. You can learn a lot about which choices a budget puts in black and white and which are left deliberately unspecified. When it comes to the majority's tax plan, we know only a few details, but we know enough to see where there will be winners and where there will be losers. The winners will be the wealthiest Americans in our country and global corporations.

We also need to look at what it means for Michigan families and small businesses, but there is a deliberate lack of detail that makes figuring out what the bottom line is for working families impossible. We don't know where the tax brackets will start and where they will stop. We don't know what personal exemptions families will be able to take. We don't know the size and type of child tax credit. We don't know if important incentives for charitable contributions will be kept. The majority is even keeping open the possibility of raising taxes on Americans who are trying to save for their retirement.

This budget should be straightforward. We should reduce the tax burden on middle class families. We should make it simpler for Americans to file and understand their taxes. We should make it easier for them to save for retirement. We should increase take-home pay for Americans that work hard each and every day to make a living.

Unfortunately, none of these details that are important for middle-class folks were important enough to include in this budget. That is why I will vote against it. I urge my colleagues to do the same.

We cannot add another $1.5 trillion to the deficit. We cannot slash Medicare and Medicaid. This is simply the wrong direction for our country.

So why are we moving forward with this budget at all? Well, on this issue, I think the administration has been clear. It is all about passing a so-called tax reform bill. However, passing this budget is not a requirement for passing tax reform. Passing this budget is only a requirement to pass a tax bill with as few votes as possible. It is an attempt to buy-in from Members of the minority.

This is not the way we should pass real tax reform. If tax reform is going to be successful, it must have broad bipartisan input. I stand ready to work with my colleagues on real tax reform.

Modernizing and streamlining our Tax Code can boost Michigan businesses, raise take-home pay for workers across sectors, and help create the type of 21st century economy we need. We can make it easier for small businesses, including manufacturers and family farms, to invest in themselves, and we can make the code fair across sectors. We can establish incentives for smart investment in our communities.

We can implement strong, enforceable rules to prevent companies from gaming our tax system and moving profits and jobs overseas.

For families, we can meaningfully boost take-home pay. We can expand the child tax credit and earned-income tax credit, and we can work together to find real ways to help alleviate the cost of child care. We can lessen the burden of student debt, and we can help people save for retirement.

Tax reform can help create more good jobs right here at home, fix some of the issues in the code that drive jobs and companies overseas, and put more money in the pockets of working families.

In 1986, Congress passed the most dramatic reform of the Federal Tax Code in modern history. How many votes did this sweeping overhaul of the tax system get? When tax reform ultimately passed the Senate in 1986, it received 97 votes.

If we want to repeat that accomplishment and truly overhaul our code to make it work better for American families and American businesses, that level of bipartisanship should be our goal, not 50 or 51.

I know we can do these things in a truly bipartisan manner if we are just given the chance. Let's work together to pass real tax reform with broad support from both sides of the aisle. The American people deserve nothing less.

I stand ready to work with the majority, and so do my colleagues. I urge the majority to abandon this effort and start over. Make the decision not to add trillion more in deficit. Make the decision not to cut Medicare and Medicaid for Americans in need. Start over. Let's find a path forward to find real, lasting, bipartisan solutions.

I yield the floor.

Mr. LEAHY. Mr. President, budget resolutions set general spending priorities for the Federal Government. The budget resolution before us today, however, sets a path for so-called tax reform that will benefit the wealthiest Americans and hit the hard-working Americans. For all their talk of reining in spending and reducing the debt, the majority is promoting a budget that will explode the debt by $1.5 trillion. They propose increasing the debt not to invest in our future or in educating the next generation. They propose increasing the debt not to expand access to healthcare or promote medical research. No—they propose exploding the debt to give corporations and the top one percent a tax cut. Once again, they may be turned away from the bipartisan traditions of this Senate and toward the hyperpartisan tactics that do not result in progress for the American people.

This budget invests in millionaires and billionaires like the Trump family, the Koch brothers, wealthy corporations, and the top one percent. It turns its back on millions of hard-working American families. While the resolution authorizes a $1.5 trillion increase in the debt, independent analysts calculate that the real cost of the Trump tax plan will far exceed that amount. How will the majority pay for the difference? It will slash Medicaid. It will slash programs for veterans and infrastructure.

It will be middle-class Americans who bear the brunt of these cuts. According to independent analysts, middle-class Americans will see their home values drop and will experience a tax increase as a result of the Trump tax plan. This shameful budget sends the message that the Senate supports putting tax cuts for the wealthy and biggest corporations on our Nation's credit card and, to the extent we pay for any of it, that we do so on the backs of the middle class and seniors and at the expense of protecting the environment.

This budget proposes invading the Arcadia National Wildlife Refuge. These are not Vermont values. These are not American values. This is not how our Nation became the greatest country on Earth.
After years of claiming that the deficit is one of the greatest threats to our country, the majority today will waive away any concern about the long-term impact of increasing it. They argue that the economic growth spurned by these tax cuts will outpace the foregone revenue, but as we saw with the Bush tax cuts, this claim is simply not based in reality. This argument is based on a pyramid scheme of assumptions on top of assumptions, and will be taking a close look at the Congressional Budget Office’s projections—a range of both dynamic and conventional scores—this budget resolution eliminates the only existing mechanism that requires the Senate to have a CBO estimate in advance of a vote. Why might the majority want to rush a vote before examining the long-term economic impacts of these proposed tax cuts?

Our Tax Code is complex—very much, overly complex—and I share the view that it is in need of improvements and simplification. We can and should have a meaningful debate about tax reform, but any reforms must be certain to benefit middle-class Americans, not just the top 1 percent. We need to strengthen tax credits that promote community development and the construction of affordable housing. We should extend and make permanent tax credits that help those who are struggling to make ends meet. I am in favor of bipartisan reform that brings both parties together and results in balanced changes to the current system. That is in the best tradition of the Senate, and it is the path to enacting truly meaningful reforms that will benefit every single American.

The Senate should reject this partisan effort, just as it rejected last month the unsuccessful partisan efforts to roll back health care coverage for millions of Americans. We should—and can—craft a fiscal package that is balanced and sustainable budget and tax reform package. No package will be perfect, but it should be bipartisan. It should be fair. The budget before us today fails to meet that test, which is why I will oppose it.

Mr. CARPER. Mr. President, last week, people across this country celebrated National Wildlife Refuge Week—and rightfully so. National Wildlife Refuges are one of the crown jewels of public lands in our country. These refuges provide essential habitat for some of our most imperiled species, including many impacted by climate change. Millions of refuge visitors also fuel local and regional economies by generating billions of dollars in sales.

This week, the Senate is considering a budget resolution that would open one of our refuges, the Arctic National Wildlife Refuge, to oil and gas drilling. Despite tremendous public support for our refuge system and the economic benefits that the refuges bring to our local economies, efforts to develop these special wild areas are ongoing and have been championed by the current administration. The budget resolution is another such effort to promote development in a refuge, an effort that should be rejected. In some cases, refuges are compatible with development and increased human activity. In these cases, such as the siting of oil and gas drilling, could negatively impact the future of both human and animal inhabitants.

The Arctic National Wildlife Refuge, one of our refuges, the Arctic National Wildlife Refuge, another national treasure. This Refuge is located on the U.S.-Mexico border, along the southernmost stretch of the Rio Grande River at the confluence of the Central and Mississippi flyways. It is home to more than 400 bird species, 300 species of butterflies, and more than 450 varieties of plants.

The Arctic National Wildlife Refuge, another national treasure. This Refuge is located on the U.S.-Mexico border, along the southernmost stretch of the Rio Grande River at the confluence of the Central and Mississippi flyways. It is home to more than 400 bird species, 300 species of butterflies, and more than 450 varieties of plants.

The Santa Ana Refuge supports rare wildlife species, some found only deep in south Texas. The Refuge also provides habitat for at least eight species protected under the Endangered Species Act, including the ocelot. There are less than 50 ocelots left in the United States, so this Refuge is essential to the species’ recovery.

The Santa Ana Refuge is also a popular hunting destination and hosts more than 165,000 visitors each year. The booming ecotourism industry in the area is critical for local economies, which is another key reason why we need to ensure this Refuge and its inhabitants can thrive.

U.S. Customs and Border Protection and U.S. Army Corps of Engineers planning actions earlier this year suggest that the Trump administration will seek to establish Homeland Security funds to construct a segment of border wall through the Santa Ana Refuge.

As I have said before, we already have more than 2,000 miles of our southern border with Mexico in the areas where it is most effective. I am not unequivocally opposed to physical barriers where they are needed and where they can be shown to be the most effective method of border security, but the Santa Ana Refuge is not a known problem area for border crossing. Furthermore, a wall through the Refuge would permanently damage critical habitat, block wildlife migration routes, and would likely trap wildlife in floods.

Again, a wall through the refuge would not yield intended outcomes and would harm both wildlife and communities. I urge my colleagues on both sides of the aisle to question and oppose the construction of this wall segment.

From Alaska to Texas to Delaware, our National Wildlife Refuge System is well worth protecting and preserving for future generations. I look forward to continued work with my colleagues and constituents to this end.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NOS. 1178, 1139, 1205, 1228, 1422, 1234, AND 1249 TO AMENDMENT NO. 1139

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Flake No. 1178, Baldwin No. 1139, Rubio No. 1205, Heitkamp No. 1228, Portman No. 1422, Donnelly No. 1234, and Kaine No. 1249.

I further ask consent that at 3 p.m., all time on the resolution be yielded back and the Senate vote in relation to the amendments in the order listed; that there be no second-degree amendments in order to these seven amendments prior to the votes; finally, that there be 2 minutes equally divided between the managers or their designees prior to each vote and that all votes after the first in this series 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 Wyoming [Mr. Enzi], for others, proposes amendments numbered 1178, 1139, 1205, 1228, 1422, 1234, and 1249 to amendment No. 1139.

The amendments are as follows:

AMENDMENT NO. 1178

(Purpose: To make the American tax system simpler and fairer)

At the end of title III, add the following:
The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provisions to make the American tax system simpler and fairer for all Americans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO MAKING THE AMERICAN TAX SYSTEM SIMPLER AND FAIRER FOR ALL AMERICANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provisions to make the American tax system simpler and fairer for all Americans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST RAISING TAXES ON TAXPAYERS WHOSE ANNUAL INCOME IS BELOW $250,000.

(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 raises taxes on taxpayers whose annual income is below $250,000.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

At the end of title IV, add the following:

SEC. 5. DEFICIT-NEUTRAL RESERVE FUND RELATING TO MAKING THE AMERICAN TAX SYSTEM SIMPLER AND FAIRER FOR ALL AMERICANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provisions to make the American tax system simpler and fairer for all Americans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 6. POINT OF ORDER AGAINST RAISING TAXES ON TAXPAYERS WHOSE ANNUAL INCOME IS BELOW $250,000.

(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 raises taxes on taxpayers whose annual income is below $250,000.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

At the end of title IV, add the following:

SEC. 7. DEFICIT-NEUTRAL RESERVE FUND RELATING TO MAKING THE AMERICAN TAX SYSTEM SIMPLER AND FAIRER FOR ALL AMERICANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include provisions to make the American tax system simpler and fairer for all Americans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 8. POINT OF ORDER AGAINST RAISING TAXES ON TAXPAYERS WHOSE ANNUAL INCOME IS BELOW $250,000.

(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 raises taxes on taxpayers whose annual income is below $250,000.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).
The debt crisis is the No. 1 crisis we face in our country. It keeps us from doing the right thing—funding our national defense and taking care of our needs. We are losing the right to do the right thing. Let me say that again. We will absolutely fix this budget process in a bipartisan way. I am going to vote for this. I hope my colleagues will vote for this budget bill so we can go on and decide for the people of this country what we need to do next. The debt crisis is the No. 1 crisis we face in our country. It keeps us from doing the right thing—funding our national defense and taking care of our needs. I will support this budget today, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

LIEUTENANT PATRICK L. RUTH

Mr. CASSIDY. Mr. President, this is not about the budget, but it is about something that all of us can, unfortunately, understand the importance of. On October 1, U.S. naval aviation instructor, LT Patrick L. Ruth, and student naval aviator, LTJG Wallace Burch, were both killed when their Goshawk training jet crashed in Tellico Plains, TN. Lieutenant Ruth was a native of Louisiana, growing up in Metairie. Lieutenant Ruth served in the Navy for 9 years, beginning his career in the Naval Reserve Officer Training Corps at Tulane University. He was commissioned in May of 2008. As a flight training officer, Carrier Airborne Early Warning Squadron 126, based in Norfolk, VA, in 2012. Lieutenant Ruth flew the E-2C Hawkeye as part of the tactical air forces of the U.S. Navy. His primary mission was early warning defense of the carrier battle group, as well as air strike control, ocean surveillance, and search and rescue coordination.

In April 2015, he moved to Naval Training Squadron 7, based in Meridian, MS. As an instructor, Lieutenant Ruth trained the next generation of naval aviators in strike aviation, basic aircraft maneuvering, and landing skills.
Lieutenant Ruth was a dedicated naval aviator. As evidence, he earned two Navy and Marine Corps Achievement Medals during his distinguished career.

Our brave men and women in uniform take solomons every day to defend our Nation. The risks are necessary, made to ensure that our military is fully prepared to face any threat. We are forever grateful for Lieutenant Ruth and those who answer the call of duty to keep us safe.

We must also think of the incredible sacrifices of Lieutenant Ruth’s family and all military families. They may not be wearing uniforms, but they, too, serve our country.

I had the privilege of speaking with Lieutenant Ruth’s family. I learned that his younger brother Shane is Active Duty Navy. His older brother is retired Navy. His sisters were, and are, so supportive.

Lieutenant Ruth’s parents, David and Mary Ann Ruth, still grieve. How could any parent not?

But to borrow from President Lincoln’s letter to a grieving mother:

I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Lieutenant Ruth is survived by his parents, David and Mary; his fiancé, Jessica; and his four siblings. We grieve with you. You are in our prayers.

Lieutenant Patrick Ruth will not be forgotten.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all time on the resolution is yielded back.

AMENDMENT NO. 1178

There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Flake amendment No. 1178.

The Senator from Arizona.

Mr. FLAKE. Mr. President, this amendment would set up a deficit-neutral reserve fund relating to making the American tax system simpler and fairer for all Americans.

Not only do we need to do tax reform, but we need to do it urgently. It has been more than 30 years since we have reformed the Tax Code in any significant way. We have more preferences and loopholes and deductions out there than we know what to do with. In fact, if we total all of them together, there are more expenditures in the Tax Code, or money avoiding coming to Washington—tax avoidance—than we spend on our entire discretionary budget. It is about $1.26 trillion annually.

So we have to have a code where we lower the rates and broaden the base. Broadening the base means going after some of these popular loopholes and deductions and preferences that make the Tax Code a lot bigger and scarier and more complicated than it should be. With that, I yield the floor.

The PRESIDING OFFICER (Mr. Cassidy). Who yields time in opposition?

Mr. BROWN. Mr. President, we yield back the time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1178.

Mr. FLAKE. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. Cochran).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. Menendez) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Call Vote No. 229 Leg.]

YEAS—98

Alexander Frankren Nelson
Balanced Gardner Paul
Barrasso Burr Perdue
Benner Grassley Peters
Blunt Harris Reed
Booker Hasean Ritch
Boozman Hatch Roberts
Brown Heinrich Rounds
Burr Heitkamp Rubio
Cantwell Holst Sanders
Capito Hirono Schatz
Cardin Hoeven Schuring
Carper Johnson Schumber
Casey Isakson Scott
Cassidy Johnson Shaheen
Collins Kaine Shelley
Coons Kennedy Shelby
Corker King Strange
Corryn Klobuchar Sullivan
Cortez Masto Lankford Tester
Cotton Leach Thune
Crapo Lee Tillis
Cruz Manchin Toomey
Daines Manchin Udall
Donnelly McCaskill Van Hollen
Durbin McConnell Warner
Enzi McCaskill Warner
Ernst Moran Whitehouse
Feinstein Murnkiewicz Wyden
Fincher Mckong Young

NOT VOTING—2

Cochran Menendez

The amendment (No. 1178) was agreed to.

AMENDMENT NO. 1129

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Baldwin amendment No. 1139.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak to Baldwin amendment No. 1139. Wisconsin families need a tax break, and that is what I am working for. This budget will fast-track enormous tax breaks for the wealthiest few. It increases the deficit and puts Medicare and Medicaid on the chopping block.

I don’t think it is right to ask the middle class to pay for tax breaks for the top 1 percent with cuts to Medicare and Medicaid and rising deficits—deficits that will surely be used by my Republican colleagues to continue to justify an unwillingness to invest in the essential pillars of economic security for families.

The entire reason reconciliation was created was for deficit reduction, which the majority claims to care so much about. My amendment is very simple. It would reinstate a point of order, known as the Conrad rule, against reconciliation legislation that increases the deficit. Let’s not use reconciliation to add to our deficit.

I urge my colleagues to support my commonsense amendment that has been cosponsored by Senators Warner, Whitehouse, Kaine, Coons, King, Wyden, and Van Hollen.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment, which would create an uneven playing field for the upcoming congressional reconciliation. If adopted, this amendment would reinstate a point of order from the fiscal year 2008 budget resolution, which Congress repealed 2 years ago, to prevent the use of reconciliation to ensure equal treatment of all reconciliation bills by restoring the level playing field that had existed prior to the adoption of the point of order in 2008. That was used under the Byrd rule.

The Byrd rule specifically does not require such budget neutrality inside the budget window. Why? Because reconciliation was designed to be neutral in its orientation. The Budget Act states that reconciliation instructions must enumerate changes in spending and revenue amounts. It does not stipulate those changes must be increases or decreases.

The fiscal year 2016 budget resolution restored the longstanding neutrality principle of the Byrd rule. It was the right thing to do then, and we should reaffirm that position today. I urge my colleagues to oppose this amendment.

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

The question is on agreeing to the amendment.

Mr. ENZI. 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. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. Cochran).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. Menendez) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[41x75]
One of issues is making it refundable so the tax credit is available and useful to lower income families, who are the hardest hit by high child care costs, and also making it available to those families who use these funds to care for perhaps an aged relative or an injured relative. I agree with the amendment, and I support it, but I think we need to make the point that there is more work to be done. I have introduced a bill with Senator HELLER, Senator BURR, and Senator DURBIN on this subject, and I look forward to bringing that forward for consideration at an appropriate moment. I urge support for Senator RUBIO’s amendment. The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to extend debate by 30 seconds.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. Mr. LEE. Mr. President, I rise in support of this amendment. This would correct a great defect in our Tax Code—the current tax penalty. We have been punishing parents for decades because of the way our Federal tax system and our senior entitlement programs—Social Security and Medicare—interact. We have to end this tyranny and end this now. This amendment does that, and I urge my colleagues to support it.

The PRESIDING OFFICER. Is there any further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1205) was agreed to.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Rubio amendment No. 1228. The Senator from Florida.

Mr. RUBIO. Mr. President, this amendment relates to the child tax credit. It is abundantly clear that perhaps one of the most effective ways to deliver tax relief—tax cuts— to working families is through the expansion of this credit, as it is our hope to achieve during tax reform.

I think it is important to point out that the U.S. Department of Agriculture has said that much it costs to raise children in the 21st century. Today, it is expected that middle-income families are going to spend $230,000 to raise their children. By the way, that does not include the cost of their going to college.

Being able to deliver relief to hard-working families through the expansion of the child tax credit, which is applicable not just against income tax but payroll tax, is perhaps the single most effective way to do that given the framework under which we will be working. That is what this amendment intends to reserve the opportunity to do.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I rise not in opposition to the amendment but to compliment the Senator for bringing this issue forward. I intend to support the amendment, but I just want to make the point that this is a broader issue in that we are going to have to address the child and dependent tax credit.
The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 51.

The Senator from Wyoming, Mr. ENZI, Mr. President, I ask unanimous consent that the Donnelly amendment be modified with the text of his amendment No. 1116, which is at the desk.

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

The amendment (No. 1234), as modified, is as follows:

(Purpose: To establish a deficit-neutral reserve fund relating to eliminating tax breaks for companies that ship jobs to foreign countries)

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ELIMINATING TAX BREAKS FOR COMPANIES THAT SHIP JOBS TO FOREIGN COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating tax breaks for companies that outsource jobs to foreign countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit or either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

Mr. ENZI. Mr. President, I further ask that the pending Kaine amendment be temporarily laid aside and that the Brown amendment No. 1378 be made pending and be the next vote in the series, with 2 minutes of debate prior to the vote.

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

AMENDMENT NO. 1322

There will now be 2 minutes of debate equally divided prior to a vote in relation to Portman amendment No. 1422.

The Senator from Ohio, Mr. PORTMAN. Mr. President, I rise to speak on amendment No. 1422, which is a commonsense idea. It is not partisan. It is not a one-size-fits-all. It is a way to create incentives to invest in jobs here in America.

This is not a partisan issue; it has been bipartisan. It was part of the Simpson-Bowles provisions with regard to tax reform. Only a couple of years ago, I cochaired a working group on this issue with the now minority leader, Senator SCHUMER, where we came up with a proposal which said that the international system is broken and that we need to move to one like the one we are talking about in this amendment that brings back jobs.

One of the problems is that the current Tax Code actually encourages companies to keep their money offshore. We think we could bring back a lot of that money. There is probably $2.5 to $3 trillion locked out offshore. But it is worse than that. It also leads to American jobs being taken over by foreign companies and these inversions we have heard so much about.

In the last 24 hours, we had another major inversion. Companies that have household names are picking up and leaving our country and taking their jobs and investment with them.

This amendment is common sense, Mr. President. I urge my colleagues on both sides of the aisle to support it.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise in support of the Portman amendment. We can all agree that tax reform should help create more good jobs and protect the ones we already have. I support the Portman amendment, and I look forward to colleagues supporting my amendment that ensures that companies that ship American jobs to foreign countries are not eligible for tax breaks. If we want to help our workers, we need to make sure any tax reform package is good for American workers.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. DONNELLY. Mr. President, I rise today in support of the amendment I offered to address the outsourcing of American jobs. Currently, American companies that ship jobs to foreign countries can still claim massive tax breaks. That is wrong, and we should claw back incentives and prohibit companies from receiving tax breaks for outsourcing jobs.

My end outsourcing amendment is common sense for taxpayers, support our workforce in American workers, not those shipping jobs to foreign countries. I urge all of my colleagues to support this amendment.

Mr. President, I yield back.

The PRESIDING OFFICER. Who yields?

If no one yields time, the question is on agreeing to the amendment.

The amendment (No. 1234) was agreed to.

AMENDMENT NO. 1323, AS MODIFIED

The amendment (No. 1422), as modified.

To the amendment (No. 1234), as modified.

SEC. 2. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING TAX BENEFITS TO PATRIOT EMPLOYERS THAT INVEST IN AMERICAN JOBS AND PROVIDE FAIR PAY AND BENEFITS TO WORKERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to income taxes paid by businesses, which may include measures providing tax breaks for companies that have not moved overseas to avoid paying their fair share of taxes, have maintained or expanded their United States workforce, or have provided fair wages and quality health insurance, prepared workers for retirement, hired veterans and workers with disabilities, and provided paid family medical leave, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

Mr. BROWN. Mr. President, I ask unanimous consent that the patriotism act be reported without amendment.

Mr. DONNELLY. Mr. President, I rise today in support of the amendment I offered to address the outsourcing of American jobs. Currently, American companies that ship jobs to foreign countries can still claim massive tax breaks. That is wrong, and we should claw back incentives and prohibit companies from receiving tax breaks for outsourcing jobs.

My end outsourcing amendment is common sense for taxpayers, support our workforce in American workers, not those shipping jobs to foreign countries. I urge all of my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields?

If no one yields time, the question is on agreeing to the amendment.

The amendment (No. 1234) was agreed to.

AMENDMENT NO. 1324, AS MODIFIED

The amendment (No. 1422) was agreed to.

The amendment (No. 1378) was agreed to.

The amendment (No. 1116) was agreed to.

The amendment (No. 1234) was agreed to.

The amendment (No. 1378) to the amendment No. 1116.
The amendment (No. 1378) was rejected.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENTS NO. 1296 AND 1375 TO AMENDMENT NO. 1116

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Paul No. 1296 and Cardin No. 1375.

I further ask unanimous consent that the Senate vote in relation to these amendments in the order listed; that there be no second-degree amendments in order to the amendments prior to the votes; finally, that there be 2 minutes, equally divided between the managers or their designees, prior to each vote, and that all votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill clerk read as follows:

The Senator from Wyoming [Mr. Enzi], for others, proposed amendments numbered 1296 and 1375 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1296

(Purpose: To modify reconciliation instructions to reduce the deficit)

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $4,800,000,000.

(b) COMMITTEE ON ARMED SERVICES.—The Committee on Armed Services of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $480,000,000.

(c) COMMITTEE ON EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $9,660,000,000.

(d) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $16,900,000,000.

(e) COMMITTEE ON FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $480,000,000.

(f) COMMITTEE ON GOVERNMENTAL AFFAIRS.—The Committee on Governmental Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $6,760,000,000.

(g) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Committee on Homeland Security and Governmental Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $16,900,000,000.

(h) COMMITTEE ON THE JUDICIARY.—The Committee on the Judiciary of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $21,720,000,000.

(i) COMMITTEE ON VETERANS’ AFFAIRS.—The Committee on Veterans’ Affairs of the Senate shall report changes in laws within its jurisdiction that reduce the deficit for fiscal year 2018 by not less than $800,000,000.

(j) SUBMISSIONS.—In the Senate, not later than November 13, 2017, the Committees named in subsections (a) through (i) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

AMENDMENT NO. 1375

(Purpose: To create a point of order against legislation that includes deficit-financed tax cuts)

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST LEGISLATION THAT INCLUDES DEFICIT-FINANCED TAX CUTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, or amendment, amendment between the Houses, or conference report that includes tax cuts and would cause or increase a deficit or reduce surplus.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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. 1296

The PRESIDING OFFICER. The amendment No. 1296 will now be 2 minutes of debate equally divided prior to a vote in relation to Paul amendment No. 1296.

The Senator from Kentucky.

Mr. PAUL. Mr. President, this amendment is about whether or not we are serious about the debt. In the current budget, there is no provision to reduce the debt by $96 billion in mandatory spending. I applaud that, but we need budget reconciliation instructions to allow it to happen. This amendment will allow instructions so we can really do what we say we are going to do, which is to cut spending.

I think, in light of the fact that we are for tax cuts, we ought to also be for reducing spending so we don’t explode the debt.

I recommend a “yes” vote on reconciliation instructions to allow for mandatory savings and spending.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in strong opposition to the Paul amendment. This amendment includes reconciliation instructions to cut nearly $100 billion in programs that are vital to working families in this country, including education, healthcare, nutrition, affordable housing, and many, many other programs.

This amendment paves the way to make it easier to cut Medicare by over
Mr. DURBIN. I announce that the Senator from New Jersey (Mr. Menendez) is necessarily absent.

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

The amendments to the resolution are as follows:

**AMENDMENTS NOS. 1298, 1430, AND 1277 TO THE BUDGET RESOLUTION**

**AMENDMENT NO. 1298**

The amendments to the resolution are as follows:

**AMENDMENT NO. 1430**

The amendments to the resolution are as follows:

**AMENDMENT NO. 1277**

The amendments to the resolution are as follows:
On page 6, line 12, decrease the amount by $6,450,000,000.

On page 6, line 3, decrease the amount by $880,000,000.

On page 6, line 15, decrease the amount by $32,000,000,000.

On page 6, line 16, decrease the amount by $6,450,000,000.

On page 6, line 17, decrease the amount by $6,450,000,000.

On page 7, line 3, decrease the amount by $35,260,000,000.

On page 7, line 4, decrease the amount by $6,450,000,000.

On page 7, line 5, decrease the amount by $80,000,000.

On page 7, line 19, decrease the amount by $43,000,000,000.

On page 7, line 20, decrease the amount by $32,000,000,000.

On page 7, line 24, decrease the amount by $6,450,000,000.

On page 8, line 3, decrease the amount by $80,000,000,000.

AMENDMENT NO. 1399

(Purpose: To provide for reconciliation instructions to the relevant committees for the purpose of repealing and replacing the Patient Protection and Affordable Care Act.)

On page 49, line 5, insert "3", which may include nullification of any regulations promulgated under title I of the Patient Protection and Affordable Care Act (including amendments made by such title)" before "by the".

AMENDMENT NO. 1277

(Purpose: To provide for reconciliation instructions to the relevant committees for the purpose of repealing and replacing the Patient Protection and Affordable Care Act.)

In section 301, strike subsection (c) and insert the following:

(c) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(d) COMMITTEE ON THE JUDICIARY.—The committee on the Judiciary of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(e) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The committee on Homeland Security and Governmental Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2018 through 2027.

(f) SUBMISSIONS.—In the Senate, not later than November 13, 2017, the committees named in subsections (a) through (e) shall submit their recommendations to the committee on the Budget of the Senate. Upon receiving such recommendations, the committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 1299

Mr. Kaine. Mr. President, I call up amendment No. 1299. The PRESIDING OFFICER. The amendment is pending.

Mr. Kaine. The amendment is a simple one for the folks. It is about transparency. Two years ago, the Senate passed a budget that added a statutory requirement to have a Congressional Budget Office score for reconciliation legislation 28 hours in advance of voting on the legislation. There are obvious benefits to the Members who are voting and obvious benefits to the American public.

The majority resolution before us from committee repeal that requirement. The majority has argued that it is unnecessary because the requirement has never been triggered. But I remember that just a couple of months ago, the Senate was debating the Affordable Care legislation that hadn’t seen the light of day and didn’t have a CBO score.

Do we really believe the answer to our problem is to make it easier to pass legislation without knowing the costs? I think the 28-hour requirement is worthy, it should be continued, and I think it should be extended to include amendments in the nature of a substitute.

I ask all my colleagues to support transparency and not embarrass the institution by enabling us to more easily pass important legislation without the public knowing the score.

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

Mr. Enzi. Mr. President, I urge my colleagues to oppose this amendment.

The congressional budget clearly empowers the Budget Committee chair as scorekeeper. Since becoming chairman in 2015, I have pleased to say that the Budget Committee has always discharged its responsibilities with scores in hand, proving our important work and function without this amendment.

In fact, the 28-hour rule is a recent creation, and its repeal shows no deviation from Senate practice. It would require 28 hours on every amendment.

It is also important to note that a budget resolution is not a law. Because it is not a law, it cannot supersede or overpower appropriations. The Congressional Budget Act is a law and sets forth the rules that the congressional budget must follow.

The proposed amendment attempts to make a significant change to section 402 of the Congressional Budget Act, which should be accomplished through regular order legislation which the President signs.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. Enzi. 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 bill clerk called the roll.

Mr. Durbin. I announce that the Senator from New Jersey (Mr. Menendez) is necessarily absent.

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

The result was announced—yeas 48, nays 51, as follows:

Alexander...

The amendment (No. 1299) was rejected.

AMENDMENT NO. 1298

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Paul amendment No. 1298.

The Senator from Kentucky.

Mr. Paul. Mr. President, this amendment is about the debt. We have a $20 trillion debt. It is about whether we are serious about tackling that debt. The budget before us exceeds our own spending caps by $43 billion.

You will be told that technically that is not so because we hide the money by sticking it in an account we call the Overseas Contingency Operations. Over the past 3 years, we have spent more than $1.7 trillion in this account, but we don’t account for it, and we don’t budget for it. What I am asking us to do is to be responsible, budget for this, stay within our self-imposed caps, and actually act as though we really believe in what we say—that the debt is a problem.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. Enzi. Mr. President, I urge my colleagues to oppose this amendment.

The amendment seeks to reduce discretionary appropriations this fiscal year by $43 billion. As Members are aware, the resolution’s discretionary figures for this fiscal year are fully consistent with the Budget Control Act spending limits. If they weren’t, then the resolution would be subject to a 60-vote point of order.

This year’s resolution also includes Overseas Contingency Operations funding at $77 billion. This amount is equal to the President’s request and is allowable under the Budget Control Act. The

[Rollcall Vote No. 235 Leg.]
members of the Budget Committee worked hard to craft a resolution with levels that would put us on a better fiscal path, with $5.1 trillion in spending reductions over the next 10 years. The resolution already contains ample restraint to both discretionary and mandatory spending.

As the Appropriations Committee has reported many of its bills already, this amendment could be detrimental to the appropriations process as it stands today and the allocation this resolution will provide. I urge my colleagues to oppose this amendment.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. LEAHY. Mr. President, I agree with my colleague that there are no recommendations on where these cuts are coming from. Do they come from the programs that support our Nation’s veterans, from the National Institutes of Health—the cutting-edge cancer research it conducts? You can’t turn research on and off. Scientists don’t hit pause.

Does it come from our transportation and infrastructure? If we really want to make these cuts—and this, of course, would take us well below the postsequester budget caps that are already $43 billion. If we want to make cuts, have the courage to stand up and say ‘This is the program I want to cut’—not do something like this, where we don’t know if the cut will be for veterans, education, cancer research, or anything else.

I oppose the amendment.

To oppose the Paul amendment and urge others to do the same. The Paul amendment appears to mandate a cut of $43 billion from nondefense discretionary programs in fiscal year 2018. This is an 8-percent cut to the 2018 postsequester budget caps, which are already $3 billion below last year’s levels. It could impact defense as well.

Of course, Senator PAUL provides no recommendations on who he wants to hurt. Should it come from programs that support our Nation’s veterans? Should it come from the National Institutes of Health and the cutting-edge cancer research it conducts? You cannot turn research on and off. Scientists don’t hit pause.

If those are unacceptable, perhaps we should cut or eliminate programs that assist our Nation’s farmers or help promote economic growth in rural communities. I think we can all agree that is not going to happen. It should not happen. We should be investing in our communities to make sure they have the tools they need to grow and flourish, not deserting them.

Members on both sides of the aisle have been calling for months for a bipartisan budget deal. In speech after speech we have heard about the devastating consequences that sequester has on both defense and nondefense programs. If we are going to finish this year’s appropriations process, we need a bipartisan budget deal.

The Paul amendment appears to do just that and I urge a “no” vote.

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

The PRESIDING OFFICER. The amendment (No. 1298) was reported.

The amendment (No. 1298) was rejected.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1430.

The Senator from Utah. Mr. LEE. Mr. President, I am offering amendment No. 1430 to repeal Obamacare regulations that are wreaking havoc on our health insurance market. Healthcare costs are rising dramatically, unsustainably, and unaffordably.

Healthcare costs are rising as a result of Obamacare’s despotic regime of aggressive healthcare regulations. Countless working families are treading water just to try to stay afloat. A good chunk of these costs also can be pinned directly on the burdensome Obamacare regulations.

According to one HHS study, Obamacare regulations caused premi-
The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PAUL. 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 assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The result was announced—yeas 33, nays 66, as follows, [Roll Call Vote No. 238 Leg.]

YEAS—33

Barrasso  Gardner  Portman

Boozman  Grassley  Risch

Burr  Hatch  Rounds

Capito  Hirono  Shaheen

Cardin  Isakson  Shaheen

Cassidy  Kaine  Shelby

Cassidy  Klobuchar  Strange

Collins  Leahy  Tester

Coons  Manchin  Tillis

Cortez Masto  Markley  Udall

Donnelly  McCaskill  Van Hollen

Durbin  Menendez  Warren

Emmi  Merkley  Whitehouse

Ernst  Mushkowski  Wyden

NOT VOTING—1

Cochran

The amendment (No. 1430) was rejected.

AMENDMENT NO. 1277

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Paul amendment No. 1277.

The Senator from Kentucky.

Mr. PAUL. Mr. President, across the country, Republicans promised to repeal ObamaCare. They promised to repeal all of ObamaCare, root and branch. Not one Republican promised to keep and block grant ObamaCare. They promised to repeal ObamaCare.

Tonight I present another chance. My amendment will provide budget reconciliation instructions so Republican Senators can fulfill their promise; so they can actually repeal ObamaCare, root and branch, as they promised.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, this amendment provides reconciliation instructions to three Senate committees for the purpose of repealing and replacing the Affordable Care Act; in effect, rerunning the same bad movie the Senate has now seen three times. By now, Americans understand what these partisan Republican healthcare bills have in store for the middle class: higher premiums, worse healthcare, and a safety net in tatters.

I will close by saying that there is now a desire on both sides of the aisle to set aside this my-way-or-the-highway approach to governing. Bipartisanship is about taking each other’s good ideas, and I believe the Senate can work together to lower people’s premiums.

This amendment is a vote to look for partisan ideological trophies when the Senate ought to be working together to find common ground.

I urge my colleagues to reject this amendment.

The Senator from Wyoming (Mr. ENZI), for himself and others, proposes amendments numbered 1553, 1428, 1404, 1429, 1552, 1301, 1561, and 1167 en bloc to amendment No. 1116.

The amendments are as follows:

AMENDMENT NO. 1553

(Purpose: To establish a deficit-neutral reserve fund relating to the provision of full, permanent, and mandatory funding for the payment in lieu of taxes program in lieu of taxes program.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing full, permanent, and mandatory funding for the payment in lieu of taxes program by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

AMENDMENT NO. 1428

(Purpose: To modify a deficit neutral reserve fund relating to public land and the environment to address making payments under the payments in lieu of taxes program equivalent to the property tax revenue that would be due to a State or local government if the State or local government owned the land.

On page 47, line 19, insert “including re-writing the formula for payments under the program” after “program”.

AMENDMENT NO. 1404

(Purpose: To ensure that all Americans receive a tax cut, keeping more of their hard earned money, and enjoy the benefit of tax cuts.

On page 47, line 6, strike “$1,500,000,000,000” and insert “$2,500,000,000,000”.

AMENDMENT NO. 1429

(Purpose: To establish a spending-neutral reserve fund relating to prohibiting Federal regulation of entirely intrastate species under the Endangered Species Act of 1973)

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO CLARIFYING FEDERAL JURISDICTION RELATING TO INTRASTATE SPECIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting Federal regulation of entirely intrastate species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

The amendment (No. 1277) was rejected.

AMENDMENT NO. 1277

The PRESIDING OFFICER. The Senator from Wyoming (Mr. ENZI), for himself and others, proposes amendments numbered 1553, 1428, 1404, 1429, 1552, 1301, 1561, and 1167 to amendment No. 1116.

Mr. ENZI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Udall amendment No. 1533, Lee amendment No. 1425, Paul amendment No. 1404, Lee amendment No. 1429, Fischer amendment No. 1552, Cantwell amendment No. 1301, Enzi amendment No. 1561, and Perdue-Whitehouse amendment No. 1167.

I further ask unanimous consent that the Senate now vote in relation to these amendments in the order listed.

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 Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment, reluctantly. I have always fought to make sure the rural communities can keep the lights on. Approximately half of the land in my home State of Wyoming is under Federal control, and counties, therefore, are unable to obtain property tax revenue from a large part of the State.

Payment in lieu of taxes isn’t a giveaway to these counties. It is compensation for the money they lose because they are unable to tax Federal lands within their borders, even though they rely on the Federal services on those lands. However, this resolution already has the reserved funds for the Payment in Lieu of Taxes Program. I find this amendment to be duplicative and unnecessary. Furthermore, the vote-arama isn’t the correct forum to contemplate making any program permanent and mandatory, even one I have long supported.

I look forward to working with my colleague from New Mexico and with Members from Western States on fiscally responsible legislation to provide fairness and equity for America’s rural counties and their communities.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. UDALL. 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. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

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

The result was announced—yeas 58, nays 41, as follows:

(Rollcall Vote No. 239 Leg.)

YEAS—58

Alexander  Portman
Barrasso  Perkins
Blunt  Roberts
Boozman  Rounds
Burr  Sasse
Capito  Scott
Cassidy  Shelby
Collins  Strange
Corker  Thune
Donnelly  Tillis
Daines  Toomey
Daines  Wicker
Duckworth  Young
Durbin  Young
Franken  Murphy
Gardner  NAYS—41
Gillibrand  Portman
Gillibrand  Portman
Heller  Portman
Heitkamp  Portman
Heinrich  Portman
Hatch  Portman
Harris  Portman
Hatch  Portman
Heidt  Portman
Hirono  Portman
Kim  Portman
Kocher  Portman
Lobachev  Portman
Leahy  Portman
Lee  Portman
Manchin  Portman
Markey  Portman
McCain  Portman
McCaskill  Portman
Mendez  Portman
Merkley  Portman
Murkowski  Portman
Nelson  Portman
Nunes  Portman
O’Connor  Portman
Paul  Portman
Perdue  Portman
Peters  Portman
Reed  Portman
Risch  Portman
Sanders  Portman
Schatz  Portman
Schumer  Portman
Shahien  Portman
Stabenow  Portman
Sullivan  Portman
Tester  Portman
Udall  Portman
Van Hollen  Portman
Warren  Portman
Warren  Portman
Whitehouse  Portman
Wyden  Portman

NOT VOTING—1

Cochran
Cong. Rec. - S3627

The amendment (No. 1428) was rejected.

**AMENDMENT NO. 1404**

The PRESIDING OFFICER. The amendment (No. 1404) was rejected.

The amendment (No. 1404) was rejected.

**AMENDMENT NO. 1429**

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Lee amendment No. 1429.

The Senator from Utah.

Mr. LEE. Mr. President, our constitutional structure puts in place a Federal Government with powers that James Madison described as "few and defined" and those reserved to the States as "numerous and indefinite." Among other things, the Constitution gives powers to the Congress to regulate interstate commerce, trade or commerce between the States, with foreign nations and with Indian Tribes. It does not give the Congress the power to regulate any and every activity occurring intrastate. Yet, for the last few decades, under the Endangered Species Act, this very power has been abused to regulate species that exists only in one place, only within one State, never crossing State lines, never forming any part of any channel of commerce. This is wrong, it is unconstitutional, and it eviscerates and circumvents the meaning of the 10th Amendment. We need to liberate this country from the dictates of a few bureaucrats in Washington, DC, who have overextended their authority under the Endangered Species Act. My amendment fixes that, and I urge my colleagues to support amendment No. 1429.
The amendment (No. 1552) was adopted.

AMENDMENT NO. 1301

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Cantwell amendment (No. 1301).

The Senator from Washington.

Ms. CANTWELL. Mr. President, the Arctic National Wildlife Refuge is one of the most pristine areas of the United States, and we have been protecting it for a very, very long time. The notion that tonight, after 60-plus years, we would give up what is a biologically important area, that is a critical habitat for polar bears, a breeding ground for caribou, migratory birds, and over 200 species—for what? For oil that we don’t need.

We have had record oil production in the last 10 years—a 77-percent increase. The oil that we get would, we wouldn’t get until 10 years from now, and it would supply oil for only 1 year in the United States. It is not worth it.

As Representative Mo Udall said in 1980: “If we have to drill at the White House or Arlington Cemetery or the Capitol grounds for oil, we might have to drill in the Arctic Refuge. But let us go there last.”

We don’t need this oil. We have plenty of supply. The Interior Secretary is trying to open a billion acres, including on-shore and outer continental shelf waters. Vote no and protect a unique special place that has been protected for 60 years.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I urge my colleagues to soundly reject this amendment. Those who support this amendment will deny us the opportunity to do something constructive in this country when it comes to our opportunities to produce energy, to produce wealth.

We need to be expanding our energy development in our Federal areas. This helps us reduce our deficit, build new wealth in this country, strengthen our national security and our competitiveness. We can and we must do more as a nation to responsibly develop our resources, our energy resources providing economic security, energy security, and national security.

The Energy Committee is prepared to meet this instruction to raise a billion dollars over the next decade.

I urge Senators to reject this amendment, which would deprive us of a substantial opportunity to benefit our country at the same time that we care for our environment.

Thank you.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. CANTWELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. 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. 243 Leg.]

YEAS—48

Baldwin
Blount
Boozman
Burr
Capito
Casidy
Coons
Collins
Durbin
Feinstein
Alexander
Barrasso
Blunt
Boozman
Capito
Cassidy
Cochran
Cotton
Crapo
Cruz
Daines
Enzi
Ernst
Fischer
Flake
Gardner
NAY—52

Barrasso
Blount
Boozman
Burr
Capito
Casidy
Cochran
Cotton
Crapo
Cruz
Daines
Enzi
Ernst
Fischer
Flake
Gardner

The amendment (No. 1301) was rejected.

AMENDMENT NO. 1561

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote in relation to Enzi amendment No. 1561.

The Senator from Wyoming.

Mr. ENZI, Mr. President, first of all, I want to thank everybody who has gotten us to this point. There is this vote, and I hope there will be one voice vote after it and then final passage.

I am urging my colleagues to support this amendment. This amendment offers technical and conforming changes that are needed for the House of Representatives to be able to enforce the budget resolution. This amendment will help maintain fiscal discipline in the House so both Chambers can continue to work and put America on a more sustainable footing. What is also important for my colleagues to know is that these provisions apply to the House only. The Senate enforcement remains unchanged.

I hope you will support me on this amendment.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, Chairman Enzi suggests that this is just a “technical corrections amendment.” Actually, that is not quite accurate.

At a time when the United States spends more on defense than the next 12 countries combined, amazingly, this
Mr. PERDUE. Mr. President, I have great news. This is the last amendment and the only bipartisan amendment tonight, and after this we will vote on the entire bill.

The purpose of this amendment is to declare the whole process—the vote-arama—utter nonsense. It is part of a budget process that both parties have perpetuated and persisted with for 43 years. It has only worked four times; to fund the Federal Government, according to the Budget Act of 1974, four times in our history. We are supposed to appropriate 12 bills a year to fund the Government. We have averaged 2½.

I urge all of my colleagues to make clear to the American people that we recognize this budgeting process is broken and we are committed to fix it.

Thank you.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I am pleased to urge all of my colleagues to give a strong bipartisan vote voice in support of the amendment by the Senator from Georgia. The current budget process does not produce a meaningful budget, does not control the debt or the deficit, and does not contribute to bipartisanship or compromise. What it does produce is a meaningless, partisan vote-arama. If you believe we can do better than a vote-arama, if you believe we can have an improved and meaningful budget process, vote voiceaye.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1167) was agreed to, nays 49, as follows: (Rollcall Vote No. 245 Leg.)

YEAS—51

Alexander
Flake
Markowski
Perdue
Fischer
Barrasso
Biden
Gardner
Portman
Blumenthal
Booker
Boozman
Burr
Burr
Capito
Cassidy
Cassidy
Collins
Corker
Corker
Cox
Cotton
Cotton
Crapo
Crapo
Cruz
Cruz
Daines
Daines
Ernst
Fischer

NAYS—49

Balduin
Bennet
Bennet
Barrasso
Brown
Barrasso
Brown
Cantwell
Cardin
Carper
Casey
Cochran
Collins
Collins
Collins
Corker
C r e e s
Cruz
Durbin
Final
Franken
Gillibrand

NAYs—48

Baldwin
Bennet
Blumenthal
Booker
Booker
Brown
Brown
Cantwell
Cardin
Carper
Casey
Cochran
Collins
Collins
Collins
Corker
Cotice
Cortez Masto
Donnelly
Duckworth
Durbin
Feinstein
Franken

The concurrent resolution (H. Con. Res. 71, as amended) was agreed to. The PRESIDING OFFICER, Mr. McCONNELL. Mr. President, tonight we completed the first step toward replacing our broken Tax Code by passing a comprehensive, fiscally responsible budget that will help put the Federal Government on a path to balance. The budget also gives us the tools we need to strengthen our economy after years of stagnation under the previous administration.

We have a once-in-a-lifetime opportunity to replace a failing tax code that holds Americans back with one that actually works for them. To middle-class families across America, we have a very simple message. We want
to take more money out of Washington’s pockets and put more in yours.

With this budget, we are on a path to delivering much needed relief to American individuals and families who have borne the burdens of an unfair tax code for entirely too long. I want to particularly thank Chairman Mike Enzi and the members of the Budget Committee and the staff for their extraordinary work on this budget.

**BANKRUPTCY JUDGESHIP ACT OF 2017**

Mr. McConnell, Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 2266.

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. 2266) entitled “An Act to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.”., with an amendment.

**MOTION TO CONCUR**

Mr. McConnell. Mr. President, I move to concur in the House amendment to H.R. 2266.

**CLOTURE MOTION**

I send a cloture motion to the desk on the motion to concur.

The Presiding Officer. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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 motion to concur in the House amendment to the Senate amendment to H.R. 2266.


**MOTION TO CONCUR WITH AMENDMENT NO. 1568**

Mr. McConnell. I move to concur in the House amendment to the Senate amendment to H.R. 2266, with a further amendment.

The Presiding Officer. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to the Senate amendment to H.R. 2266, with an amendment numbered 1568.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The Presiding Officer. The clerk will report.

The legislative clerk read as follows:

The President from Kentucky [Mr. McConnell] proposes an amendment numbered 1569 to amendment No. 1568.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The Presiding Officer. Without objection, it is so ordered.

The amendment is as follows:

Strike “1 day” and insert “2 days”

**MOTION TO REFER WITH AMENDMENT NO. 1570**

Mr. McConnell. I move to refer the House message on H.R. 2266 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1570.

The Presiding Officer. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to refer the message to accompany H.R. 2266 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1570.

The amendment is as follows:

At the end add the following:

“This Act shall take effect 3 days after the date of enactment.”

Mr. McConnell. I ask for the yeas and nays on the motion.

The Presiding Officer. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

**AMENDMENT NO. 1571**

Mr. McConnell. I have an amendment to the amendment.

The Presiding Officer. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 1571 to the instructions of the motion to refer.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The Presiding Officer. Without objection, it is so ordered.

The amendment is as follows:

Strike “4 days” and insert “4 days”

Mr. McConnell. I ask for the yeas and nays on the amendment.

The Presiding Officer. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

**AMENDMENT NO. 1572 TO AMENDMENT NO. 1571**

Mr. McConnell. I have a second-degree amendment at the desk.

The Presiding Officer. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 1572 to amendment No. 1571.

The amendment is as follows:

Strike “4” and insert “5”

The Presiding Officer. The majority leader.

Thanking Senator Enzi and the Budget Committee members and staff

Mr. Cornyn, Mr. President, I want to take a few moments following the remarks of the majority leader to thank Chairman Enzi, the minority leader, and the whole Budget Committee for the tremendous work that has been done on this budget resolution.

I also want to express my gratitude and our collective gratitude to the Budget Committee staff, who has done such heroic work to get us this far. This might well be the best and most well-run budget consideration process during my time in the Senate. Certainly for me, it’s the first time Enzi has gotten us to this point at this time of night, when typically this ends in the wee hours of the morning, I think he is to be commended.

The resolution has gone through regular order from the start, working its way through the Budget Committee where amendments were considered and adopted from both sides. Chairman Enzi has been a very effective floor manager as we have been considering this budget resolution obtaining consensus from both sides of the aisle to ensure that the Senate has considered a number of amendments in a timely fashion. That is something that is not always so common around here.

I want to take a moment to note the great job the chairman has done in getting us to this point. As we all know, without a budget resolution, there will be no tax reform. This is the first step to get for us that tax reform, which will unshackle the sleeping giant of the American economy, something from which all Americans will benefit.

I yield the floor.

The Presiding Officer. The Senator from New Jersey.

The budget

Mr. Menendez, Mr. President, having been away for a while from the Senate, I am pretty amazed to come back today and see a budget that is passed that throws away years of rhetoric about fiscal conservatism. The Senate just passed a budget that adds $1.5 trillion to our national debt, a budget that slashes seniors’ healthcare by $479 billion. It decimates the Medicaid Program for parents and grandparents in nursing homes, those who are disabled, and those who are among the poorest, with cuts of over $1 trillion over the next decade.

In total, the Republican budget would cut more than $5 trillion over the next decade from education, healthcare, affordable housing, childcare, nutrition assistance, transportation, and other programs that all Americans rely on.

The question many New Yorkers will be asking me is, Why? Why do Republicans in Congress add $1.5 trillion...
to our national debt while slashing the Medicare Program? The answer is simple. We are on a pathway to provide massive tax breaks to corporate interests, special interests, and the wealthiest 1 percent. This has been a Republican agenda for as long as I can remember.

What I find most galling is that this budget plan is meant to set up a special process that we know here as reconciliation to pass the Trump tax plan—a plan, which, by their own admission, is aimed directly at middle-class families. Think about that. The Republican Party is adding $1.5 billion to the debt to pay for massive tax breaks for the wealthiest among us—I should say trillion, $1.5 trillion to the debt to pay for massive tax breaks for the wealthiest among us. They aren’t even guaranteeing that middle-class taxes will not go up.

What the Republican budget fails to realize is that budgets are not just about numbers. Budgets are about people, their hopes, their dreams, their expectations for a better life for themselves and their children.

My view is that this budget sells America short. It is not what the American people deserve and it is not what our values would be. Hard-working families want us to work together and pass a budget that addresses their concerns. They want safe communities, not a budget that threatens to cut the fire-fighter grants and stretches local budgets even thinner. They want peace of mind when they reach their golden years, not a budget that raises their healthcare costs. They want a tax proposal that cuts taxes for the middle class and working people, not more tax breaks for the folks that have been rigging the system against us.

People are willing to do their part if everyone is sharing in the sacrifice. But this budget fails that test. It fails to require those who are already wealthy to sacrifice together and should benefit together and sacrifice together—each of us working for the betterment of all of us.

Mr. President, another area where it is critical that we come together, not as 50 separate States but as the United States of America, is to help the 3.5 million American citizens living in Puerto Rico. I have serious concerns that the current disaster relief package currently being considered by Congress falls far short of that.

Puerto Rico has been in the news for over a month since Hurricane Maria devastated the island of Puerto Rico, leaving in its wake a trail of destruction, despair, and suffering. It is 1 month later, and still 88 percent of our fellow Americans in Puerto Rico don’t have power. It is 1 month later, and still one-third of the island lacks access to clean, safe drinking water.

Outside of the city of San Juan, the situation on the ground is even worse. Nearly two-thirds of people still remain without water. Let me just pause for a moment to think about that. Think about it: an entire month without clean water, without water to bathe, to cook with, or simply to drink. How many of us can even imagine such an existence? More than half of the island’s cell towers are down, which is not just an inconvenience. It is a threat to safety. Imagine the sense of isolation and desperation when you have run out of potable water, with none on the way, and you can’t even call for help.

As bad as it looks on TV, the situation on the ground is even tragically worse. I am concerned that the package we are considering now is both inadequate in scope and unfair in treatment—inadequate because it is just a fraction of what Puerto Rico needs to recover, unfair because it treats the people of Puerto Rico different than Florida and Texas, even though they are U.S. citizens.

While all three areas have been devastated by natural disasters, only Puerto Rico is being required to pay back. That is right. Unlike Florida and Texas, the majority of Puerto Rico’s assistance is coming in the form of a loan. While there are a lot of things that the people of Puerto Rico need from their Federal Government, we must be absolutely sure that they do not need and simply cannot afford is billions of dollars of more debt.

This is not a normal disaster loan. No. Just like everything else with Puerto Rico, this loan comes with a major condition: It is federal disaster loans are normally forgiven according to a standard formula under the Stafford Act, this package overrules long-standing law and leaves the decision entirely in the hands of the Secretaries of the Treasury and Homeland Security.

While disaster loans are normally used to help people be safe and start the recovery process, this legislation gives the Secretaries of the Treasury and Homeland Security the authority to control how Puerto Rico spends the money. If Secretary Mnuchin decides that some, most, or even all of the loan should be used to pay off his friends on Wall Street, there is nothing Puerto Rico can do to stop him. If he decides that debt bondholders are more important than those who are suffering in darkness, there is nothing they can do to stop him. Instead of being treated like the rest of the country, Puerto Rico is left at the mercy of the President and the Secretary Mnuchin. They are at the mercy of someone who made their fortune off the backs of seniors and hard-working families who lost their homes in the foreclosure crisis.

Do we really think that someone who callously rejected the pleas of struggling families to save their homes and instead put them on the fast track to foreclosure is going to suddenly change now for the 3.5 million American citizens in Puerto Rico? Does anyone really believe that the people of Puerto Rico first? What a tragedy it would be if, instead of helping our most vulnerable citizens, this loan was used to pay off, in whole or in part, vulture funds. We need people saved, not bondholders.

We need a response that answers the way, and you can’t even call for help.

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We need a response that answers Puerto Rico’s call. Instead of continuing to treat Puerto Rico like a foreign country and stick a bill at the U.S. Treasury while they are vulnerable and pleading for help, we need to treat them just like their fellow American citizens in Florida and Texas. We need to provide unconditional assistance—again, to re-build roads, the electrical grid, and to put people back in their homes and businesses. We need to address the massive Medicaid cliff that is forcing even more doctors and nurses off the island and threatening the health of the people of Puerto Rico. We need strong protections to make sure that the disaster relief stays with the people of Puerto Rico, where it is needed the most.

Let me close by saying that I grew up believing the United States was the greatest country the world had ever seen. I still believe that today as strongly as ever. Ultimately, our response as it relates to the people of Puerto Rico is not just about the people of Puerto Rico but about all of us. It is about our values—who we are as a people, who we are as a nation. How we respond to this crisis will test the collective conscience of our Nation, and it will define us.

As I have said many times, I have never shied away from voting for assistance for flooding in Mississippi, for wildfires in the West, for hurricanes like Katrina, and any other natural disaster that has faced our country with our fellow Americans. I was amazed when I had to struggle and fight here on the Senate floor for the first time—I don’t know—in my lifetime to get assistance in the New York-New Jersey area after Superstorm Sandy. It was a major fight, with people voting no, even though I had always voted yes.

The people of Puerto Rico do not have a U.S. Senator to cast their vote for them or to raise their voices for them. Yet, as long as I am a Member of this Chamber, I am going to continue to prick the conscience of the Senate to understand that when we walk to the Vietnam wall and see those names, a disproportionate number of them are Americans of Puerto Rican descent, who fought the uniform, gave their lives, and made the ultimate sacrifice. They did not leave the conflict early; they gave it their all. We cannot leave them early, nor should we leave them short.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

THE BUDGET

Mr. ENZI. Mr. President, I am going to contain my remarks to the budget and its process.

For several days—in fact, for several weeks—I have been listening to the same rhetoric of what this budget will do. This budget is a special process. It
I don’t know that we ever make it past the first year. In fact, some budgets do not last more than 40 days before we waive the budget, but we need to have a blueprint. This is a blueprint that covers 10 years in spite of some of the rhetoric that this bill will not do any of the things that have been claimed. The reason that it will not do any of the things that have been claimed is that nothing in the budget reform action by another committee before it can be done. Maybe they will take what we have in the budget and do that. Usually, they do not. If they were to, we could balance it, in this case, over a 10-year period. That is too long. I am interested in eating up the people alive that time. We are going to have to do something else.

I remember when President Obama came into office, he had an idea. He said that the economy was too sluggish, and he could have gone on all night. He said: Wait a minute, I have one more, and he could have gone on all night. On final passage—somebody could have thrown in this amendment, he will be on record, probably, having to vote against it, or he will vote for it, and that can be used against him. Either way, they would be able to use it. I didn’t see those amendments this time, and I appreciate that.

I appreciate my colleagues for their consideration, their cooperation, and a lot of patience that has gotten us to this point.

I thank Leader MITCH MCCONNELL for allowing the Senators to do their jobs, to do their committee, and to do them here on the Senate floor. This commitment to an open, honest, and transparent legislative process is crucial to helping Congress restore the trust of the American people.

I am grateful to the outstanding members of the Senate Budget Committee, for whom so hard and so tenaciously to outline a plan that could balance the budget over the next 10 years while providing the tools needed to grow the economy. The Presiding Officer was a part of that committee, and the Senator who just finished presiding was a part of that committee. I appreciate the careful and calculated way that they looked at it, provided suggestions, then asked good questions at hearings and helped to come up with that budget.

Thanks are due, as well, to the many Members on this side who came and spoke on the budget’s behalf, who offered amendments, and who worked with each of us and each other to move through the resolution’s debate and the vote process together.

I would also like to focus for a moment on some of the staff who helped to lead us here. I want to thank the Republican staff of the Senate Budget Committee. That is Betsy McDonnell, my staff director, who is relatively new to the position, and she has worked hard to make it better—well, almost always to make it better—and who worked with each of us and each other to move through the resolution’s debate and the vote process together.

I want to thank my deputy staff director, Matt Giroux, and Paul Vinovich. Becky Cole, Thomas Fuller,
Elizabeth Keys, Joe Brenckle, Jim Neill, Steve Robinson, Greg D’Angelo, Tom Borck, Richard Berger, Jeremy Dalrymple, David Ditch, Susan Eckerly, Alison McGuire, Will Morris, Steve Townsend, Kelsie Wendelberger, and last but certainly not least, Catherine Rehagley, Jake Whitaker, and Matt Pfeiffer. They are quite a team that has been doing a lot of work, both daytime and night and while the Senate has been out of session.

So I would also like to offer a special thank-you to Eric Ueland, who previously served as my staff director. He has been nominated for a post within the administration, and he is still waiting for his vote here, which is being delayed a lot—not just on his but apparently on all of them.

Eric has played an important role on this committee and throughout his time in the Senate. Two years ago, Eric was instrumental in helping Congress approve its first balanced 10-year budget since 2001, which represented an important step toward putting our country on not just another course but a better course. He is careful, precise, and dogged in his work. He has a tremendous knowledge of the history of the Senate and particularly the budget process. I especially appreciate his understanding of the complex Senate rules and precedents, along with the Budget Act. I wish him Godspeed in his next position in service to our great Nation.

As well, thanks are due to my personal office staff who have to carry a load because I am not there when I am working on the budget stuff, but they keep me well informed so we are progressing on some of the State stuff at the same time. I particularly have to thank my chief of staff, Tara Shaw, who, because a new administration came in and liked the employees I had working for me, hired many of them away. In addition to that, she did an outstanding job with that. She has helped to kind of hold me together during this whole process and gives me outside advice so that I know not only what I am doing but why I am doing it, and, again, she has a tremendous history of what I have done before, which helps me as a good reminder. She is an outstanding chief of staff.

I also want to include my legislative director, Landon Stropko. When you are the budget chairman and you are worried about some of the numbers, you can give the legislative director a heart attack because as budget director you have to vote against some things that have some unusual numbers to it, but it might be something people in Wyoming are interested in. We were able to resolve some of those conflicts. I always support Wyoming, as I mentioned. For anything that happens in the budget process, there is another process that will actually finish up anything that is in there, and we will see that everything in there comes out in Wyoming’s favor as well as for the rest of the Nation. I am not trying to do anything partial just to our part of the country, although a lot of things I work on have to do with very rural places. We are the least populated State in the Nation, but we are also the biggest State in the Nation. So we are a lot of open space to invite people to.

I also want to thank Bart Massey, Liz Schwartz, Natalia Riggan, Aniela Butler, Charlie Carroll, Shawna Jones, Cameron, Cailtlin, Debbie Chris, Lydon, Aron Wehr, and Dylann Mitchell. I want to thank my Communications Director, Coy Knobel, our press team, Max D’Onofrio and Rachel Vliem, and the rest of the Wyoming team.

I have a bunch of people in Wyoming who primarily work on casework and do an outstanding job doing that. I also want to thank the Budget Committee’s bipartisan staff: Kim Proctor, Katie Smith, George Woodall, Grace Bruno, and Kevin Walsh, as well as Celina Inman, who has been on loan to us from the Government Publishing Office. You can tell around here it takes a lot of government printing.

We have also been supported by the great work of the floor and cloak room staff. I thank them for their continued good work and dedication to this institution and the country as a whole.

In particular, I want to thank Sharon Soderstrom, John Wall, Jane Lee, and Brendan Dunn in the leader’s office; Monica Popp, John Chapuis, and Emily Kirlin in the whip’s office; and very especially Laura Dove, who really runs this place. She has a history from when her dad was the Parliamentarian, and I am sure there was dinner table talk that has led her to know a lot of the precedents. I have seen when somebody disagrees with her, she was able to just go over and pull out a manual and turn almost instantly to the page and say: Here it is. She does an outstanding job of helping us stay on the right track. I also thank Robert Duncan, Chris Tuck, Megan Mercer, Tony Hanagan, Mike Smith, Katherine Kilroy, and Chloe Barz in the cloakroom. I would really be remiss if I didn’t thank the Senate Parliamentarian, Elizabeth MacDonough, and her team, along with our bill and amendment clerks who kept us on the straight and narrow, but I particularly want to thank our Parliamentarian, who has to go through the technical details of every sentence of everything we do. When you talk about a filing cabinet of ideas all contained in one place, she does it. She knows precedent. She has been working at it for a long time. To be Parliamentarian, you have to be somebody who really likes detail work and pressure because when somebody comes in, they don’t say: Take a look at this, and maybe I will see what you think next week. No, they want to get what you think, and fortunately she is able to, with a very great personality, say: Not yet, and then she does her research and comes up with some great explanations—not ones we always agree with—but great explanations for any decision she makes, and we really appreciate that.

So you can see that it takes a whole lot of people, and I should have a chance to get the list of the people from the other side of the aisle who have been working on, in some cases countering what we are doing and keeping their people informed, but that is the Senate; that is, there are these people behind the scenes who are helping to make it work and to do it right. That is important. We want to do it right.

Now, I think we could work together a lot better if we were able to work in smaller bites. I get a little upset when we do comprehensive stuff around here. I have watched so many times when we take a comprehensive bill and soundly defeat it or maybe narrowly defeat it, but we defeat it. I figured out, when we do something that is—let’s say separate, that this piece loses 5 votes and this piece loses 10 votes and this piece loses 12 votes, and pretty quickly you don’t have a majority anymore, but if you do it in smaller bites, you may lose 5 votes here, and it isn’t a big deal. Getting it done would be the big deal. So if people would settle for working one issue and sticking to that issue and not say: No, I have this amendment that I know nobody has, but this is an important bill, if I could get it in there, it will make it through and hardly anybody will know—that is not legislating, and we shouldn’t be operating that way. We should be doing an item at a time, in bite sizes, so the American people can understand it, and we get it done.

I think a lot of people have done a great job here, including the pages. It is late, so rather than go on—I made it to about 10 p.m. so you don’t have to turn off the lights, we shouldn’t be operating that way. That is important. We want to do it right. That is important. We want to do it right.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Ohio.

Mr. PORTMAN. Mr. President, as we have just seen, there is no more decent or honest Senator in the U.S. Senate than the Senator from Wyoming who just spoke, and that is why we were able to expedite the process tonight. It will be like we are an hour late, but, frankly, we all expected to be here until 2 or 3 or 4 in the morning, and instead we worked things out. He is an example of why we did, both in committee and on the floor. Senator Enzi was able to work with people, be fair, honest, and that pays off. It gave everybody a fair shot.

I will also say he has produced a budget that does balance, which I think most Americans agree with. As he said to all, the budget is a framework. So the framework itself does not have the specific policies in it. In fact, those have to go to other committees to be passed and then will be passed by
What it does do is it prepares this body to do something really important and really exciting, and that is the opportunity to reform our broken Tax Code. It is so important because what we will give is a shot in the arm, in terms of our economy. It will get this economy moving again, and it is going to help people who have been left behind in this economy. Really, when we look over the past 15 years, so many people whom I represent and who are represented by the other Members in this Chamber have not seen their wages go up. In fact, they have been flat, and what has gone up are expenses—healthcare expenses more than any, frankly. It is the biggest single increase people see in their family budget but also food, medicine, and tuition. We have seen flat wages, not more take-home pay, and higher expenses.

What we have an opportunity to do in this tax reform bill—that is, that is the framework for us to be able to do this. It will just add to what has been said already. If we do this tax reform right, it will not add to the deficit. In fact, I strongly believe it will reduce the deficit over the next 10 years. Why do I say that?

I am going to talk for a second about some of the things that are in good pro-growth tax reform that we are planning to implement that will actually grow the economy that will result in more economic activity and more revenue coming into the Treasury. If you assume, as the Congressional Budget Office does, that we are only going to grow this economy 1.9 percent, which is a pretty paltry amount over the next 10 years—way below what the average has been for the past 30 years—then let's say all this tax reform we are doing only grows the economy by a little bit more. Let's say 2 percent. Instead of 1.9 percent, let's grow the economy at 2.3 percent. That is a conservative estimate, I believe, based on the kinds of things we are talking about. That will mean we actually not only have a revenue-neutral tax proposal, but we begin paying back some of the national debt by having the deficit, once again, as it was in the years 2000 and 2001, be on a unified basis at a zero deficit.

This is an exciting opportunity to help people be able to seek their goals in life but also to actually help with regard to the budget deficit. I agree with the chairman on that. I think we have an opportunity, if we do the right tax reform, to really help to get the budget deficit down.

How does this comprehensive tax reform help the middle class? We talked a little bit about this today. Some offered amendments. I offered one with regard to the business tax side of things, but I think it does it in three ways. First, it immediately helps the family budget by cutting middle-class taxes. So everything that has been laid out tonight, on the tax side, we can talk about the fact that for families who are working families in this country who are making $30, $40, $50, $60,000 a year, those folks will see a reduction in their taxes which is 1.9 percent, which is a fact.

The Tax Code, of course, is very complicated, too burdensome. One thing we are proposing is to double the standard deduction. That means for people who take the deduction now—and about two-thirds of the people I represent do—they will be able to have a doubling of that, from $12,000 for a family to up to $24,000 for a family. That is a 0 tax bracket for the first $24,000 in income. That is significant middle-class tax relief.

Second, we are going to expand the child tax credit. That is really important, not just to provide relief but to help families with kids be able to afford childcare.

Finally, we will adjust the bracket so people who are beyond the standard deduction, double or nothing, and who don't take advantage of the child tax credit also get tax relief.

So these are ways in which folks are going to see immediate help for the family budget, but it is more than that. It is more than that.

I think, frankly, the most significant part of this reform is going to be giving the economy that shot in the arm and helping to increase jobs and improve wages. That is going to happen, I think, through the business tax relief that we have talked about. First, with regard to smaller companies, the so-called passthrough companies, about three-fourths of companies in America pay their taxes as individuals. This is the corner drugstore; this is the small manufacturing business in your town. Those folks are going to see a reduction in their taxes on their business income so they can invest more in that business and create more jobs, and a lot of the growth is going to come from these smaller businesses. That is the 25 percent rate people are talking about as compared to, say, a 35 percent or higher rates. That is something that is fair, in part because we are also going to lower the rates for people who are in the larger businesses. These are the C corporations that are being talked about. That rate has to come down. If it does not, America will continue to lose jobs and investment overseas, and that is what is happening right now.

Just in the last 24 hours, another major American company announced that they are inverting; in other words, they are going overseas. Why? Because of the Tax Code. It is amazing that the Tax Code that this Congress is responsible for improving is so bad that people are actually voting with their feet and leaving the country and taking jobs and investment with them. We have done research on this, we have had investigations on this, and we know what is happening. We know, as an example, that because of our Tax Code, American companies just in the last 13 years that have become foreign companies that otherwise would be American companies. Think about that. That is the Ernst & Young study we recently saw. It is amazing, frankly, that it is not just about these companies leaving America and going to other countries and doing these so-called inversions—becoming a foreign company—but it is also foreign companies coming here and taking over U.S. companies, and, again, what is happening here is that jobs and investment are going overseas.

Why is this? Well, it is for a couple of reasons. One is that American companies have the highest tax rate in all of the industrialized world. So the 35 percent tax rate you hear about, that is a high rate compared to every other country in the world that we do business with. That is a negative, but there is also how we tax. We tax in a way that discourages us from bringing profits back to America to the point that, unbelievably, there is between $2.5 trillion and $3 trillion—and some say more—of earnings stuck overseas, locked out of America, which could come back here to lock into plants, equipment, and jobs, to actually get this economy moving. This is a huge opportunity for us. We don't want to see these companies go offshore. We want to see them come back.

Trade policy is important. Regulations are important. Worker retraining programs are important. Healthcare cost containment is important. But nothing is more important than fixing this broken Tax Code if we are going to see any kind of growth and improvement in wages that we all hope for.

There have been a lot of studies done on this, and they say that we haven't changed our code since the mid-1980s, but every one of our competitors have. They have all lowered their rates, and they have all gone to a system of taxation that is more efficient to get this money back to their countries.

In 1986, Ronald Reagan was President. He made some great changes. That was 31 years ago. Things have changed a lot since then. By the way, back then Pete Rose was still playing for my Cincinnati Reds. That is how long ago it was.

It is time for us to update this Tax Code, to modernize it, and to bring back those jobs and that investment. We can do it. We can do it because of what happened tonight. This creates the framework for us to able to do this.

In a recent business roundtable survey of 150 American companies—these are the CEOs—are 82 percent said that tax
reform that we are talking about will prompt them to increase capital spending. Three-quarters of them—76 percent—said that it is going to increase hiring. And with this reduced tax burden, businesses are going to have the money to hire their workers back, and this will increase competition for workers, and this will increase wages. We know that is going to happen.

Every economist agrees that this kind of tax reform is going to change behavior. Some might think it doesn’t improve the economy as much as others do, but everyone believes this will incentivize us to create more jobs and improve wages here in the United States of America.

There is a group called the Congressional Budget Office, a nonpartisan group up here that we work with. They have a report that says that as much as 70 percent of the benefit from that lower corporate rate is going to go to the workers in terms of higher wages, better benefits. That is the way we are going to help the middle class also—not just with regard to the tax relief directed toward job creation, but to help incentivize the workers to create more jobs and improve wages here in the United States of America.

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As Bob Secter wrote:

"The easy part for Nelson was grabbing the local papers to start his reporting career. However, the difficult task of being a reporter required a strong work ethic and a passion for the job. Nelson soon became known for his dedication and hard work, and his reporting style became legendary.

As a young adult and beyond, his greatest devotion was reserved for his family. Nelson was a devoted father and husband who instilled the values of hard work and dedication in his children. He was a true role model for his family and friends, and his legacy will live on forever.

TRIBUTE TO ELAINE NEKRITZ
Mr. DURBAN. Mr. President, Elaine Nekritz was a leader in the House of Representatives. Along with being a good friend and dedicated public servant, Elaine was a real leader for her constituents in Northbrook, Arlington Heights, Wheeling, Buffalo Grove, and across her district.

Elaine Nekritz was always visible as people travel on high-speed rail from Chicago to St. Louis and throughout the State. As the chair of the Illinois House Railroad Industry Committee, Elaine was a leader in advocating for high-speed rail before it was popular.

During her service in the State House, Elaine championed women's
VOE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavailable for rolloc vote No. 229, on Wyden amendment No. 1302. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 226, on Capito amendment No. 1393. Had I been present, I would have voted "nay."

Mr. President, I was unavailable for rolloc vote No. 227, on Cantwell amendment No. 1141. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 228, on Warner amendment No. 1138. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 229, on Flake amendment No. 1178. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 230, on Baldwin amendment No. 1139. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 231, on Heitkamp amendment No. 1228. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 232, on Brown amendment No. 1378. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 233, on Paul amendment No. 1296. Had I been present, I would have voted "nay."

Mr. President, I was unavailable for rolloc vote No. 234, on Cardin amendment No. 1375. Had I been present, I would have voted "yea."

Mr. President, I was unavailable for rolloc vote No. 235, on Kaine amendment No. 1249. Had I been present, I would have voted "yea."

GAO OPINION LETTER RELATED TO INTERAGENCY GUIDANCE ON LEVERAGED LENDING

Mr. TOOMEY. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated October 19, 2017, related to the Interagency Guidance on Leveraged Lending of St棂 Corporation, Federal Register citation 78 FR 17766.

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


Hon. PAT TOOMEY,
U.S. Senate

DEAR SENATOR TOOMEY: You asked whether the final Interagency Guidance on Leveraged Lending (Interagency Guidance or Guidance), issued by the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (the Board), and the Federal Deposit Insurance Corporation (FDIC), is a rule for purposes of the Congressional Review Act (CRA). CRA establishes a process for congressional review of agency rules and establishes special, expedited procedures under which Congress may pass a joint resolution of disapproval that, if enacted into law, overturns the rule. Congressional review is assisted by CRA's requirement that all federal agencies, including independent regulatory agencies, submit a report on each new rule to both Houses of Congress and to the Government Accountability Office (GAO) before it can take effect. For the reasons discussed below, we conclude that the Interagency Guidance is a general statement of policy and is not a rule under the CRA.

BACKGROUND

Congressional Review Act

CRA, enacted in 1996 to strengthen congressional oversight of agency rulemaking, requires all federal agencies, including independent regulatory agencies, to submit a report on each new rule to both Houses of Congress and to the Comptroller General before it can take effect. The report must contain a concise general statement of policy and is not dispositive. Similarly, an agency's own label does not establish a 'binding norm.' It is not finally determinative of the issues or rights to which it is addressed. As a result, they claim, the Interagency Guidance is not a rule under CRA.

The focus of the arguments made by the Agencies is that the Interagency Guidance is a general statement of policy and is not subject to the CRA. They assert that the Guidance is a statement that explains how they will exercise their broad enforcement discretion. They maintain that it does not establish legally binding standards, is not certain or final, and does not substantially affect the rights or obligations of third parties. As a result, they claim, the Interagency Guidance is not a rule under CRA.

In other words, a statement of policy announces the agency's tentative intentions for the future: "A general statement of policy . . . does not establish a 'binding norm.' It is not finally determinative of the issues or rights to which it is addressed. It cannot apply or rely upon a general statement of policy as law because a general statement of policy only announces what the agency will do." The Interagency Guidance provides information on the manner in which the Agencies
will exercise their enforcement authority regarding leveraged lending activities, does not establish a ‘‘binding norm,’’ and does not determine the outcome of any Agency examination or investigation. Further, the Guidance expresses the regulators’ expectations regarding the sound risk management and supervisory activities. We agree with the Agencies that the Guidance is a general statement of policy. However, the issue presented here is whether this general statement of policy is a rule subject to CRA. GAO has previously held that general statements of policy are rules under CRA. For example, in B-297505, May 14, 2011, we decided that a ‘‘guidance document’’ issued by the Fish and Wildlife Service in connection with a federal irrigation project was a rule under CRA. We found that the ROD was a general statement of policy regarding water flow and ecosystems issues in both the Trinity and Sacramento Rivers. The ROD modified prior policy in an attempt, in part, to restore fish habitat.

We cited to the APA definition of ‘‘rule,’’ which includes ‘‘the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy of the organization, determine action, or practice requirements of an agency.’’ This definition includes three key components: (1) an agency statement, (2) of future design, intended to implement, interpret, or prescribe law or policy. We stated that this definition is broad, includes both rules requiring notice and comment rulemaking requirements, and that do not, such as general statements of policy.

We noted that, since CRA adopts the definition of ‘‘rule’’ from APA, it too covers both those requiring notice and comment and general statements of policy, which do not. We decided that the ROD fell squarely within the Agency actions constituting a ‘‘statement of general . . . applicability and future effect designed to implement, interpret or prescribe law or policy.’’ We also noted that Congress intended CRA to cover, not only formal rulemaking, but also rules requiring notice and comment under 5 U.S.C. 553(c), rules that are not subject to notice and comment requirements, including rules that must be published in the Federal Register before taking effect (5 U.S.C. 553(a)(1) and (2)), and other guidance documents. A general statement of policy is specifically included among the types of agency actions subject to the requirements of Sections 552(a)(1) (D) and (a)(2)(B), it is clear that CRA covers general statements of policy.

Additionally, in B-316948, April 17, 2008, we considered whether a letter issued by the Centers for Medicare and Medicaid Services (CMS) to state health officials concerning the State Children’s Health Insurance Program (SCHIP) was a rule under CRA. In that case, GAO has included that the letter was subject to CRA because it was, in fact, a rule subject to notice and comment rulemaking requirements. However, the Agencies in this case also disputed general statements of policy under CRA. CMS argued that the letter was a general statement of policy announcing the course which the Agency intends to follow in future adjudications, i.e., what the agency seeks to establish as policy. We explained that that the rule under CRA and CRA includes ‘‘a statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.”

In deciding that a general statement of policy is a rule for CRA purposes, our prior decisions cite to the legislative history of CRA, which confirms that rules subject to CRA are defined as ‘‘rules, general statements of policy, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5. Types of writings, such as determinations of policy, are covered under the congression review provisions of the new chapter 8 of title 5.”

Under section 801(a) [CRA], covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to Congress. The APA, interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they are not the definition of a rule. The APA rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they are not rules. However, while our decisions recognize that CRA’s requirements include general statements of policy, they have pointed out that federal agency actions constituting a ‘‘rule’’ include such items as ‘‘general statements of policy,’’ and that ‘‘the legislative history of the Act . . . makes clear that this scope was understood and intended.” Nonetheless, the Agencies assert that because the Guidance does not establish legally binding standards, is not certain or final, and does not affect the rights or obligations of third parties, it is not a rule under CRA. They cite to our decisions in which we found that agency actions that imposed no economic or legal effect that were ‘‘both certain and final’’ were rules for CRA purposes. However, while our decisions recognize those characteristics as indicative of certain types of rules subject to CRA re-quirements, they do not suggest that the absence of those characteristics requires a determination that an agency action is not a rule under CRA. CRA GAO has examined the issue whether an agency action substantially affects the rights or obligations of third parties, it has been in the context of education action falls within the CRA exception for agency rules of practice or procedure, not in deciding whether it meets the definition of rule. The Agencies’ policy language in certain court decisions to suggest that policy statements are not rules under APA. However, those decisions do not support such a conclusion. Indeed, the Supreme Court has recognized that rules under the APA include ‘‘substantive [legislative] rules’’ on the one hand, as well as ‘‘interpretive, declaratory and other non-legislative rules on the other.

We can readily conclude that the Guidance does not fit squarely within any of the three exceptions to CRA. We note here that the Interagency Guidance is of general and not par-ticular applicability, does not relate to agency management or personnel, and is not a rule of agency organization, procedure, or practice.

CONCLUSION

The Interagency Guidance is a general statement of policy designed to assist financial institutions in providing leveraged lending to creditworthy borrowers in a sound and prudent manner. As such, it is a rule subject to the requirements of CRA.

Sincerely yours,

SUSAN A. POLING,
General Counsel.

CHRISTENING OF THE USNS ‘‘HERSHEL ‘WOODY’ WILLIAMS’’

Mrs. CAPITO. Mr. President, today I wish to celebrate the christening of the United States Navy’s T-ESB 4 Expeditionary Sea Base, USNS Hershel ‘‘Woody’’ Williams taking place on October 21, 2017. This vessel is named after the proud West Virginian and last surviving Purple Heart recipient from the Pacific theater during World War II. This ship will serve as a flexible platform to support Special Forces helicopters and aircraft, as well as counterpiracy and mine countermeasures.

This ship could not have a better namesake than Woody Williams. Woody’s life is the embodiment of what it means to serve this country, both in his military service during World War II and his service to veterans and Gold Star families in his civilian life. Corporal Williams’ actions on Iwo Jima are the definition of heroism. He went forward alone, facing deadly machine-gun fire from entrenched Japanese positions and fought bravely for 4 hours, taking out enemy positions one by one. His actions were crucial to his regiment’s success on Iwo Jima, wiping out a heavily defended Japanese position.

In addition to Woody’s wartime hero-ism, for which he received the Congressional Medal of Honor, he also has devoted his life to servicemembers, veterans, and their families. Through the Hershel Woody Williams Medal of Honor Foundation, he honors Gold Star families who have lost loved ones that bravely sacrificed their lives in defense of our freedom by seeking to establish Gold Star Families Memorial Monuments in all 50 States. His foundation also offers scholarships to Gold Star children and sponsors outreach programs that educate the public about Gold Star families and the sacrifice that they have made. To date, the foundation has established 26 Gold Star Families Memorial Memorials across the country, with 50 other monuments underway in 36 States. Woody also served our Nation’s veterans for 33 years as a veterans service representa-tive in the Department of Veterans Af-fairs.

At 94 years old, Woody continues to be a living, breathing force for good. I have had the privilege of know-ing Woody Williams for many years, and the christening of this mobile sea base vessel is a testament to Woody’s
bravery, his dedication to our Nation's servicemembers, and his unwavering commitment to serving others. I am proud to rise today to recognize Mr. Williams and congratulate him on the christening of the USNS Hershel "Woody" Williams.

200TH ANNIVERSARY OF THE BIRTH OF BAHÁ’U’LLÁH. THE FOUNDER OF THE BAHÁ’I FAITH

Mr. ALEXANDER. Mr. President, I am very pleased to draw attention today to the 200th anniversary of the birth of Bahá’u’lláh, the founder of the Bahá’í Faith.

The Bahá’í Faith has over 5 million followers around the world, including over 2,000 in Tennessee. Bahá’ís come from virtually every racial, ethnic, national, tribal, and linguistic background on the planet.

On October 22, 2017, Bahá’í communities across the United States and around the world will commemorate the 200th anniversary of the birth of Bahá’u’lláh—the founder of the Bahá’í Faith—and celebrate his life and his teachings.

Bahá’u’lláh was born to a noble family in 1817 in Persia, modern-day Iran. As a young man, he was known for his charity and service to others and was called the father of the poor. In 1844, he founded the Bahá’í Faith, a new and independent religion with its own scriptures, laws, teachings, and practices.

Bahá’u’lláh proclaimed a message of justice, unity, and peace. This message called for, among other things, the equality of women and men, an end to racial prejudice, universal education, interfaith harmony, and international cooperation. As a result of his teachings, Bahá’ís in Iran are still persecuted for their faith, and human rights experts have called their situation one of the clearest and most severe cases of religious persecution in the world.

The Bahá’í Faith first arrived in the United States over 120 years ago. Bahá’ís now live in every State of the Union, including Tennessee, where the community has over 2,000 members. Wherever they live, Bahá’ís champion the principles that Bahá’u’lláh proclaimed. They strive to build a better world by being good citizens, serving their communities, and working side by side with others to promote the common good.

On this important occasion, I congratulate the Bahá’í community of Tennessee and across the United States on the bicentennial of the birth of Bahá’u’lláh.

REMEMBERING EVELYNE J. VILLINES

Mr. GRASSLEY. Mr. President, today I wish to recognize the passing of disability rights pioneer and my longtime friend, Ms. Evelyne Villines. Ever since I first met Evelyne during my early years in the Iowa House of Representatives, I knew her to be a fierce advocate on behalf of those with disabilities. She had an outstanding work ethic and never stopped campaigning for those with disabilities to be recognized for, among other things, their abilities and not by what others saw as their limitations.

Thanks to people like Evelyne, our society has made a lot of progress in this area. Evelyne’s tireless work earned her recognition on both the State and national levels as an inductee into the Iowa Women’s Hall of Fame and the national Hall of Fame for Persons with Disabilities. Evelyne’s efforts were recognized as paving the way for passage for the American with Disabilities Act of 1990.

She served on numerous commissions and joined the board of SourceAmerica in its infancy, leading the company to become one of the largest employers of people with disabilities in the Nation. Evelyne’s advocacy and resulting accomplishments have opened the doors of opportunity for people with disabilities.

I am honored to stand before you in recognition of her lifetime commitment to service. Evelyne’s legacy will live on for years to come through the countless individuals who will continue to benefit from her life’s work.

TRIBUTE TO ROBERT HIGDON, JR.

Mr. TILLIS. Mr. President, today I wish to recognize Robert Higdon, Jr., and congratulate him on his appointment as the U.S. Attorney for the Eastern District of North Carolina.

Bobby earned both his law degree and undergraduate degree from Wake Forest University and has a decorated career in public service and in private practice. Prior to law school, he worked for then-Secretary of Transportation Elizabeth Dole and for Senator John East. Upon graduating from law school, Bobby served as a law clerk to Judge Eugene H. Phillips on the North Carolina Court of Appeals. After working for several years in private practice, he began a successful career as a Federal prosecutor.

From 1991 until 2015, Bobby served in the U.S. Attorney’s Office and the U.S. Department of Justice in a number of roles, including chief of the criminal division in the Eastern District of North Carolina. He has vast experience investigating, prosecuting, and advising on violent crime and drug trafficking to white collar and public integrity crimes.

Aside from his sterling legal career, Bobby is an active member of his community, inspiring and helping others. He serves his church as a volunteer and a Sunday School teacher, and he has mentored the next generation of lawyers by coaching in various mock trial competitions. His example reminds us that our roles as public servants extend beyond the office.

It was an honor to recommend Bobby Higdon to President Trump. Anyone who works with him knows he is a dedicated professional who has extensive legal knowledge and expertise. In addition, he is widely respected in the law enforcement community, and these relationships will be incredibly valuable as he takes on this important role. Bobby understands the challenges and issues facing North Carolina, and I know that he will continue to lead the U.S. Attorney’s Office with dignity and respect.

ADDITIONAL STATEMENTS

TRIBUTE TO NORMAN JOSEPH

Mr. COCHRAN. Mr. President, I am pleased to commend Norman Joseph of Jackson, a leader in Mississippi athletics, on his induction into the Belhaven University Sports Hall of Fame this month. Coach Joseph is a Vicksburg native who played quarterback and defensive back at Mississippi State University. As a coach in the nearly four decades since, he has delivered a tradition of excellence, success, and Christian character to student-athletes in Mississippi and across the country.

Norman Joseph has coached on every level of 4-year college football. Starting and rebuilding teams became a hallmark of his coaching career at the Belhaven University football program from the ground up and served as its inaugural head coach. Coach Joseph launched Belhaven’s recruiting program, designed its uniforms, and consulted on the creation of practice facilities and a new athletic complex. Under his leadership, the football program experienced immediate success and achieved a Top 25 ranking for 6 consecutive weeks during its second season.

Coach Joseph has coached at three Jackson-area colleges. In addition to Belhaven, he served as quarterbacks coach at Millsaps College and head coach at Mississippi College in Clinton for nine seasons.

Belhaven College, Coach Joseph took a program in decline and established a winning culture. Under his guidance, the team had an eight-win season in only 3 years. Within 5 years, the team won the conference championship and went to the second round of the Division III playoffs. Coach Joseph took his team to NCAA Top 25 National Rankings in scoring offense, total offense, passing offense, rushing scores, and defense.

Higdon to President Trump. Anyone who works with him knows he is a dedicated professional who has extensive legal knowledge and expertise. In addition, he is widely respected in the law enforcement community, and these relationships will be incredibly valuable as he takes on this important role. Bobby understands the challenges and issues facing North Carolina, and I know that he will continue to lead the U.S. Attorney’s Office with dignity and respect.
TRIBUTE TO TODD DUNLAP

- Mr. DAINES. Mr. President, today I wish to recognize Todd Dunlap from East Helena, MT. Todd served in the U.S. Navy for 24 years as an electronic warfare and cryptography specialist, ultimately attaining the rank of master chief petty officer, the highest enlisted rank in the Navy. Todd’s service included seven deployments overseas in support of Operation Iraqi Freedom and other efforts. His work supported Special Operations Forces on the ground.

Todd’s service did not end when he left Active Duty. He now works for the Montana Department of Veterans Affairs and continues to support those who have also served our country. His peers view him as a highly skilled professional and subject matter expert, and he has earned a reputation for selfless outreach across the State to assist veterans and their family members navigate the VA.

As someone who continues to serve members of the Armed Forces community, Todd is gifted from a Montana organization that donates a fully outfitted trip to military service members who have provided extraordinary service to our country and to those facing life-threatening illness. I sincerely thank Todd for his continued service to our great Nation. He is well-deserving of this recognition. As an avid outdoorsman myself, I hope he tags a wonderful elk during his time away with family.

TRIBUTE TO CHRIS HINDOEN

- Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing an exceptional volunteer named Chris Hindoen. Chris has helped inform and educate Montanans serving in the National Guard or Reserve component, as well as their employers, about the rights and responsibilities associated with a military mobilization.

In August, Chris was recognized by the Office of the Secretary of Defense for nearly 4 years of service as the State chairman of the Montana Employer Support of the Guard and Reserve, ESGR. For his efforts, Chris received the Exceptional Public Service Award. During his stretch as chairman, he worked tirelessly to make sure that the relationship between military service members and their employers remained strong across Big Sky Country. Chris is the son of the late Brig. Gen. Gary Hindoen, a former commander of the Montana Air National Guard, so his demonstrated commitment to our State and our Nation comes as no surprise.

Montana has a longstanding tradition of public service. Whether it be working on an agriculture project as a Peace Corps volunteer or as an Army Ranger at the tip of the military spear, the commitment of public service to others continues to endure and Chris’s work has enabled others to serve. Thank you, Chris, for committing your time and talent to enable the success of others.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3135. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Remedial Action Schemes Reliability Standard” (18 CFR 1230.2) (Docket No. EC–3135–01) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Energy and Natural Resources.

EC-3136. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Balanced Authority Control, inadvertent Interchange, and Facility Interconnection Reliability Standards” ((RIN1910–AF08) (Docket No. RM16–13–000)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Energy and Natural Resources.

EC-3137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Interim Final Determination to Defer Sanctions; California; Los Angeles- Ventura Counties; South Coast Air Basin” (FRL No. 9968–39–Region 9) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Remedial Action Schemes Reliability Standard” (18 CFR 1230.2) (Docket No. EC–3136–01) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Nebraska’s Air Quality Standards” ((RIN2070–AB27) (FRL No. 9966–84–OCSF(9)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Nebraska’s Air Quality Standards” ((RIN2070–AB27) (FRL No. 9966–84–OCSF(9)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Interim Final Determination to Defer Sanctions; California; Los Angeles-South Coast Air Basin” (FRL No. 9968–39–Region 9) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Nebraska’s Air Quality Standards” ((RIN2070–AB27) (FRL No. 9966–84–OCSF(9)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.
Implementation Plan: Operating Permits Program, and 112I) program; Revision to Nebraska Administrative Code” (FRL No. 9968–80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968–80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2008 Ozone National Ambient Air Quality Standard” (FRL No. 9968–82–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of California Air Pollution Control Districts; Antelope Valley Air Quality Management District” (FRL No. 9968–35–Region 9) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; State of Utah; General Burning Rule Revisions” (FRL No. 9969–04–Region 8) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3147. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Air Pollution Control Rules” (FRL No. 9969–05–Region 8) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3148. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Arizona; Regional Haze State and Federal Implementation Plans; North Dakota; Air Quality Control Plans; Aitkin County” (FRL No. 9968–97–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3149. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; South Carolina; Interstate Transport (Provisions) for the 2010 1-hour NO2 Standard” (FRL No. 9968–73–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3150. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard” (FRL No. 9968–80–Region 7) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3151. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; Regional Haze Progress Report” (FRL No. 9968–71–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3152. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Alabama; Cross-State Air Pollution Rule” (FRL No. 9968–93–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3153. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; California; Air Pollution Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units” (FRL No. 9969–45–Region 3) received in the Office of the President of the Senate on September 21, 2017; to the Committee on Environment and Public Works.

EC-3154. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of State Air Quality Plans for Designated Facilities; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units” (FRL No. 9969–45–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3155. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Interstate Transport Requirements for the 2010 1-hour Sulfur Oxide Standard” (FRL No. 9969–51–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3156. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Vermont; Regional Haze Five-Year Progress Report; Withdrawal of Direct Final Rule” (FRL No. 9969–56–Region 1) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3157. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; South Carolina; Cross-State Air Pollution Rule” (FRL No. 9968–49–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3158. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds Emissions from Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boat and Aircraft Landing Parts Surface Coating; Amendment to Ambient Air Quality Standard for Ozone” (FRL No. 9968–40–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3159. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Missouri Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compounds Emissions from Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Boat and Aircraft Landing Parts Surface Coating; Amendment to Ambient Air Quality Standard for Ozone” (FRL No. 9968–40–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3160. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Regional Haze Progress Report” (FRL No. 9969–59–Region 5) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3161. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Interstate Transport Requirements for the 2010 1-hour Sulfur Oxide Standard” (FRL No. 9969–51–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3162. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Vermont; Regional Haze Five-Year Progress Report; Withdrawal of Direct Final Rule” (FRL No. 9969–56–Region 1) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3163. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; SC; Multiple Revisions to Air Pollution Control Standards” (FRL No. 9969–29–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3164. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; South Carolina; Cross-State Air Pollution Rule” (FRL No. 9968–49–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3165. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; South Carolina; Cross-State Air Pollution Rule” (FRL No. 9968–49–Region 3) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.

EC-3166. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; North Carolina; Air Curtain Burners” (FRL No. 9969–33–Region 4) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Environment and Public Works.
EC-3167. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Ohio; Designation of the Fulton County Area to Attainment of the 2008 Lead Standard” (FRL No. 9969–67–Region 5) received in the Office of the President on October 16, 2017, to the Committee on Environment and Public Works.

EC-3168. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Michigan; Regional Haze Progress Report” (FRL No. 9969–9–Region 4) received in the Office of the President on October 16, 2017, to the Committee on Environment and Public Works.

EC-3169. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; Cross State Air Pollution Rule” (FRL No. 9969–30–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; Cross State Air Pollution Rule” (FRL No. 9969–13–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3171. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; Cross State Air Pollution Rule” (FRL No. 9969–43–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3172. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Florida; Stationary Sources Emissions Monitoring” (FRL No. 9969–39–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Florida; Interstate Transport (Prongs 1 and 2 for the 2010 1-hour NO2 Standard)” (FRL No. 9969–28–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3174. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Connecticut; Non-attainment Review Rule Final Obligation Requirements for the 2008 8-Hour Ozone Standard” (FRL No. 9969–54–Region 1) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3175. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Connecticut; Non-attainment Review Rule Final Obligation Requirements for the 2008 8-Hour Ozone Standard” (FRL No. 9969–36–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3176. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; AL; VOC Definitions and Particulate Emissions” (FRL No. 9969–1–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3177. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; AL; VOC Definitions and Particulate Emissions” (FRL No. 9969–22–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3178. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; AL; VOC Definitions and Particulate Emissions” (FRL No. 9969–4–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3179. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; South Carolina; Standards for Volatile Organic Compounds and Oxides of Nitrogen” (FRL No. 9969–41–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3180. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; North Carolina; Transportation Conformity” (FRL No. 9969–28–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3181. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Alabama; Transportation Conformity” (FRL No. 9969–25–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3182. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Alabama; Transportation Conformity” (FRL No. 9969–4–Region 4) received in the Office of the President of the Senate on October 16, 2017, to the Committee on Environment and Public Works.

EC-3183. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Extension of Import Restrictions Imposed on Archaeological and Ethnological Materials from the Republic of Mali” (RIN1515–AES2) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2017, to the Committee on Finance.

EC-3184. A communication from the Acting Assistant Secretary for Legislation, Department of Commerce, National Economic Council, transmitting, pursuant to law, a report entitled “Health, United States, 2016”; to the Committee on Health, Education, Labor, and Pensions.

EC-3185. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second semi-annual report of fiscal year 2016 of the Department of Justice’s Office of Privacy and Civil Liberties; to the Committee on Judiciary; Homeland Security and Governmental Affairs; and Select Committee on Intelligence.

EC-3186. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Small Business Size Standards; Adoption of 2017 North American Industry Classification System for Size Standards” (RIN3245–AG84) received in the Office of the President on October 16, 2017; to the Committee on Small Business and Entrepreneurship.

EC-3187. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Health and Human Services, received during adjournment of the Senate in the Office of the President on October 16, 2017, to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 194. A bill to ensure the effective processing of mail by Federal agencies, and for other purposes (Rept. No. 115–116).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

*Gregory Ibach, of Nebraska, to be Under Secretary of Agriculture for Marketing and Regulatory Programs.*

*William Northeym, of Iowa, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.*

By Mr. GRASSLEY for the Committee on the Judiciary.

Annamarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama.

Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia.

William M. Ray II, of Georgia, to be United States District Judge for the Eastern District of North Carolina.

John C. Demers, of Virginia, to be an Assistant Attorney General.

Thomas A. Farr, of Wisconsin, to be United States Attorney for the Western District of Wisconsin for the term of four years.
John R. Lausch, Jr., of Illinois, to be United States Attorney for the Northern District of Illinois for the term of four years.

J. Douglas Overby, of Tennessee, to be United States Attorney for the Eastern District of Tennessee for the term of four years.

Mark A. Klaassen, of Wyoming, to be United States Attorney for the District of Wyoming for the term of four years.

William C. Lamar, of Mississippi, to be United States Attorney for the Northern District of Mississippi for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.*

(Names of without an asterisk were reported with the recommendation that they be confirmed.)

**INTRODUCTION OF BILLS AND JOINT RESOLUTIONS**

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred, as indicated:

- **By Ms. BALDWIN (for herself, Mr. KLOBUCHAR):**
  - **S. 236.** A bill to amend the Internal Revenue Code of 1986 to increase the limitations for deductible new business expenditures and to consolidate provisions for start-up and organizational expenditures; to the Committee on Finance.

- **By Mrs. MURRAY (for herself, Mr. CASEY, Mr. WYDEN, Mr. BLUMENTHAL, Mrs. SHAHEN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. KAIN, Ms. STABENOW, Mr. BOOKER, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. NELSON, Mr. DURBIN, Mr. REED, Ms. HASSAN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. SANDERS, Mr. HEINRICI, Ms. DUCKWORTH, Mr. FRANKEN, Mr. MARKEY, Mr. BENNET, Ms. CORTEZ MASTO, Ms. WARRREN, Mr. HIRONO, Mr. COONS, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. BRIDENSTIN, Mr. MERKLEY, Mr. UDALL, Ms. HARRIS, Mr. MURPHY, Mr. CARDIN, Mrs. FEINSTEIN, and Mr. KIND):**
  - **S. 1.** A bill to repeal the rules issued by the Department of the Treasury, the Department of Labor, and the Department of Health and Human Services entitled “Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act” and “Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act”; to the Committee on Health, Education, Labor, and Pensions.

- **By Mr. FRANKEN (for himself, Ms. MURRAY, and Mr. UDALL):**
  - **S. 86.** A bill to amend the Indian Civil Rights Act of 1968 to extend the jurisdiction of tribal courts to cover crimes involving sexual violence, and for other purposes; to the Committee on Indian Affairs.

- **By Mr. GRASSLEY (for himself and Mrs. Ernst):**
  - **S. 87.** A bill to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in and to certain land in Pottawattamie County, Iowa, and to otherwise dispose of such land if the United States Congress relating to the continued provision of information relating to certain national historic trails; to the Committee on Energy and Natural Resources.

- **By Mr. WICKER (for himself and Ms. CORTEZ MASTO):**
  - **S. 654.** A resolution recognizing the designation of September 2017 as “National Alcohol and Drug Addiction Recovery Month”; considered and agreed to.

- **By Mr. CASEY (for himself, Mr. ROBERTS, and Mr. WICKER):**
  - **S. 299.** A resolution expressing support for the designation of October 20, 2017, as the “National Day on Writing”; considered and agreed to.

- **By Mr. CARDIN (for himself and Mr. VAN HOLLEN):**
  - **S. Res. 300.** A resolution recognizing the 150th anniversary of McDaniel College; considered and agreed to.

**ADDITIONAL COSPONSORS**

- **S. 236.** At the request of Mr. WYDEN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

- **S. 301.** At the request of Mr. LANKFORD, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

- **S. 479.** At the request of Mr. BROWN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

- **S. 497.** At the request of Ms. CANTWELL, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

- **S. 654.** At the request of Mr. TOOMEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

- **S. 1100.** At the request of Ms. DUCKWORTH, the name of the Senator from Maryland (Mr. CARDIN) was added as a co-sponsor of S. 1100, a bill to amend title 49, United States Code, to provide for private lactation areas in the terminals of large and medium hub airports, and for other purposes.

- **S. 1361.** At the request of Mr. MENENDEZ, the name of the Senator from California...
At the request of Mr. ROBERTS, the name of the Senator from Indiana (Mr. DONELLY) and the Senator from Iowa (Mrs. ERNST) were added as co-sponsors of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Mr. MARKET) was added as a co-sponsor of S. 1580, a bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

At the request of Mr. ROBERTS, the names of the Senator from Indiana (Mr. DONELLY) and the Senator from New Hampshire (Ms. HASSAN) and the Senator from Connecticut (Mr. MURPHY) were added as co-sponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the 2 Nalsmith Memorial Basketball Hall of Fame.

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Mr. MARKET) was added as a co-sponsor of S. 1580, a bill to establish the Textile and Apparel Research Fund, for other purposes.

At the request of Mr. ROBERTS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a co-sponsor of S. 1719, a bill to eliminate duties on imports of recreational performance outerwear, to establish the Sustainable Textile and Apparel Research Fund, and for other purposes.

At the request of Mr. ROBERTS, the name of the Senator from Washington (Ms. MURRAY) were added as co-sponsors of amendment No. 1228 proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a co-sponsor of amendment No. 1197 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a co-sponsor of amendment No. 1247 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a co-sponsor of amendment No. 1248 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a co-sponsor of amendment No. 1197 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. HASSAN) and the Senator from New Mexico (Ms. HARRIS) and the Senator from California (Ms. HARRIS) were added as cosponsors of amendment No. 1141 proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. HASSAN) and the Senator from New Hampshire (Ms. HASSAN) and the Senator from New Jersey (Mr. MENENDEZ) was added as a co-sponsor of S. Res. 211, a resolution condemning the violence and persecution in Chechnya.

At the request of Mrs. MURRAY, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Washington (Ms. MURRAY) were added as cosponsors of amendment No. 1228 proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a co-sponsor of amendment No. 1247 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a co-sponsor of amendment No. 1248 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a co-sponsor of S. Res. 250, a resolution condemning horrific acts of violence against Burma’s Rohingya population and calling on Aung San Suu Kyi to play an active role in ending this humanitarian tragedy.
and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1271**

At the request of Mr. Wyden, the names of the Senator from Connecticut (Mr. Blumenthal), the Senator from Pennsylvania (Mr. Casey), the Senator from Vermont (Mr. Sanders), the Senator from Hawaii (Ms. Hirono) and the Senator from Massachusetts (Ms. Warren) were added as cosponsors of amendment No. 1271 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1273**

At the request of Mr. Wyden, the name of the Senator from North Carolina (Mr. Burr) was added as a cosponsor of amendment No. 1273 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1318**

At the request of Mr. Blumenthal, his name was added as a cosponsor of amendment No. 1318 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1319**

At the request of Mr. Reed, his name was added as a cosponsor of amendment No. 1319 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1323**

At the request of Mr. Blumenthal, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of amendment No. 1323 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1330**

At the request of Mrs. Feinstein, her name was added as a cosponsor of amendment No. 1330 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1332**

At the request of Ms. Stabenow, the names of the Senator from Massachusetts (Ms. Warren), the Senator from Rhode Island (Mr. Whitehouse), the Senator from Wisconsin (Ms. Baldwin) and the Senator from Maryland (Mr. Cardin) were added as cosponsors of amendment No. 1332 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1333**

At the request of Ms. Stabenow, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of amendment No. 1333 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1338**

At the request of Mrs. Murray, the name of the Senator from Connecticut (Mr. Blumenthal), the Senator from Hawaii (Ms. Hirono), the Senator from Wisconsin (Ms. Baldwin), the Senator from Maryland (Mr. Van Hollen), the Senator from New Jersey (Mr. Menendez), the Senator from Ohio (Mr. Brown), the Senator from New York (Mrs. Gillibrand) and the Senator from New York (Mr. Wyden) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of amendment No. 1338 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1354**

At the request of Mrs. Murray, the names of the Senator from Connecticut (Mr. Blumenthal), the Senator from Hawaii (Ms. Hirono), the Senator from Wisconsin (Ms. Baldwin), the Senator from Maryland (Mr. Van Hollen), the Senator from New Jersey (Mr. Menendez), the Senator from Ohio (Mr. Brown), the Senator from New Jersey (Mr. Booker), the Senator from Oregon (Mr. Wyden) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of amendment No. 1354 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1372**

At the request of Ms. Hirono, the name of the Senator from California (Ms. Feinstein) was added as a cosponsor of amendment No. 1372 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1373**

At the request of Ms. Hirono, the names of the Senator from New Jersey (Mr. Menendez) and the Senator from California (Ms. Feinstein) were added as cosponsors of amendment No. 1373 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1378**

At the request of Mr. Brown, the name of the Senator from Illinois (Mr. Durbin) was added as a cosponsor of amendment No. 1378 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1383**

At the request of Ms. Warren, the names of the Senator from Colorado (Mr. Bennet) and the Senator from Ohio (Mr. Brown) were added as cosponsors of amendment No. 1383 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

**AMENDMENT NO. 1386**

At the request of Ms. Warren, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of amendment No. 1386 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.
71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1388

At the request of Ms. Warren, the names of the Senator from Vermont (Mr. Leahy), the Senator from Massachusetts (Mr. Markey) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of amendment No. 1388 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

AMENDMENT NO. 1391

At the request of Mr. Reed, the names of the Senator from New York (Mrs. Gillibrand) and the Senator from West Virginia (Mr. Manchin) were added as cosponsors of amendment No. 1391 intended to be proposed to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Durbin (for himself, Mr. Blumenthal, Mr. Markey, Ms. Warren, Mr. Casey, Mrs. Gillibrand, and Ms. Duckworth):

S. 1992. A bill to amend title 18, United States Code, to require federally licensed firearms importers, manufacturers, and dealers to meet certain requirements with respect to securing their firearms inventory, business records, and business premises; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Safety Enhancements for Communities Using Reasonable and Effective Firearm Storage Act” or the “SECURE Firearm Storage Act”.

SEC. 2. SECURITY REQUIREMENTS FOR FEDERALLY LICENSED FIREARMS IMPORTERS, MANUFACTURERS, AND DEALERS.

(a) In General.—Section 923 of title 18, United States Code, as amended by adding at the end the following:

``
(4) ADDITIONAL SECURITY REQUIREMENTS.—

The Attorney General may, by regulation, prescribe such additional security requirements as the Attorney General determines are appropriate with respect to the firearms businesses conducted by a licensed importer, licensed manufacturer, and licensed dealer, such as requirements relating to the use of—

(A) alarm and security camera systems;

(B) site hardening; and

(C) other measures necessary to reduce the risk of theft at the businesses premises of a licensee.''

(b) PENALTIES.—Section 924 of title 18, United States Code, is amended by adding after the preceding subsection the following:

``(I) PENALTIES FOR NONCOMPLIANCE WITH FIREARMS LICENSEE SECURITY REQUIREMENTS.—

(1) IN GENERAL.—

(A) PENALTY.—With respect to a violation by a licensee for or a regulation issued under such section, the Attorney General, after notice and opportunity for hearing—

(i) in the case of the first violation or related series of violations on the same date, shall subject the licensee to a civil penalty in an amount equal to not less than $1,000 and not more than $10,000; and

(ii) in the case of the second violation or related series of violations on the same date—

(I) shall revoke the license issued to the licensee under this chapter; and

(II) may subject the licensee to a civil penalty in an amount provided in clause (I);

(iii) in the case of the third violation or related series of violations on the same date—

(I) shall revoke the license issued to the licensee under this chapter; and

(II) may subject the licensee to a civil penalty in an amount provided in clause (I).

(B) REVIEW.—An action of the Attorney General under this paragraph may be reviewed only as provided under section 925(f).

(2) ADMINISTRATIVE REMEDIES.—The imposition of a civil penalty or suspension or revocation of a license under paragraph (1) shall have no bearing on any admittance that is otherwise available to the Attorney General.''

(c) APPLICATION REQUIREMENT.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (a), in the second sentence, by striking “be in such form and contain only that” and inserting “describe how the applicant plans to comply with subsection (m) and shall be in such form and contain only such”;

and

(2) in subsection (d)(1)—

(A) in subparagraph (F), by striking “and” at the end;

(B) in subparagraph (G), by striking the period at the end and inserting “and (C) by adding at the end the following:”;

(ii) in the case of the third violation or related series of violations on the same date—

(II) may subject the licensee to a civil penalty in an amount provided in clause (I); and

(C) by adding at the end the following:

``(III) the Attorney General determines that the description in the application of how the applicant plans to comply with subsection (m) would, if implemented, so comply.”;

(d) EFFECTIVE DATES.—

(1) INITIAL FIREARM STORAGE REQUIREMENTS.—Section 922(m)(3) of title 18, United States Code, as added by subsection (a), shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) INITIAL PAPER RECORD STORAGE REQUIREMENTS.—Section 922(m)(3) of title 18, United States Code, as added by subsection (a), shall take effect on the date that is 90 days after the date of enactment of this Act.

This Act may be cited as the “Safety Enhancements for Communities Using Reasonable and Effective Firearm Storage Act” or the “SECURE Firearm Storage Act”.

This bill adds an additional 191,000 acres, known as the Rim of the Valley Unit, to better protect natural resources and habitats, and provide members of the local community with improved recreational and educational opportunities.

By Mrs. Feinstein:

S. 1993. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to provide surrounding communities much-needed additional access to nature while maintaining private property rights and existing local land use authorities. This bill adds an additional 191,000 acres, known as the Rim of the Valley Unit, to better protect natural resources and habitats, and provide members of the local community with improved recreational and educational opportunities.
This legislation will significantly expand outdoor recreational opportunities for residents of Los Angeles County, one of the most densely populated and park-poor areas in California.

In fact, 47% of Californians—that’s six percent of the U.S. population—live within 10 miles of the proposed expansion area. Enlarging the Santa Monica Mountains National Recreation Area will provide these communities with increased access to public lands and a boost to the local economy.

The proposed expansion will also protect valuable habitat for endangered wildlife, such as the California red-legged frog. Other species protected include mountain lions, bobcats, foxes, badgers, coyotes, and deer.

Notably, the Rim of the Valley Corridor Preservation Act would only allow the Department of the Interior to acquire non-Federal land within the new boundaries through exchange, donation, or purchase from willing sellers. This legislation will not create any additional liability or restrictions for private property owners.

This bill enjoys the support of more than 50 local municipalities, community groups, and elected officials. It is the product of a public engagement in the legislative process. I would like to thank my colleagues, Representative ADAM SCHIFF, for introducing this legislation in the House.

I look forward to working with my colleagues to pass the Rim of the Valley Corridor Preservation Act.

Thank you, Mr. President, I yield the floor.

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, and Mr. LEE):

S. 1994. A bill to reduce recidivism and increase public safety, and for other purposes; to the Committee on Appropriations:

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

The motion is granted.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Corrections Oversight, Recidivism Reduction, and Eliminating Costs for Taxpayers In Our National System Act of 2017” or the “CORRECTIONS Act.”

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—CORRECTIONS ACT

Sec. 101. Recidivism reduction programming and productive activities.

Sec. 102. Post-punishment risk and needs assessment system.

Sec. 103. Preaudlement.

Sec. 104. Reports and recommendations.

Sec. 105. Additional tools to promote reentry and prevent drug and alcohol abuse and dependence.

Sec. 106. Partially successful reentry.

Sec. 107. Parole for juveniles.

Sec. 108. Compassionate release initiative.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

Sec. 201. Short title.


Sec. 203. Secure firearms storage.

TITLE III—NAACP CRIMINAL JUSTICE COMMISSION

Sec. 301. Short title.

Sec. 302. Findings.

Sec. 303. Establishment of commission.

Sec. 304. Purpose and functions.

Sec. 305. Review, recommendations, and report.

Sec. 306. Membership.

Sec. 307. Administration.

Sec. 308. Authorization for use of funds.

Sec. 309. Sunset.
completed a recidivism reduction program or productive activity that has been certified under paragraph (2)(B) shall receive time credits under this subparagraph to any prisoner with 13 or more criminal history category. No credit shall be awarded under this subparagraph to any prisoner for successfully completing a recidivism reduction program or productive activity—

(ii) AVAILABILITY.—A prisoner may not receive time credits under this subparagraph for successfully completing a recidivism reduction program or productive activity.

(iii) EXCEPTIONS.—No credit shall be awarded under this subparagraph to a prisoner serving a sentence for a second or subsequent conviction for a Federal offense imposed after the date on which the prisoner’s first such conviction became final, which shall not include any offense under section 1152 or section 1153 for which the prisoner was sentenced to less than 13 months. No credit shall be awarded under this subparagraph to a prisoner on a graph to a prisoner with 13 or more criminal history points, as determined under the sentencing guidelines, at the time of sentencing, unless the Court determines in writing at sentencing that the defendant’s criminal history category substantially overrepresents the severity of the defendant’s criminal history or the likelihood that the defendant will commit other crimes and exercises its authority to lower the defendant’s criminal history category. No credit shall be awarded under this subparagraph to any prisoner serving a sentence of imprisonment for conviction for any of the following offenses:

(I) from the criminal of terrorism, as defined in section 2332a(g)(5).

(II) A Federal crime of violence, as defined in section 16.

(III) A Federal sex offense, as described in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911).

(IV) Engaging in a continuing criminal enterprise, as defined in section 229 of title 18.

(V) A Federal crime involving child exploitation, as defined in section 2 of the PROTECT Our Children Act of 2008 (34 U.S.C. 2110).

(VI) A violation of—

(aa) chapter 128 (relating to bribery, graft, and conflicts of interest);

(bb) chapter 29 (relating to elections and political activities);

(cc) section 1028A, 1011, or 1040 (relating to fraud);

(dd) chapter 63 involving a scheme or artifice to deprive another of the intangible right of honest services;

(ee) chapter 73 (relating to obstruction of justice);

(ff) chapter 95 or 96 (relating to racketeering and other activities of organized criminal organizations); or

(gg) chapter 110 (relating to sexual exploitation and other abuse of children).

(iv) IDENTIFICATION OF COVERED OFFENDERS.—Not later than 1 year after the date of enactment of this subsection, the United States Sentencing Commission shall prepare and submit to the Director of the Bureau of Prisons a list of all Federal offenses described in subsections (I) through (VI) of clause (iii), and shall update such list on an annual basis.

(B) OTHER INCENTIVES.—The Bureau of Prisons shall develop policies to provide appropriate incentives for successful completion of recidivism reduction programs and productive activities, other than time credit pursuant to subparagraph (A), including incentives for prisoners who are precluded from earning credit under subparagraph (A)(iii). Such incentives may include additional telephone or visitation privileges for use with close friends, mentors, and religious leaders.

(C) PENALTIES.—The Bureau of Prisons may reduce a prisoner’s stay in prison for the purposes of this subsection if the Bureau determines that the prisoner—

(i) regularly attended and participated in the recidivism reduction program or productive activity.

(ii) regularly completed assignments or tasks in a manner that allowed the prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity.

(iii) did not regularly engage in disrup- tive behavior that seriously undermined the administration of the recidivism reduction program or productive activity; and

(iv) satisfied the requirements of clauses (I) through (iii) during the time period that is not less than 30 days and allowed the prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity.

(D) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection are intended to supplement, not replace, other rewards or incentives for which a prisoner may be eligible, except that a prisoner shall not be eligible for the time credits described in subparagraph (A) if the prisoner has accrued time credits under another provision of law based solely upon participation in, or successful completion of, such program.

E. SUCCESSFUL COMPLETION.—For purposes of this subsection, a prisoner—

(A) shall be considered to have successfully completed a recidivism reduction program or productive activity if, if the Bureau of Prisons determines that the prisoner—

(i) regularly attended and participated in the recidivism reduction program or productive activity;

(ii) regularly completed assignments or tasks in a manner that allowed the prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity;

(iii) did not regularly engage in disrup- tive behavior that seriously undermined the administration of the recidivism reduction program or productive activity; and

(iv) satisfied the requirements of clauses (I) through (iii) during the time period that is not less than 30 days and allowed the prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity;

(B) for purposes of paragraph (6)(A), may be given credit for successful completion of a recidivism reduction program or productive activity for the time period during which the prisoner participated in such program or activity if the prisoner satisfied the require- ments of subparagraph (A) during that time period, notwithstanding that the prisoner continues to participate in such program or activity;

(C) PENALTIES.—The Bureau of Prisons may reduce a prison stay for purposes of this subsection if the Bureau determines that the prisoner—

(I) has been certified to reduce recidivism by the Bureau of Prisons, that is designed to allow prisoners classified as having a lower risk of recidivism to maintain such classification, and productive activities, other than time credit pursuant to subparagraph (A), including incentives for prisoners who are precluded from earning credit under subparagraph (A)(iii). Such incentives may include additional telephone or visitation privileges for use with close friends, mentors, and religious leaders.

(ii) regularly attended and participated in the recidivism reduction program or productive activity.

(iii) did not regularly engage in disrup- tive behavior that seriously undermined the administration of the recidivism reduction program or productive activity; and

(iv) satisfied the requirements of clauses (I) through (iii) during the time period that is not less than 30 days and allowed the prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity.

(D) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection are intended to supplement, not replace, other rewards or incentives for which a prisoner may be eligible, except that a prisoner shall not be eligible for the time credits described in subparagraph (A) if the prisoner has accrued time credits under another provision of law based solely upon participation in, or successful completion of, such program.

(II) RECOVERY PROGRAMS.—The term ‘recovery programming’ means a course of instruction or activities, other than a course described in subsection (e), that has been demonstrated to reduce drug or alcohol abuse or dependence among participants, or to promote recovery among individuals who have previously abused alcohol or drugs, to include:

(aa) appropriate medication-assisted treatment;

(b) no consideration of earned time credit eligibility during sentencing.

SECTION 3742.—Section 3621 of title 18, United States Code, is amended—

(A) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(B) in subsection (e)(5), as so redesignated, by striking “subsection (d)” and inserting “subsection (e)”;

(C) by inserting after subsection (a) the following:

“(b) In imposing a sentence, the court shall not consider the defendant’s eligibility or potential eligibility for credit under section 3621(e), 3621(h), or 3624(b) or any similar provision of law, but shall not be prohibited from informing the defendant of the existence of such credits or related programs.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3742 of title 18, United States Code, is amended—

(A) in subsection (e)(3)—

(i) in subparagraph (A), by striking “section 3553(c)” and inserting “section 3553(d)”;

(ii) in subparagraph (B)(ii), by striking “section 3553(c)” and inserting “section 3553(c)”; and

(iii) in subparagraph (C), by striking “section 3553(c)” and inserting “section 3553(d)”;

(B) in subsection (g)(2), by striking “section 3553(c)” and inserting “section 3553(d)”; and

(C) in subsection (j)(1)(B), by striking “section 3553(b)” and inserting “section 3553(c)”.

SEC. 102. POST-SENTENCING RISK AND NEEDS ASSESSMENT SYSTEM.

(a) IN GENERAL.—Subchapter C of chapter 229 of title 18, United States Code, is amended by inserting after section 3621 the following:

“§3621A. Post-sentencing risk and needs assessment system

“(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Attorney General shall develop for use by the Bureau of Prisons an offender risk and needs assessment system, to be known as the ‘Post-Sentencing Risk and Needs Assessment System’ or the ‘Assessment System’, which shall—

(i) assess and determine the recidivism risk level of all prisoners and classify each prisoner as having a low, moderate, or high risk of recidivism;

(ii) to the extent practicable, assess and determine the risk of violence of all prisoners;

(iii) ensure that, to the extent practicable, low-risk prisoners are grouped together in housing and assignment programs;

(iv) assign each prisoner to appropriate recidivism reduction programs or productive

activities;”.
activities based on the prisoner's risk level and the specific criminogenic needs of the prisoner, and in accordance with section 3621(h)(4); "(5) reassess and update the recidivism risk level and programmatic needs of each prisoner pursuant to the schedule set forth in subsection (c)(2), and assess changes in the prisoner’s recidivism risk within a particular risk level; and "(6) provide information on best practices concerning the tailoring of recidivism reduction programs to the specific criminogenic needs of each prisoner so as to effectively lower the prisoner’s risk of recidivating. "(b) DEVELOPMENT OF ASSESSMENT SYSTEM.— "(1) IN GENERAL.—In designing the Assessment System, the Attorney General shall— "(A) use available research and best practices as appropriate, for the assessment tools re- use existing risk and needs assessment tools, and other criminal justice experts as appropri- ate; "(B) ensure that the Assessment System measures indicators of progress and improvement, and of regression, including newly ac- quired skills, attitude, and behavior changes over time, through meaningful consideration of dynamic factors, such that— "(i) all prisoners at each risk level other than low risk have a meaningful opportunity to progress to a lower risk classification during the period of the incarceration of the prisoner through changes in dynamic risk factors; and "(ii) all prisoners on prerelease custody, other than prisoners classified as low risk, have a meaningful opportunity to progress to a lower risk classification during such custody through changes in dynamic risk factors; "(C) ensure that the Assessment System is adjusted on a regular basis, but not less fre- quently than every 3 years, to take account of the best statistical evidence of effective- ness in reducing recidivism rates; and "(D) ensure that the Assessment System does not result in unwarranted disparities, including by— "(i) regularly evaluating rates of recidi- vism among similarly classified prisoners to identify any unwarranted disparities in such rates, including disparities among similarly classified prisoners of different racial groups; and "(ii) adjusting the Assessment System to reduce such disparities to the greatest ex- tent possible. "(2) USE OF EXISTING RISK AND NEEDS ASSESSMENT TOOLS.— In carrying out this subsection, the Attorney General shall— "(A) develop a suitable intake assessment tool to perform the initial assessments and determinations described in subsection (a)(1), and to make the assignments de- scribed in paragraphs (3) and (4) of subsec- tion (a); "(B) develop a suitable reassessment tool to perform the reassessments and updates described in subsection (a)(5); and "(C) develop a suitable tool to assess the recidivism risk level of prisoners in prerelease custody. "(3) USE OF EXISTING RISK AND NEEDS ASSESSMENT TOOLS PERMITTED.—In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate, for the assessment tools re- quired under paragraphs (2). "(4) USE OF PRESENTENCE REPORT.—In car- rying out this subsection, the Attorney Gen- eral shall coordinate with the United States Probation and Pretrial Services to ensure that the findings of the Presentence Report of each offender are available and considered in the Assessment System. "(5) USE OF PRESENTENCE REPORT.—In car- rying out this subsection, the Attorney Gen- eral shall coordinate with the United States Probation and Pretrial Services to ensure that the findings of the Presentence Report of each offender are available and considered in the Assessment System. "(6) CIRCUMSTANCES.—In carrying out this subsection, the Attorney General shall statis- tically validate the risk and needs assess- ment tools on the Federal prison population, or ensure that the tools have been so validated. To the extent such validation cannot be completed with the time period specified in subsection (a), the Attorney General shall ensure that such validation is completed as soon as is practicable. "(7) RELATIONSHIP WITH EXISTING CLASSI- FICATION SYSTEM.—The Bureau of Prisons shall, as appropriate, for the Assessment System may incorporate its existing Inmate Classifica- tion System into the Assessment System if the Assessment System assesses the risk level and programmatic needs of each pris- oner and determines the appropriate security level institution for each prisoner. Before the development of the Assessment System, the Bureau of Prisons shall, in the existing Inmate Classification System, or a pre-exist- ing risk and needs assessment tool that can be used to classify prisoners consistent with subsection (a)(1), or can be reasonably adapt- ed for such purpose, for purposes of this section, section 3621(h), and section 3624(c). "(c) RISK ASSESSMENT.— "(1) INITIAL ASSESSMENTS.—Not later than 12 months after the date on which the Attor- ney General develops the Assessment Sys- tem, the Bureau of Prisons shall determine the risk level and programmatic needs of each prisoner using the Assessment System. "(2) REASSESSMENTS AND UPDATES.—The Bureau of Prisons shall update the assess- ment of each prisoner required under para- graph (1)— "(A) not less frequently than once each year for any prisoner whose anticipated re- lease date is within 3 years; "(B) not less frequently than once every 2 years for any prisoner whose anticipated re- lease date is within 5 years; and "(C) not less frequently than once every 3 years for any other prisoner. "(d) ASSESSMENT OF RECIDIVISM REDUCTION PROGRAMS AND THEIR EFFECTIVENESS.—The Assessment System shall provide guidance on the kind and amount of recidivism reduc- tion programming or productive activities appropriate for each prisoner. "(e) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop training pro- tocols and programs for Bureau of Prisons officials and employees responsible for ad- ministering the Assessment System. Such training protocols shall include a require- ment that Bureau of Prisons demonstrate competence in using the meth- odology and procedure developed under this section on a regular basis. "(f) INFORMATION FROM PRESENTENCE RE- PORT.—The Attorney General shall ensure that the Bureau of Prisons uses relevant in- formation from the Presentence Report of each offender when conducting an assess- ment under this section. "(g) QUALITY ASSURANCE.—In order to en- sure that the Bureau of Prisons is using the Assessment System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the As- sessment System and shall conduct periodic audits of the use of the Assessment System at facilities of the Bureau of Prisons. "(h) DETERMINATIONS AND CLASSIFICATIONS UNRELATED TO Any CONSTITUTIONAL LIMITATION.—In making determinations and classifications unrelated to any constitu- tional limitations, there shall be no right of review, right of appeal, cognizable property interest, or cause of action, either adminis- trative or judicial, for any determination or classification made by any Fed- eral agency or employee while implementing or administering the Assessment System, or any rules or regulations promulgated under this section. "(i) DEFINITIONS.—In this section: "(1) DYNAMIC RISK FACTOR.—The term ‘dy- namic risk factor’ means an attribute that has been shown to be relevant to assessing risk of recidivism and that can be modified based on a prisoner’s actions, be- haviors, or attitudes, including through com- pletion of appropriate programming or other means, in a prison setting. "(2) RECIDIVISM.—When used in this term ‘recli- divism risk’ means the likelihood that a pris- oner will commit additional crimes for which the prisoner could be prosecuted in a Federal, State, or local court in the United States. "(3) RECIDIVISM REDUCTION PROGRAM; PRO- ductive ACTIVITY; RECOVERY PROGRAMMING.— The terms ‘recidivism reduction program’, ‘productive activity’, and ‘recovery program- ming’ shall have the meaning given such terms in section 3621(h)(8)."
‘‘(1) participation in a job, job-seeking activities, or job-related activities, including an apprenticeship; ‘‘(2) participation in recidivism reduction programs, victim restitution activities, or other supportive activities as prescribed by the Post-Sentencing Risk and Needs Assessment System, or similar activities approved in advance by the Director of the Bureau of Prisons; ‘‘(3) community supervision; ‘‘(4) victim restitution activities; ‘‘(5) medical treatment; ‘‘(6) religious considerations, the Director of the Bureau of Prisons deems appropriate; ‘‘(7) credit for prerelease custody.—Upon completion of a prisoner’s sentence, any term of supervised release imposed on the prisoner shall be reduced by the amount of time the prisoner served in prerelease custody pursuant to paragraph (2). ‘‘(8) AGREEMENTS WITH UNITED STATES PROBATION AND PRETRIAL SERVICES.—The Director of the Bureau of Prisons pursuant to paragraphs (4), (5), and (12), shall take into account the requirements of United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons inmates to prerelease custody and shall provide for the transfer of monetary sums necessary to comply with such requirements. United States Probation and Pretrial Services shall, to the greatest extent practicable, provide such services to prisoners not under the supervision during prerelease custody under this subsection.’’; and ‘‘(9) COMMUNITY SUPERVISION.— ‘‘(A) TIME CREDIT LESS THAN 36 MONTHS.—Any prisoner described in subparagraph (D) who has earned time credit of less than 36 months pursuant to section 3621(b)(6)(A) shall be eligible to serve the amount of such credit exceeding 18 months on community supervision if the prisoner satisfies the conditions set forth in subparagraph (C). ‘‘(B) TIME CREDIT OF 36 MONTHS OR MORE.—Any prisoner described in subparagraph (D) who has earned time credit of 36 months or more pursuant to section 3621(b)(6)(A) shall be eligible to serve the amount of such credit exceeding 18 months on community supervision, if the prisoner satisfies the conditions set forth in subparagraph (C). ‘‘(10) CONDITIONS OF COMMUNITY SUPERVISION.— ‘‘(A) IN GENERAL.—A prisoner placed on community supervision shall be subject to such conditions as the Director of the Bureau of Prisons deems appropriate. A prisoner on community supervision may remain on community supervision until the conclusion of the prisoner’s sentence of incarceration if the prisoner— ‘‘(i) complies with all conditions of community supervision; ‘‘(ii) remains current on any financial obligations imposed as part of the prisoner’s sentence, including payments of court-ordered restitution arising from the offense of conviction; and ‘‘(iii) refrains from committing any State, local, or Federal offense. ‘‘(B) A summary of the activities and accomplishments of the Attorney General in carrying out this title and the amendments made by this title. ‘‘(11) REPORTS.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Attorney General, in coordination with the Comptroller General of the United States, shall submit to the appropriate committees of Congress a report that contains the following: ‘‘(A) A summary of the activities and accomplishments of the Attorney General in carrying out this title and the amendments made by this title. ‘‘(B) An assessment of the status and use of the Post-Sentencing Risk and Needs Assessment System by the Bureau of Prisons, including the number of prisoners classified at each risk level under the Post-Sentencing Risk and Needs Assessment System at each facility of the Bureau of Prisons. ‘‘(C) A summary and assessment of the types and effectiveness of the recidivism reduction programs and productive activities in facilities operated by the Bureau of Prisons, including— ‘‘(i) evidence about which programs and activities have been shown to reduce recidivism; ‘‘(ii) the capacity of each program and activity at each facility, including the number of prisoners along with the risk level of each prisoner enrolled in each program and activity; and ‘‘(iii) identification of any problems or shortages in capacity of such programs and activities, and how these should be remedied. ‘‘(D) An assessment of budgetary savings resulting from this title and the amendments made by this title: ‘‘(i) a summary of the amount of savings resulting from the transfer of prisoners into...
prerelease custody under this title and the amendments made by this title, including savings resulting from the avoidance or deferral of future construction, acquisition, or operation of facilities;

(ii) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the Public Safety and Prisons Accountability, Safety, and Savings Act of 2017, as amended, or the Prison Reform Act, as amended, by the Bureau of Prisons, including—

(A) a strategy to reinvest such savings into other Federal, State, and local law enforcement activities and expansion of reentry programming and productive activities in the Bureau of Prisons; and

(B) a description of the reentry programs or productive activities in the Bureau of Prisons that are being expanded using savings described in subparagraph (A);

(c) reporting on recidivism rates.

(1) in general.—Beginning 1 year after the date of enactment of this Act, the Attorney General shall submit to the appropriate committees of Congress a report on recidivism rates among Federal prisoners, including information on rates of recidivism among former Federal prisoners based on the following:

(A) Primary offense charged.

(B) Length of sentence imposed and served.

(C) Bureau of Prisons facility or facilities in which the sentence was served.

(D) Recidivism reduction programming that the prisoner successfully completed, if any.

(E) The prisoner’s assessed risk of recidivism.

(2) contents.—The report required under paragraph (1) shall contain information on recidivism rates among Federal prisoners, including information on rates of recidivism among former Federal prisoners based on the following:

(A) the purpose and objectives of the Federal prison or Federal community correctional facility at which the prisoner was incarcerated;

(B) the nature and extent of recidivism reduction programming provided to the prisoner during incarceration;

(C) any incentives for participation in recidivism reduction programming that the prisoner was provided; and

(D) a description of any savings resulting from the implementation of this Act, including information on the purposes described in subparagraph (C).

(d) reporting on excluded prisoners.

(1) In general.—Not later than 8 years after the date of enactment of this Act, the Attorney General shall submit to the appropriate committees of Congress a report on the effectiveness of exclusion of prisoners described in paragraph (1)(C)(iii) of section 3621(e)(2) of title 18, United States Code, as added by this title, as well as those ineligible for credit toward prerelease custody under section 3621(c)(2) of title 18, United States Code, as added by this title, which shall review the effectiveness of different categories of incentives in reducing recidivism.

(e) definition.—The term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 105. ADDITIONAL TOOLS TO PROMOTE RECOVERY AND PREVENT DRUG ABUSE AND ALCOHOL ABUSE AND DEPENDENCE.

(a) Reentry and Recovery Planning.—

(1) in general.—Subsection (d) of title 18, United States Code, is amended—

(A) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(B) by inserting after subsection (a) the following:

‘‘(b) Reentry and Recovery Planning.—

‘‘(1) In general.—In addition to the information required by rule 32(d) of the Federal Rules of Criminal Procedure, the report submittted pursuant to subsection (a) shall contain the following information, unless such information is required to be excluded pursuant to rule 32(d)(3) of the Federal Rules of Criminal Procedure or except as provided in paragraph (2):

‘‘(A) Information about the defendant’s history of substance abuse and addiction, if applicable;

‘‘(B) Information about the defendant’s service in the Armed Forces of the United States and veteran status, if applicable;

‘‘(C) a detailed plan, which shall include the identification of programming provided by the Bureau of Prisons that is appropriate for the defendant’s needs, that the probation officer determines will—

(i) reduce the likelihood the defendant will abuse drugs or alcohol if the defendant has a history of substance abuse;

(ii) reduce the defendant’s likelihood of recidivism by addressing the defendant’s specific recidivism risk factors; and

(iii) assist the defendant preparing for reentry into the community.

‘‘(2) Exceptions.—The information described in paragraph (1)(C)(iii) shall not be required to be included under paragraph (1), in any case in which the applicable sentencing guidelines, as determined by the probation officer, includes a sentence of life imprisonment or a sentence of death.’’;

(c) Supervised Release Pilot Program To Reduce Recidivism and Improve Recovery from Alcohol and Drug Abuse.—

(1) in general.—Not later than 1 year after the date of enactment of this Act, the Director of the United States Courts, in consultation with the Attorney General, shall establish a supervised release enhancement pilot program, as defined in section 3621(e)(2) of title 18, United States Code, as added by this title, as well as those ineligible for credit toward prerelease custody under section 3621(c)(2) of title 18, United States Code, as added by this title, which shall review the effectiveness of different categories of incentives in reducing recidivism.

(d) Other Credits.—The Director of the Bureau of Prisons may, in the Director’s discretion, reduce the credit awarded under subsection (h)(6)(A) to a prisoner who receives a reduction under subparagraph (B), but such reduction may not exceed one-half the amount of the reduction credited to the prisoner under subparagraph (B).’’.

(c) Federally Funded Drug Treatment.—Section 3672 of title 18, United States Code, is amended in the eighth undesignated paragraph by striking ‘‘subsection (b) or (c)’’ and inserting ‘‘subsection (a) or (c)’’.

(d) Federal and Conforming Amendments.—Section 3672 of title 18, United States Code, is amended to provide that an incarcerated defendant who has a history of substance abuse and addiction, if applicable, will abuse drugs or alcohol if the defendant has a history of substance abuse; and

(e) Definition.—The term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 106. ADDITIONAL TOOLS TO PROMOTE RECOVERY AND PREVENT DRUG ABUSE AND ALCOHOL ABUSE AND DEPENDENCE.
paragraph (1) shall be subject to the following requirements:
(A) Upon entry into the pilot program, the court shall notify program participants of the rules and consequences for violating such rules, including the penalties to be imposed as a result of such violations pursuant to subparagraph (E); and
(B) Probation officers shall conduct regular drug testing of all pilot program participants with a history of substance abuse.
(C) In the event that a probation officer determines that a participant has violated a term of supervised release, the officer shall notify the court within 24 hours of such determination.
(D) As soon as is practicable, and in no case more than 1 week after the violation was reported by the probation officer, absent good cause, the officer shall conduct a hearing on the alleged violation.
(E) If the court determines that a program participant has violated a term of supervised release, it shall impose an appropriate sanction, which may include the following, if appropriate:
(i) Modification of the terms of such participant's supervision, which may include imposition of a period of home confinement.
(ii) Referral to appropriate substance abuse treatment programs.
(iii) Revocation of the defendant’s supervised release and the imposition of a sentence of incarceration that is no longer than necessary to provide the punishment for such violation and deter the participant from committing future violations.
(iv) For participants who habitually fail to abide by program rules or pose a threat to public safety, termination from the program.
(3) STATUS OF PARTICIPANT IF INCARCERATED.
(A) In general.—In the event that a program participant is sentenced to incarceration as described in paragraph (2)(E)(iii), the participant shall remain in the program upon release from incarceration unless terminated from the program in accordance with paragraph (2)(E)(iv).
(B) POLICIES FOR MAINTAINING EMPLOYMENT.—The Bureau of Prisons, in consultation with the Chief Probation Officers of the Federal judicial districts selected for participation in the pilot program required under paragraph (1), shall develop policies to enable program participants sentenced to terms of incarceration as described in paragraph (2)(E) to, where practicable, serve the terms of incarceration while maintaining employment, including allowing the terms of incarceration to overlap on weekends.
(4) ADVISORY SENTENCING POLICIES.—
(A) IN GENERAL.—The United States Sentencing Commission, in consultation with the Chief Probation Officers, the United States Attorneys, Federal Defenders, and Chief Judges of the districts selected for participation in the pilot program required under paragraph (1), shall develop policies to enable program participants sentenced to terms of incarceration as described in paragraph (2)(E) to, where practicable, serve the terms of incarceration while maintaining employment, including allowing the terms of incarceration to overlap on weekends.
(B) REQUIREMENT.—The advisory sentencing policies established under subparagraph (A) shall be consistent with the stated goal of the pilot program to impose predictable and supervised sentences that are no longer than necessary for violations of program rules.
(5) DURATION OF PROGRAM.—The pilot program under paragraph (1) shall continue for not less than 5 years and may be extended for not more than 5 years by the Administrative Office of the United States Courts.
(6) ASSESSMENT OF PROGRAM OUTCOMES AND REPORT TO CONGRESS.—
(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrative Office of the United States Courts shall conduct an evaluation of the pilot program, and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the results of the evaluation.
(B) CONTENTS.—The report required under subparagraph (A) shall include—
(i) the rates of substance abuse among program participants;
(ii) the rates of violations of the terms of supervised release by program participants, and sanctions imposed;
(iii) information about employment of program participants;
(iv) a comparison of outcomes among program participants, among similarly situated individuals under the supervision of United States Probation and Pretrial Services not participating in the program; and
(v) an assessment of the effectiveness of each of the relevant features of the program.
SEC. 106. PROMOTING SUCCESSFUL REENTRY.
(1) FEDERAL REENTRY DEMONSTRATION PROJECTS.—
(A) EVALUATION OF EXISTING BEST PRACTICES FOR REENTRY.—Not later than 1 year after the date of enactment of this Act, the Attorney General, in consultation with the Administrative Office of the United States Courts, shall—
(I) evaluate best practices used for the entry into society of individuals released from the custody of the Bureau of Prisons, including—
(aa) conducting examinations of reentry practices in Federal, State, and local justice systems; and
(bb) consulting with Federal, State, and local prosecutors, Federal, State, and local public defenders, nonprofit organizations that provide reentry services, and criminal justice experts; and
(ii) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that details the evaluation conducted under subparagraph (A).
(B) CREATION OF REENTRY DEMONSTRATION PROJECTS.—Not later than 3 years after the date of enactment of this Act, the Attorney General, in consultation with the Administrative Office of the United States Courts, shall, subject to the availability of appropriations, select an appropriate number of Federal judicial districts to implement Federal reentry demonstration projects using the best practices identified in the evaluation conducted under paragraph (1), which may include the Federal judicial districts with existing reentry programs. The Attorney General shall determine the appropriate number of Federal judicial districts to conduct demonstration projects under this paragraph.
(2) PROJECT DESIGN.—For each Federal judicial district selected under paragraph (2), the United States Attorney, in consultation with the Chief Probation Officer, the Chief Defender, the Chief Probation Officer, the Bureau of Justice Assistance, the National Institute of Justice, and criminal justice experts shall design a Federal reentry demonstration project for the Federal judicial district in accordance with paragraph (4).
(3) PROJECT ELEMENTS.—A project designed under paragraph (3) shall coordinate efforts by Federal agencies to assist participating prisoners in preparing for and adjusting to reentry into the community and may include, as appropriate, the following:
(A) the use of community correctional facilities and home confinement, as determined to be appropriate by the Bureau of Prisons;
(B) a reentry review team for each prisoner to develop a reentry plan specific to the needs of the prisoner, and to meet with the prisoner following transfer to monitor the reentry plan;
(C) steps to assist the prisoner in obtaining housing, employment, including convicted offender employment, before the prisoner’s release from a community correctional facility or home confinement;
(D) regular drug testing for prisoners with a history of substance abuse;
(E) substance abuse treatment, which may include addiction treatment medication, if appropriate, medical treatment, including methadone treatment, vocational and educational training, apprenticeships, life skills instruction, recovery support, and reintegration training, and other programming to promote effective reintegration into the community;
(F) the participation of volunteers to serve as mentors and mentors to prisoners being released into the community;
(G) steps to ensure that the prisoner makes satisfactory progress toward satisfying any obligations to victims of the prisoner’s offense, including any obligation to pay restitution; and
(H) the appointment of a reentry coordinator in the United States Attorney’s Office.
(3) REVIEW OF PROJECT OUTCOMES.—Not later than 3 years after the date of enactment of this Act, the Administrative Office of the United States Courts, in consultation with the Attorney General, shall—
(A) evaluate the results from each Federal judicial district selected under paragraph (2), necessary to the extent that participating prisoners released from the custody of the Bureau of Prisons were successfully re-integrated into their communities, including whether the participating prisoners maintained employment, and refrained from committing further offenses; and
(B) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains—
(i) the evaluation of the best practices identified in the report required under paragraph (1); and
(ii) the results of the demonstration projects required under paragraph (2).
(b) STUDY ON THE IMPACT OF REENTRY ON CERTAIN COMMUNITIES.—
(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Attorney General, in consultation with the Administrative Office of the United States Courts, shall submit to the Committee on the Judiciary of the House of Representatives a report on the impact of reentry of prisoners on communities in which a disproportionate number of individuals reside upon release from incarceration.
(b) CONTENTS.—The report required under paragraph (1) shall analyze the impact of reentry on communities, including the extent to which those resources are used effectively; and
(C) recommendations to strengthen the resources in such communities available to support successful reentry, including resources provided by State, local, and Federal governments, the extent to which those resources are used effectively; and
prisoner’s sentence pursuant to section 3585(a) of title 18, United States Code, the Director of the Bureau of Prisons shall notify the Secretary of Veterans Affairs and the Secretary of Labor of the prisoner’s sentencing report, prepared pursuant to section 3552 of title 18, United States Code, indicates that the prisoner has previously served in the Armed Forces of the United States or if the prisoner has so notified the Bureau of Prisons.

(2) POST-CONFIRMANCE. — If the prisoner confers with the Bureau of Prisons of the prisoner’s prior service in the Armed Forces of the United States after the commencement of the prisoner’s sentence, the Director of the Bureau of Prisons shall notify the Secretary of Veterans Affairs and the Secretary of Labor not later than 2 months after the date on which the prisoner provides such notice.

(3) CONTENTS OF NOTICE. — The notice provided by the Director of the Bureau of Prisons to the Secretary of Veterans Affairs and the Secretary of Labor pursuant to this subsection shall include the identity of the prisoner, the facility in which the prisoner is located, the prisoner’s offense of conviction, and the length of the sentence.

(4) ACCESS TO VA AND DOL. — The Bureau of Prisons shall provide the Department of Veterans Affairs and the Department of Labor with an opportunity to confer with any prisoner to whom this section applies who has previously served in the Armed Forces of the United States for purposes of facilitating that prisoner’s reentry.

SEC. 107. TAKE-AWAY FOR JUVENILES.

(a) IN GENERAL. — Chapter 403 of title 18, United States Code, is amended by inserting after section 5032 the following:

"(a) Modification of an imposed term of imprisonment for violations of law committed prior to age 18

"(1) IN GENERAL.—Notwithstanding any other provision of law, a court may reduce a term of life imprisonment imposed upon a defendant convicted as an adult for an offense committed and completed before the defendant attained 18 years of age if—

"(A) the defendant has served or is serving 30 years in custody for the offense; and

"(B) the court finds, after considering the factors set forth in subsection (c), that the defendant's maturity or immaturity, or the interests of any person or the community and that the interests of justice warrant a sentence modification.

"(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3623.

"(c) FACTORS AND INFORMATION TO BE CONSIDERED IN DETERMINING WHETHER TO MODIFY A PUNITIVE IMPRISONMENT.—The court, in determining whether to reduce a term of imprisonment pursuant to subsection (a), shall consider—

"(1) the factors described in section 3553(a), including the nature of the offense and the history and characteristics of the defendant;

"(2) the age of the defendant at the time of the offense;

"(3) a report and recommendation of the Bureau of Prisons, including information on whether the defendant has substantially complied with the rules of each institution to which the defendant has been confined and whether the defendant has completed any educational, vocational, or other prison programs;

"(4) a report and recommendation of the United States attorney for any district in which an offense for which the defendant is imprisoned was prosecuted;

"(5) whether the defendant has demonstrated maturity, rehabilitation, and a fitness to receive supervised release sufficient to justify a sentence reduction;

"(6) any statement, which may be presented orally or otherwise, by any victim of the offense;

"(7) any report of physical, mental, or psychological examination of the defendant conducted by a licensed health care professional;

"(8) the family and community circumstances of the defendant at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system;

"(9) the extent of the role of the defendant in the offense and whether, and to what extent, an adult was involved in the offense;

"(10) the diminished culpability of juveniles as compared to that of adults, and the hallmark features of youth, including immaturity, impetuousness, and failure to appreciate risks and consequences, which could be expected to sentence them to the otherwise applicable term of imprisonment;

"(11) input from local law enforcement authorities regarding the defendant's role in the offense; and

"(12) any other information the court determines relevant to the decision of the court.

"(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—

"(1) SECOND APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the defendant under this section.

"(2) FINAL APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on a second application under paragraph (1) becomes final, a court shall entertain a final application by the defendant under this section.

"(e) PROHIBITION.—A court may not entertain an application filed after an application filed under paragraph (2) by the same defendant.

"(f) PROCEDURES.—

"(1) NOTICE.—The Bureau of Prisons shall provide written notice of this section to—

"(A) any defendant who has served 19 years in prison for an offense committed and completed before the defendant attained 18 years of age for which the defendant was convicted as an adult;

"(B) the sentencing court, the United States attorney, and the Federal Public Defender or Executive Director of the Community Defender Organization for the judicial district in which the sentence described in subparagraph (A) was imposed.

"(2) CRIME VICTIMS RIGHTS.—Upon receiving notice under paragraph (1), the United States attorney shall provide any notification required under section 3771.

"(3) APPLICATION.—

"(A) IN GENERAL.—An application for a sentence reduction under this section shall be filed as a motion to reduce the sentence of the defendant and may include affidavits or other written materials relating to the motion.

"(B) REQUIREMENT.—A motion to reduce a sentence under this section shall be filed with the sentencing court and a copy shall be served on the United States attorney for the judicial district in which the sentence was imposed.

"(4) EXPANDING THE RECORD; HEARING.—

"(A) EXPANDING THE RECORD.—After the filing of a motion to reduce a sentence under this section, the court may direct the parties to expand the record by submitting additional written materials relating to the motion.

"(B) HEARING.—

"(i) IN GENERAL.—The court shall conduct a hearing on the motion, at which the defendant and counsel for the defendant shall be given the opportunity to be heard.

"(ii) THE COURT.—In this section, the court may allow for parties to present evidence.

"(ii) DEFENDANT'S PRESENCE.—At a hearing under this section, the defendant shall be present unless the defendant waives the right to be present. The requirement under this subsection may be satisfied by the defendant appearing by video teleconference.

"(iv) COUNSEL.—A defendant who is unable to obtain counsel is entitled to counsel appointed to represent the defendant for proceedings under this section, including any appeal, unless the defendant waives the right to counsel.

"(v) FINDINGS.—The court shall state in open court, and file in writing, the reasons for granting or denying a motion under this section.

"(b) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing an appeal shall be governed by subsection (a) of the Federal Rules of Appellate Procedure.

"(c) EDUCATIONAL AND REHABILITATIVE PROGRAMS.—A defendant who is convicted and sentenced as an adult is eligible for an offense committed and completed before the defendant attained 18 years of age may not be deprived of any educational, training, or rehabilitative program that is otherwise available to the general prison population.

"(d) TABLE OF SECTIONS.—The table of sections for chapter 403 of title 18, United States Code, is amended by inserting after the item relating to section 5032 the following:

"5032A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18.

"(e) APPLICABILITY.—The amendments made by this section shall apply to any conviction entered before, on, or after the date of enactment of this Act.

SEC. 108. COMPASSIONATE RELEASE INITIATIVE.

Section 231(g) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)) is amended—

(1) in paragraph (1)—

"(A) by inserting "and eligible terminally ill offenders" after "elderly offenders" each place that term appears; and

"(B) in subparagraph (B), by inserting ", and upon written request from either the Bureau of Prisons or an eligible elderly offender or eligible terminally ill offender after "to both detention;"

(2) in paragraph (2), by inserting "or eligible terminally ill offender" after "elderly offender";

(3) in paragraph (3), by striking "and shall be carried out during fiscal years 2009 and 2010;";

(4) in paragraph (4)—

"(A) by inserting "or eligible terminally ill offenders" after "each eligible elderly offender;" and

"(B) by inserting "and eligible terminally ill offenders" after "elderly offenders;" and

(5) in paragraph (5)—

"(A) in subparagraph (A)—

"(i) in clause (i), by striking "65 years" and inserting "60 years"; and

"(ii) in clause (ii)—

"(I) by striking "the greater of 10 years or;" and

"(II) by striking "75 percent" and inserting "5%;" and
SEC. 201. SHORT TITLE. 
This title may be cited as the "Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2017".

SEC. 202. FINDINGS. 
Congress finds that—

(a) the Law Enforcement Officers Safety Act of 2004 (Public Law 108-277; 118 Stat. 865) gives certain law enforcement officers, including certain correctional officers of the Bureau of Prisons, the right to carry a concealed firearm in all 50 States for self-protection;

(b) the purpose of that Act is to allow certain law enforcement officers to protect themselves while off duty;

(c) correctional officers of the Bureau of Prisons have been the targets of assaults and murders while off duty; and

(d) while that Act allows certain law enforcement officers to protect themselves while off duty, the Director of the Bureau of Prisons allows correctional officers of the Bureau of Prisons to securely store personal firearms at only 33 Federal penal and correctional institutions where those terms in section 926B.

SEC. 203. SECURE FIREARMS STORAGE. 
SEC. 203. SECURE FIREARMS STORAGE. 
SEC. 203. SECURE FIREARMS STORAGE.

(a) SEC. 306(d) of title 18, United States Code, is amended by adding at the end the following:

(1) the term 'employee' means a qualified law enforcement officer employed by the Bureau of Prisons and

(2) the terms 'firearm' and 'qualified law enforcement officer' have the meanings given them in section 926B.

(b) SECURE FIREARMS STORAGE. —The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

(1) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

(2) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

(c) the Secretary, or any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution. 

(b) COMFORMING AMENDMENT. —The sections of chapter 333 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

4050. Secure firearms storage.

TITLE III—NATIONAL CRIMINAL JUSTICE COMMISSION

SEC. 301. SHORT TITLE. 
This title may be cited as the "National Criminal Justice Commission Act of 2017".

SEC. 302. FINDINGS. 
Congress finds that—

(1) it is in the interest of the Nation to establish a commission to undertake a comprehensive review of the criminal justice system; and

(2) there has not been a comprehensive study since the President's Commission on Law Enforcement and Administration of Justice was established in 1965.

(3) that commission, in a span of 18 months, produced a comprehensive report entitled "The Challenge of Crime in a Free Society", which contained 200 specific recommendations on all aspects of the criminal justice system involving Federal, State, tribal, and local governments, civic organizations, religious institutions, business groups, and individual citizens; and

(4) developments over the intervening 50 years require once again that Federal, State, tribal, and local governments, law enforcement agencies, rank and file officers, civil rights organizations, community-based organization leaders, civic organizations, religious institutions, business groups, and individual citizens come together to review evidence and consider how to improve the criminal justice system.

SEC. 303. ESTABLISHMENT OF COMMISSION. 
There is established a commission to be known as the "National Criminal Justice Commission" (referred to in this title as the "Commission").

SEC. 304. PURPOSE OF THE COMMISSION. 
The Commission shall—

(1) undertake a comprehensive review of the criminal justice system;

(2) make recommendations for Federal criminal justice reform to the President and Congress; and

(3) disseminate findings and supplemental guidance to the Federal Government, as well as to the State, local, and tribal governments.

SEC. 305. REVIEW, RECOMMENDATIONS, AND REPORT. 
(a) GENERAL REVIEW.—The Commission shall undertake a comprehensive review of all areas of the criminal justice system, including Federal, State, local, and tribal governments' criminal justice costs, practices, and policies.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the President and Congress recommendations for changes in Federal oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system.

(2) UNANIMOUS CONSENT REQUIRED.—A recommendation of the Commission may be adopted and submitted under paragraph (1) if the recommendation is approved by a unanimous vote of the Commissioners at a meeting where a quorum is present pursuant to section 306(d).

(3) REQUIREMENT.—The recommendations submitted under this subsection shall be made available to the public.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the first meeting of the Commission, the Commission shall also disseminate to the Federal Government, as well as to State, local, and tribal governments, a report that details the findings and supplemental guidance of the Commission regarding the criminal justice system at all levels of government.

(2) MAJORITY VOTE REQUIRED.—Commission findings and supplemental guidance may be adopted and included in the report required under paragraph (1) if the recommendation or guidance is approved by a majority vote of the Commissioners at a meeting where a quorum is present pursuant to section 306(d), except that a recommendation or particular finding or supplemental guidance shall have the right to state the reason for their dissent in writing and such dissent shall be included in the report of the Commission.

(3) REQUIREMENT.—The report submitted under this subsection shall be made available to the public.

(d) PRIOR COMMISSIONS.—The Commission shall take into consideration the work of prior relevant commissions in conducting its review.

(e) STATE AND LOCAL GOVERNMENT.—In issuing its recommendations and report under this section, the Commission shall not infringe on the legitimate rights of the States to determine their own criminal laws or the enforcement of such laws.

(f) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(g) CONSULTATION WITH GOVERNMENT AND NONGOVERNMENT REPRESENTATIVES.—

(1) IN GENERAL.—The Commission shall—

(A) consult with Federal, State, local, and tribal government and nongovernmental leaders, including State, local, and tribal law enforcement officials, including rank and file officers, legislators, public health officials, judiciary officials, prosecutors, defense counsel, victims' rights organizations, probation and parole officials, criminal justice planners, criminologists, civil rights and liberties organizations, community-based organization leaders, formerly incarcerated individuals, professional organizations, and corrections officials;

and

(B) include in the final report required under subsection (c) summaries of the input and recommendations of these leaders.

(h) SENATE RESOLUTION.——The Commission is hereby authorized and directed to consult with the leader of the Senate, in consultation with the leader of the House of Representatives, that is a member of the opposite party of the President, who shall serve as co-chairman of the Commission.

(i) HOUSE RESOLUTION.——The Commission shall also include in the final report required under subsection (c) summaries of the input and recommendations of the leaders.

(j) CRIMINAL JUSTICE COMMISSION.—To the extent the review and recommendations required by this section relate to sentencing policies and practices for the Federal criminal justice system, the Commission shall conduct such review and make such recommendations in consultation with the United States Sentencing Commission.

(k) SENSE OF CONGRESS, GOAL OF UNAMIMITY.—It is the sense of the Congress that, given the national importance of the matters before the Commission, the Commission should work toward unanimously supported findings and supplemental guidance, and that any unanimously supported findings and supplemental guidance should take precedence over those findings and supplemental guidance that are not unanimously supported.

SEC. 306. MEMBERSHIP. 
(a) IN GENERAL.—The Commission shall be composed of 14 members, as follows:

(1) One member shall be appointed by the President, who shall serve as co-chairman of the Commission.

(2) One member shall be appointed by the leader of the Senate, in consultation with the leader of the House of Representatives, that is a member of the opposite party of the President, who shall serve as co-chairman of the Commission.

(3) Two members shall be appointed by the senior member of the Senate leadership of
the Democratic Party, in consultation with the Democratic leadership of the Committee on the Judiciary.

(4) Two members shall be appointed by the senior member of the Senate leadership of the Republican Party, in consultation with the Republican leadership of the Committee on the Judiciary.

(5) Six members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party, in consultation with the Democratic leadership of the Committee on the Judiciary.

(6) Two members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party, in consultation with the Democratic leadership of the Committee on the Judiciary.

(7) Two members, who shall be State and local government representatives, shall be appointed by the President in agreement with leader of the Senate (majority or minority leader, as the case may be) of the Republican Party and the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party.

(8) Two members, who shall be State and local government representatives, shall be appointed by the President in agreement with leader of the Senate (majority or minority leader, as the case may be) of the Democratic Party and the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party.

(b) MEMBERSHIP.—

(1) QUALIFICATIONS.—The individuals appointed from private life as members of the Commission shall be individuals with distinguished reputations in the integrity and non-partisanship who are nationally recognized for expertise, knowledge, or experience in such relevant areas as—

(A) law enforcement;

(B) criminal justice;

(C) national security;

(D) prison and jail administration;

(E) prisoner reentry;

(F) public health, including physical and sexual victimization, drug addiction and mental health;

(G) victims’ rights;

(H) civil rights;

(I) civil liberties;

(J) court administration;

(K) elected officials;

(L) State, local, and tribal government.

(2) DISQUALIFICATION.—An individual shall not be appointed as a member of the Commission if that individual possesses any personal financial interest in the discharge of any of the duties of the Commission.

(3) TERMS.—Members shall be appointed for the life of the Commission.

(c) APPOINTMENT; FIRST MEETING.—

(1) APPOINTMENT.—Members of the Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold its first meeting on the date that is 60 days after the date of enactment of this Act, or not later than 30 days after the date on which funds are made available for the Commission, whichever is later.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall adopt appropriate ethics guidelines for commissioners and staff, including guidelines relating to conflict of interest and financial disclosure. The Commission shall consult with the Senate and House Committees on the Judiciary with respect to the guidelines and furnish the committees with a copy of the completed guidelines.

(d) MEETINGS; QUORUM; VACANCIES.—

(1) MEETINGS.—The Commission shall meet at the call of the co-chairs or a majority of its members.

(2) QUORUM.—Eight members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled only by a member who was a member of the Commission in the original appointment was made. If vacancies in the Commission occur on any day after 45 days after the date of the enactment of this Act, the remaining members of the Commission as of such day, so long as not less than 1 Commission member chosen by a member of each party, Republican and Democratic, are present.

(e) ACTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission—

(A) shall, subject to the requirements of section 305, act by resolution agreed to by a majority of the members of the Commission voting and present; and

(B) may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this title—

(i) which shall be subject to the review and control of the full Commission; and

(ii) any findings and determinations made by such a panel shall be considered the findings and determinations of the Commission unless an action of the Commission is authorized to take pursuant to this title.

SEC. 307. ADMINISTRATION.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall have a staff headed by an Executive Director. The Executive Director shall be paid at a rate established for the Senior Executive Service under section 5382 of title 5, United States Code.

(2) APPOINTMENT AND COMPENSATION.—The co-chairs of the Commission shall designate and fix the compensation of the Executive Director and, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 33 of title 5 relating to classification and pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The Executive Director and any person who is an employee of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(4) TIME LIMITATION OF COMMISSIONERS.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the functions of the Commission. All members of the Commission who are officers or employees of the United States, State, or local government shall serve without compensation in addition to that received for their services as officers or employees.

(f) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 701(b) of title 5, United States Code.

(g) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3106(b) of title 5, United States Code.

(h) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Commission, the head of any Federal agency may detail, without reimbursement, any of the personnel of such agency to the Commission to assist in carrying out the duties of the Commission. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(i) OTHER RESOURCES.—The Commission shall have reasonable access to materials, resources, statistical data, and other information such Commission determines to be necessary to carry out its work. The Commission shall have access to the Library of Congress, the Department of Justice, the Office of National Drug Control Policy, the Department of State, and other agencies and the executive branches of the Federal Government. The co-chairs of the Commission shall make requests for such access in writing when necessary.

(j) VOLUNTEER SERVICES.—Notwithstanding the provisions of section 1342 of title 28, United States Code, the Commission is authorized to accept and utilize the services of volunteers serving without compensation. The Commission may reimburse such volunteers for local travel and office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code. A person providing volunteer services to the Commission shall be considered an employee of the Federal Government in performance of those services for the purposes of chapter 81, title 5, United States Code, relating to compensation for work-related injuries, chapter 171 of title 28, United States Code, relating to tort claims, and chapter 59 of title 5, United States Code, relating to conflicts of interest.

(k) Obtaining Official Data.—The Commission may secure directly from any agency of the United States information necessary to enable it to carry out this title. Upon the request of the co-chairs of the Commission, the head of that department or agency shall furnish that information to the Commission. The Commission shall not have access to sensitive information regarding ongoing investigations.

(l) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(m) ADMINISTRATIVE.—The Commission shall have available administrative personnel as the Commission determines to be necessary to carry out its functions.

(n) REPORTS.—The Commission shall issue biennial status reports to Congress regarding the use of resources, personnel, and all expenditures of appropriated funds.

(o) CONTRACTS.—The Commission is authorized to enter into contracts with Federal and State agencies, private firms, institutions, and individuals for the conduct of activities necessary to the discharge of its duties and responsibilities. A contract, lease or other instrument relating to the performance of activities carried out by the Commission shall not extend beyond the date of the termination of the Commission.
CONGRESSIONAL RECORD — SENATE

S6655

October 19, 2017

S. Res. 294

Whereas on October 4, 2017, the Minnesota Lynx won the 2017 Women’s National Basketball Association championship (referred to in this preamble as the “WNBA”) championship;

Whereas this was the Minnesota Lynx’s victory in the national championship that the Minnesota Lynx have won in 7 years;

Whereas the Minnesota Lynx beat the Los Angeles Sparks in game 5 of the WNBA Conference Finals and beat the Washington Mystics in the semifinals;

Whereas the Minnesota Lynx finished the regular season with the best record, 27-7, and earned the top seed;

Whereas the 2017 WNBA Finals made ESPN history by being the most-viewed championship series, averaging 559,000 viewers for the 5-game series;

Whereas attendance for this postseason rose to a high of 2,926 spectators per game, making it the highest-attended WNBA Finals in 7 years, and attracting 10 percent more spectators as compared to last season;

Whereas 14,632 fans attended the sold-out championship game at Williams Arena, known as “The Barn,” in Minneapolis to cheer on the Minnesota Lynx;

Whereas the Minnesota Lynx featured 4 world champion and gold medal athletes, including Lindsay Whalen, Seimone Augustus, and Sylvia Fowles, as well as highly talented professional athletes, including Rebekkah Brunson, Renee Montgomery, Temi Fagbenle, Natasha Howard, Alexis Jones, Jia Perkins, Plenette Pierson, and Cecilia Zandalasini;

Whereas Sylvia Fowles received the 2017 WNBA Finals Most Valuable Player award;

Whereas Rebekkah Brunson is the first WNBA player to win 5 championships; and

Whereas the Minnesota Lynx joined the Houston Comets as the only team to win 4 championships, all under the coaching of Head Coach Cheryl Reeve; now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, fans, and staff whose dedication led the Minnesota Lynx to win the 2017 Women’s National Basketball Association championship; and

(2) recognizes the Twin Cities area and State of Minnesota’s enthusiastic support of women’s professional basketball.

SENATE RESOLUTION 295—DESIGNATING OCTOBER 2017 AS “NATIONAL EMPLOYEE OWNERSHIP MONTH”

Ms. BALDWIN (for herself, Mr. ROBERTS, Mr. BROWN, Ms. HASSAN, Mr. FRANKEN, Mr. MURRAY, Mr. SANDERS, Mrs. SHAHEEN, Mr. YOUNG, and Mr. KING) submitted the following resolution; which was referred to the Committee on the Judiciary:

WHEREAS employee-owners feel better prepared to cover the expenses of life and retire with a greater sense of financial security; and

WHEREAS employee-owned companies have a rich history in communities across the United States; Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2017 as “National Employee Ownership Month”; and

(2) supports employee-owned businesses; and

(3) acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.

SENATE RESOLUTION 296—DESIGNATING THE WEEK OF NOVEMBER 5 THROUGH 12, 2017, AS “NATIONAL CARBON MONOXIDE POISONING AWARENESS WEEK”

Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

WHEREAS carbon monoxide is an odorless, colorless gas that is produced whenever any fuel, such as natural gas, propane, gasoline, oil, kerosene, wood, or charcoal, is burned;

WHEREAS devices that produce carbon monoxide include cars, portable power generators, gasoline engines, stoves, and heating systems, and carbon monoxide produced from these sources can build up in enclosed or semi-enclosed spaces;

WHEREAS carbon monoxide is often referred to as the “silent killer” because it is colorless, odorless, tasteless, and non-irritating, and ignoring early stages of carbon monoxide poisoning may cause unconsciousness and continual exposure to danger;

WHEREAS according to the Centers for Disease Control and Prevention, each year in the United States, carbon monoxide poisoning kills more than 150 individuals and sends approximately 20,000 individuals to emergency rooms;

WHEREAS when people breathe in carbon monoxide, the poisonous gas enters the bloodstream and prevents adequate intake of oxygen, which can damage tissues and result in death;

WHEREAS, given their common preexisting medical conditions, individuals older than age 65 are particularly vulnerable to carbon monoxide poisoning;

WHEREAS for most individuals who suffer from carbon monoxide poisoning, the early signs of exposure to low concentrations of carbon monoxide include mild headaches and breathlessness upon moderate exercise;

WHEREAS sustained or increased exposure to carbon monoxide can lead to flu-like symptoms, including severe headaches, dizziness, tiredness, nausea, confusion, irritability, and impaired judgment, memory, and coordination;

WHEREAS breathing in low concentrations of carbon monoxide can cause long-term health damage, even after exposure to the gas ends;

WHEREAS most cases of carbon monoxide exposure occur during the colder months of December, January, and February, when oil and gas heaters are most heavily in use;

WHEREAS on January 5, 1996, the Burt family of Kimball, Minnesota, was poisoned by carbon monoxide from a malfunctioning furnace in the home of the Burt family, resulting in—

(1) the deaths of 15-month-old Zachary Todd Burt and 4-year-old Nicholas Todd Burt; and

(2) the hospitalization of Ryan Todd Burt;
Resolved, That the Senate supports Lights On Afterschool, a national celebration of afterschool programs held on October 26, 2017.

SENATE RESOLUTION 298—SUPPORTING THE DESIGNATION OF NATIONAL AFTERSCHOOL PROGRAMS WEEK, NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Mr. KING (for himself and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. Res. 298

Whereas September has been declared “National Alcohol and Drug Addiction Recovery Month”;

Whereas the theme for National Alcohol and Drug Addiction Recovery Month in 2017 is “Join the Voices for Recovery: Strengthen Families and Communities”;

Whereas drug overdose is the leading cause of accidental death in the United States, with more than 63,000 lethal drug overdoses in 2016 or approximately 170 lethal drug overdoses per day in 2016;

Whereas drug overdose is now the leading cause of death in individuals in the United States under age 50; and

Whereas the motto of National Alcohol and Drug Addiction Recovery Month is “Prevention Works—Treatment is Effective—People Recover”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the “National Day on Writing”;

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing;

(3) encourages the social nature of writing invites people of every age, profession, and civic purpose;

Whereas the National Council of Teachers of English encourages all people of the United States to tell others #WhyIWrite through print, social media, or other means: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the “National Day on Writing”;

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing.

SENATE RESOLUTION 299—EX-Pressing SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2017, AS THE “NATIONAL DAY ON WRITING”

Mr. CASEY (for himself, Mr. ROBERTS, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. Res. 299

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation consider writing to be essential and influential in their work;

Whereas people who write continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English encourages all people of the United States to tell others #WhyIWrite through print, audio, and video, to social media, including Twitter, Facebook, and Instagram, and Internet website tools, including blogs, wikis, and podcasts: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2017, as the “National Day on Writing”;

(2) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing.

SENATE RESOLUTION 300—RECOGNIZING THE 150TH ANNIVERSARY OF McDaniel COLLEGE

Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted the following resolution; which was considered and agreed to:

S. Res. 300

Whereas, on October 21, 2017, McDaniel College, formerly Western Maryland College (referred to in this preamble as the “College”), located in Westminster, Maryland, will celebrate the 150th anniversary of the first academic year of the College;

Whereas the College was the first coeducational college founded south of the Mason-Dixon line and one of the first coeducational colleges in the United States;

Whereas the founder of the College, Fay ette Buell, a Westminster teacher, purchased approximately 8 acres of land shortly after the Civil War in 1866 to build the College;

Whereas the College was named Western Maryland College at the suggestion of John Smith, President of Western Maryland Railroad;
Whereas the first academic year of the College began on September 4, 1867, with 5 teachers and 37 male and female students enrolled in 8 areas of study;

Whereas the State of Maryland approved the charter of the College on March 30, 1868;

Whereas the first graduating class of the College honored 7 men and women on June 15, 1871;

Whereas, in 1919, the Department of War authorized the Reserve Officers’ Training Corps at the College, which continues as one of the Reserve Officers’ Training Corps programs in the United States;

Whereas, in 1923, the first earned master’s degree was offered at the College for Master of Arts;

Whereas, in January 1975, the College formally dissociated from the United Methodist Church and established an identity as an independent private college of the liberal arts and sciences;

Whereas, in 1980, the College received a Phi Beta Kappa charter, making it only the fourth college in Maryland to house a chapter of that prestigious national collegiate honor society;

Whereas, in 1994, the College opened its first branch campus in Budapest, Hungary, which has awarded more than 200 students from over 20 countries baccalaureate degrees and has enrolled more than 400 students from the Westminster camp who have studied abroad there;

Whereas, in 1999, the College was among 40 institutions included in the seminal guide Colleges That Change Lives, and has continued to be included in each subsequent edition of that book;

Whereas, on July 1, 2002, Western Maryland College changed its name to McDaniel College, honoring William Roberts McDaniel, alumnus of 1860, professor, Secretary of the Faculty, Vice President, Treasurer, Acting President, and member of the Board of Trustees of the College;

Whereas, as of October 2017, the College serves approximately 1,600 undergraduate students and 1,400 graduate students in more than 70 undergraduate programs of study (including dual and student-designed majors) and 25 highly regarded graduate programs, and prepares those students with the skills needed to compete and succeed in a changing world.

Whereas, in 2017, the College features 72 buildings on a 160-acre campus;

Whereas, McDaniel College continues to rank among the top liberal arts colleges in the United States and to be recognized for a commitment to access;

Whereas the College awards greater than 90 percent of students some type of financial assistance, including institutional grants and scholarships and Federal and State aid; and

Whereas, the more than 28,000 alumni of the College reside in all 50 States, the District of Columbia, and 75 countries;

Whereas the College has a tradition of producing alumni with 3 alumni of the College being named Maryland Teachers of the Year since 2010; and

Whereas the College continues to be committed to enhancing academic and experiential learning opportunities for students at the College, many of whom are the first in their families to attend an institution of higher education, and producing empowered critical thinkers who are well-prepared for jobs and service that strengthen the State of Maryland and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates McDaniel College on the 150th anniversary of the founding of the College;

(2) recognizes the achievements of the administrators, professors, students, and various staff who have contributed to the success of McDaniel College; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the president of McDaniel College; and

(B) the provost and vice president for academic affairs of McDaniel College.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1399. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the Federal Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table.

SA 1401. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1402. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1403. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1404. Mr. ENZI (for Mr. PAUL) proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1405. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1406. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1407. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1408. Mr. WARNER (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1409. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1410. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1411. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1412. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1413. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1414. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1415. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1416. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1417. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1418. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1419. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1420. Mrs. MCCASKILL (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1421. Mr. BROWN (for himself, Ms. WARREN, Ms. BALDWIN, Mr. REID, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1422. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1423. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1424. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1425. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1426. Mr. KURO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1428. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.
SA 1429. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1430. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1433. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1444. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.
SA 1476. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1477. Mr. BLUMENTHAL (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1478. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1493. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1494. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1495. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1496. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1497. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1498. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1499. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1500. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1501. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1502. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1503. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1504. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1505. Mr. BOOKER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1506. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1507. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, Mr. WARNER, and Mr. VAN HOLLAND) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1508. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1509. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1510. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1511. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1512. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1513. Ms. HIRONO (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1514. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1515. Ms. HIRONO (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1516. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1517. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1518. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1519. Ms. HIRONO (for herself, Mrs. MURRAY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1520. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1521. Mr. REED (for himself, Mr. WHITBERG, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1522. Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNETT, Mr. WYDEN, and Mr. MARKET) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1523. Ms. COONS submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1524. Mr. COONS (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra, which was ordered to lie on the table.

SA 1525. Mr. BROWN (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BENNETT, Mrs. MURRAY, Mr. BOOKER, Mr. WARNER, Mr. WYDEN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr.
Enzi to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1528. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1527. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1526. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1525. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1524. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1523. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1522. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1521. Mr. CASEY (for himself, Ms. WARREN, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1520. Mr. KING submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1519. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1518. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1517. Mr. FRANKEN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1516. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1515. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1514. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1513. Mr. MCCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1512. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1511. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1510. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1509. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1508. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1507. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1506. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1505. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1504. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1503. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1502. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.

SA 1501. Mr. McCONNELL proposed an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, supra; which was ordered to lie on the table.
At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX SIMPLIFICATION.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming Federal tax laws, which may include simplifying existing tax laws and providing other job-creating relief, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1400. Mr. UDALL (for himself, Mr. HEINRICH, Ms. BALDWIN, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING CLIMATE CHANGE.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to strengthening national security and promoting economic growth and public health by addressing human-induced climate change through increased use of clean energy and energy efficiency technologies to stabilize and reduce United States greenhouse gas emissions while providing adequate resources to support existing coal communities by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1401. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING THE BASIC HEALTH PROGRAM AS A PUBLIC OPTION THAT COVERS MORE AMERICANS AT LOWER COST.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding the basic health program under section 1331 of the Patient Protection and Affordable Care Act (42 U.S.C. 18051) as a public option to lower health care costs for Americans in the individual health insurance market, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1402. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE ENERGY AND NUCLEAR SECURITY IMPLICATIONS OF THE NUCLEAR NONPROLIFERATION TREATY.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to crafting and implementing nuclear nonproliferation policy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1403. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the Strategic Petroleum Reserve established under part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6231 et seq.) and the sale of crude oil from the Strategic Petroleum Reserve established under part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6231 et seq.), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1404. Mr. PAUL proposed an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, as follows:

On page 4, line 6, strike "$1,500,000,000,000" and insert "$2,500,000,000,000".

SA 1405. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, as follows:

On page 4, line 6, strike "$2,500,000,000,000" and insert "$2,500,000,000,000".
On page 6, line 10, increase the amount by $207,000,000.

On page 6, line 15, increase the amount by $30,000,000.

On page 6, line 16, increase the amount by $15,116,000,000.

On page 6, line 17, increase the amount by $28,712,000,000.

On page 6, line 18, increase the amount by $45,298,000,000.

On page 6, line 19, increase the amount by $86,355,000,000.

On page 6, line 20, increase the amount by $199,849,000,000.

On page 6, line 21, increase the amount by $5,196,000,000.

On page 6, line 22, increase the amount by $109,849,000,000.

On page 6, line 23, increase the amount by $161,514,000,000.

On page 6, line 24, increase the amount by $189,585,000,000.

On page 7, line 3, increase the amount by $5,196,000,000.

On page 7, line 4, increase the amount by $15,116,000,000.

On page 7, line 5, increase the amount by $207,000,000.

On page 7, line 6, increase the amount by $222,820,000,000.

On page 7, line 7, increase the amount by $207,000,000.

On page 7, line 8, increase the amount by $211,000,000,000.

On page 7, line 9, increase the amount by $109,849,000,000.

On page 7, line 10, increase the amount by $334,933,000,000.

On page 7, line 11, increase the amount by $161,514,000,000.

On page 7, line 12, increase the amount by $189,585,000,000.

On page 7, line 13, increase the amount by $165,160,000.

On page 7, line 14, increase the amount by $17,720,000,000.

On page 7, line 15, increase the amount by $9,713,000,000.

On page 7, line 16, increase the amount by $18,670,000,000.

On page 7, line 17, increase the amount by $13,042,000,000.

On page 7, line 18, increase the amount by $20,106,000,000.

On page 8, line 4, increase the amount by $15,116,000,000.

On page 8, line 5, increase the amount by $22,449,000,000.

On page 8, line 6, increase the amount by $17,795,000,000.

On page 9, line 2, increase the amount by $19,975,000,000.

On page 9, line 3, increase the amount by $23,453,000,000.

On page 9, line 4, increase the amount by $20,106,000,000.

On page 9, line 5, increase the amount by $23,982,000,000.

On page 9, line 6, increase the amount by $21,258,000,000.

On page 9, line 7, increase the amount by $24,480,000,000.

On page 9, line 8, increase the amount by $21,909,000,000.

On page 9, line 9, increase the amount by $25,024,000,000.

On page 9, line 10, increase the amount by $22,508,000,000.

On page 9, line 11, increase the amount by $30,000,000.

On page 9, line 12, increase the amount by $30,000,000.

On page 9, line 13, increase the amount by $207,000,000.

On page 9, line 14, increase the amount by $30,000,000.

On page 9, line 15, increase the amount by $207,000,000.

On page 9, line 16, increase the amount by $207,000,000.

On page 9, line 17, increase the amount by $207,000,000.

On page 9, line 18, increase the amount by $207,000,000.

On page 9, line 19, increase the amount by $207,000,000.

On page 9, line 20, increase the amount by $207,000,000.

On page 9, line 21, increase the amount by $207,000,000.

On page 9, line 22, increase the amount by $207,000,000.

On page 9, line 23, increase the amount by $207,000,000.

On page 9, line 24, increase the amount by $207,000,000.

On page 9, line 25, increase the amount by $207,000,000.

On page 9, line 26, increase the amount by $207,000,000.

On page 9, line 27, increase the amount by $207,000,000.

On page 9, line 28, increase the amount by $207,000,000.

On page 9, line 29, increase the amount by $207,000,000.

On page 9, line 30, increase the amount by $207,000,000.

On page 9, line 31, increase the amount by $207,000,000.

On page 9, line 32, increase the amount by $207,000,000.

On page 9, line 33, increase the amount by $207,000,000.

On page 9, line 34, increase the amount by $207,000,000.

On page 9, line 35, increase the amount by $207,000,000.

On page 9, line 36, increase the amount by $207,000,000.

On page 9, line 37, increase the amount by $207,000,000.

On page 9, line 38, increase the amount by $207,000,000.

On page 9, line 39, increase the amount by $207,000,000.

On page 9, line 40, increase the amount by $207,000,000.

On page 9, line 41, increase the amount by $207,000,000.

On page 9, line 42, increase the amount by $207,000,000.

On page 9, line 43, increase the amount by $207,000,000.

On page 9, line 44, increase the amount by $207,000,000.

On page 9, line 45, increase the amount by $207,000,000.

On page 9, line 46, increase the amount by $207,000,000.
2022 or the period of the total of fiscal years 2018 through 2027.

SA 1410. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENSURING CLEAN DRINKING WATER FOR PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, and conference reports relating to ensuring clean drinking water for Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1411. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REBUILDING AND RE-STORING ROADS AND BRIDGES IN PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuilding and restoring roads and bridges in Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1414. Mr. BLUMENTHAL (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND TO RESTORE TELE-MUNICATIONS IN PUERTO RICO.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuilding and restoring telecommunications in Puerto Rico by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
effective, robust layered missile defense system, and to increasing the capability, capacity, and reliability of the United States homeland and theater ballistic missile defense systems provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1417. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REBUILDING RESILIENT INFRASTRUCTURE IN PUERTO RICO AND THE UNITED STATES VIRGIN ISLANDS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to rebuilding infrastructure in Puerto Rico and the United States Virgin Islands destroyed or damaged by Hurricanes Irma and Maria in a resilient and sustainable way that reduces the threat from future disasters, including rebuilding the electric grid and investing in distributed clean energy technologies such as solar, wind, energy efficiency, and battery storage as targeted in local clean energy legislation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1418. Mr. FRANKEN (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. POINT OF ORDER AGAINST PROVIDING A TAX CUT TO THE TOP 1 PERCENT OR CREATING A LOOP-HOLE FOR WEALTHY TAX DOGGEERS THROUGH LOWERING THE PASS-THROUGH TAX RATE.

(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 relating to a reconciliation bill that would—

(1) provide a tax cut on business income to individuals in the top 1 percent of income; or

(2) increase the incentive for workers to receive compensation from their current employer through pass-through business rather than in the form of higher-taxed wages.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate by a two-thirds vote of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1421. Mr. BROWN (for himself, Ms. WARREN, Ms. BALDWIN, Mr. REED, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 3, line 12, increase the amount by $470,000,000.

On page 3, line 13, increase the amount by $1,190,000,000.

On page 4, line 1, increase the amount by $1,700,000,000.

On page 4, line 2, increase the amount by $2,020,000,000.

On page 4, line 3, increase the amount by $2,320,000,000.

On page 4, line 4, increase the amount by $2,690,000,000.

On page 4, line 5, increase the amount by $3,015,000,000.

On page 4, line 6, increase the amount by $3,200,000,000.

On page 4, line 7, increase the amount by $3,325,000,000.

On page 4, line 8, increase the amount by $3,450,000,000.

On page 4, line 12, increase the amount by $470,000,000.

On page 4, line 13, increase the amount by $1,190,000,000.

On page 4, line 14, increase the amount by $1,700,000,000.

On page 4, line 15, increase the amount by $2,020,000,000.

On page 4, line 16, increase the amount by $2,320,000,000.

On page 4, line 17, increase the amount by $2,690,000,000.

On page 4, line 18, increase the amount by $3,015,000,000.

On page 4, line 19, increase the amount by $3,200,000,000.

On page 4, line 20, increase the amount by $3,325,000,000.

On page 4, line 21, increase the amount by $3,450,000,000.

On page 4, line 25, increase the amount by $470,000,000.

On page 5, line 1, increase the amount by $1,190,000,000.

On page 5, line 2, increase the amount by $1,700,000,000.

On page 5, line 3, increase the amount by $2,020,000,000.

On page 5, line 4, increase the amount by $2,320,000,000.

On page 5, line 5, increase the amount by $2,690,000,000.

On page 5, line 6, increase the amount by $3,015,000,000.

On page 5, line 7, increase the amount by $3,200,000,000.

On page 5, line 8, increase the amount by $3,325,000,000.

On page 5, line 9, increase the amount by $3,450,000,000.

On page 5, line 13, increase the amount by $470,000,000.

On page 5, line 14, increase the amount by $1,190,000,000.

On page 5, line 15, increase the amount by $1,700,000,000.

On page 5, line 16, increase the amount by $2,020,000,000.

On page 5, line 17, increase the amount by $2,320,000,000.

On page 5, line 18, increase the amount by $2,690,000,000.

On page 5, line 19, increase the amount by $3,015,000,000.

On page 5, line 20, increase the amount by $3,200,000,000.
On page 3, line 21, increase the amount by $33,200,000,000.
On page 3, line 22, increase the amount by $3,450,000,000.
On page 4, line 20, increase the amount by $740,000,000.
On page 5, line 21, increase the amount by $1,190,000,000.
On page 6, line 24, increase the amount by $1,190,000,000.
On page 7, line 25, increase the amount by $2,690,000,000.
On page 8, line 3, increase the amount by $2,100,000,000.
On page 9, line 4, increase the amount by $2,320,000,000.
On page 10, line 5, increase the amount by $2,320,000,000.
On page 11, line 6, increase the amount by $2,020,000,000.
On page 12, line 7, increase the amount by $2,020,000,000.
On page 13, line 8, increase the amount by $2,320,000,000.
On page 14, line 9, increase the amount by $2,320,000,000.
On page 15, line 10, increase the amount by $470,000,000.
On page 16, line 11, increase the amount by $3,015,000,000.
On page 17, line 12, increase the amount by $3,152,000,000.
On page 18, line 13, increase the amount by $3,152,000,000.
On page 19, line 14, increase the amount by $3,152,000,000.
On page 20, line 15, increase the amount by $3,152,000,000.
On page 21, line 16, increase the amount by $3,152,000,000.
On page 22, line 17, increase the amount by $3,152,000,000.
On page 23, line 18, increase the amount by $3,152,000,000.
On page 24, line 19, increase the amount by $3,152,000,000.
On page 25, line 20, increase the amount by $3,152,000,000.
On page 26, line 21, increase the amount by $3,152,000,000.
On page 27, line 22, increase the amount by $3,152,000,000.
On page 28, line 23, increase the amount by $3,152,000,000.
On page 29, line 24, increase the amount by $3,152,000,000.
On page 30, line 25, increase the amount by $3,152,000,000.
On page 31, line 26, increase the amount by $3,152,000,000.
On page 32, line 27, increase the amount by $3,152,000,000.
On page 33, line 28, increase the amount by $3,152,000,000.
On page 34, line 29, increase the amount by $3,152,000,000.
On page 35, line 30, increase the amount by $3,152,000,000.
On page 36, line 31, increase the amount by $3,152,000,000.
On page 37, line 32, increase the amount by $3,152,000,000.
On page 38, line 33, increase the amount by $3,152,000,000.
On page 39, line 34, increase the amount by $3,152,000,000.
On page 40, line 35, increase the amount by $3,152,000,000.
On page 41, line 36, increase the amount by $3,152,000,000.
On page 42, line 37, increase the amount by $3,152,000,000.
On page 43, line 38, increase the amount by $3,152,000,000.
On page 44, line 39, increase the amount by $3,152,000,000.
On page 45, line 40, increase the amount by $3,152,000,000.
On page 46, line 41, increase the amount by $3,152,000,000.
On page 47, line 42, increase the amount by $3,152,000,000.

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE PROVISION OF INCENTIVES FOR BUSINESSES TO INVEST IN AMERICA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in federal tax laws, with international tax provisions that provide or enhance incentives for businesses to invest in America, generate American jobs, retain American jobs, and return jobs to America, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1423. Mr. DONELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ELIMINATING TAX BREAKS FOR COMPANIES THAT SHIP JOBS TO FOREIGN COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to eliminating tax breaks for companies that outsource jobs to foreign countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1424. Mr. DONELLY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE COLOMBIAN PEACE AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing additional support to the Government of Colombia for the implementation of a Colombian peace agreement which may include the Revolutionary Armed Forces of Colombia, which may in certain conditions relating to counter-narcotics programs aerial eradication or extradition requests, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROVIDING INCENTIVES FOR BUSINESSES TO INVEST IN AMERICA.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing tax incentives for companies to invest in the United States and to provide tax breaks for companies to relocate foreign jobs to the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATED TO EXPANDING THE CHILD TAX CREDIT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for working families, which may include an expansion of the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1428. Mr. ENZI (for Mr. LEE) proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRATEGIC ENERGY INFRASTRUCTURE PROJECTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for working families, which may include an expansion of the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 56, between lines 8 and 9, insert the following:

(6) encouraging the submission of an overall national security strategy;

(7) limiting United States military engagements abroad that are not explicitly authorized by an Act of Congress;

(8) prohibiting the Armed Forces from participating in a humanitarian operation, assisting in a civil war, ethnic conflict, tribal or territorial dispute, without an explicit authorization by an Act of Congress; or

(9) placing United States military engagements and foreign military sales to either party or side (whether rebel, opposition group, or established government) in an internal, civil war or dispute within a country or relating to activities in pursuit of autonomy or independence.

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ECONOMIC REVITALIZATION FOR COAL COUNTRY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities, reclamation and restoration of land and water resources adversely affected by coal mining or coal combustion before August 3, 1977, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1434. Mr. MANCHIN (for himself, Mr. CASEY, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRATEGIC ENERGY INFRASTRUCTURE PROJECTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for working families, which may include an expansion of the child tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ECONOMIC REVITALIZATION FOR COAL COUNTRY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities, reclamation and restoration of land and water resources adversely affected by coal mining or coal combustion before August 3, 1977, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1435. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATED TO A LIFETIME BAN ON CONGRESSMEN AND MEMBERS OF THE HOUSE OF REPRESENTATIVES ENGAGING IN LOBBYING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the provision of tax relief for States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities, reclamation and restoration of land and water resources adversely affected by coal mining or coal combustion before August 3, 1977, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1436. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to terminating the retrospective tax increases on middle-income Illinoisans while cutting taxes for the wealthy and large corporations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1436. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST LEGISLATION THAT WOULD CUT MEDICARE OR MEDICAID BENEFITS FOR WORKING-CLASS AND MIDDLE-INCOME ILLINOISANS WHILE CUTTING TAXES FOR THE WEALTHY AND LARGE CORPORATIONS. 

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, between the Houses, or conference reports relating to terminating the retrospective tax increases on middle-income Illinoisans while cutting taxes for the wealthy and large corporations.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1437. Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 4. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING CERTAIN CORPORATIONS FROM INVERTING FROM GOVERNMENT CON- TROLS. 

At the end of title III, add the following:

SEC. 4. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING CERTAIN CORPORATIONS FROM INVERTING FROM GOVERNMENT CON- TROLS. 

The Chairperson of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to terminating the retrospective tax increases on middle-income Illinoisans while cutting taxes for the wealthy and large corporations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1438. Mr. DURBIN (for himself, Mr. REED, Ms. BALDWIN, Ms. DUCKWORTH, Mr. VAN HOLLEN, Ms. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 4. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING CERTAIN CORPORATIONS FROM INVERTING FROM GOVERNMENT CON- TROLS. 

The Chairperson of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to terminating the retrospective tax increases on middle-income Illinoisans while cutting taxes for the wealthy and large corporations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1440. Mr. DURBIN (for himself, Mr. REED, Mr. VAN HOLLEN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 4. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PREVENTING CERTAIN CORPORATIONS FROM INVERTING FROM GOVERNMENT CON- TROLS. 

The Chairperson of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to terminating the retrospective tax increases on middle-income Illinoisans while cutting taxes for the wealthy and large corporations, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE GENDER WAGE GAP THROUGH AN UPDATE OF THE EMPLOYER INFORMATION REPORT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports, relating to addressing the gender wage gap through an update of the Employer Information Report (EEO-1) that includes gathering data from employers about compensation by race, ethnicity, gender, and job category, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

SA 1443. Mrs. MURRAY (for herself, Mr. BROWN, Mr. BOOKER, Ms. WARREN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2019 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING WORKERS FROM WAGE THEFT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting workers from wage theft, which may include (1) creating new civil penalties for employers who engage in wage theft; (2) giving workers the right to receive full compensation for all of the work that they perform; (3) giving workers the right to receive their final paychecks in a timely manner; (4) requiring employers to provide regular paystubs to workers; (5) increasing the amount of damages workers receive when they experience wage theft or experience filing a wage theft claim; and (6) increasing the number of years that workers have to bring a wage theft claim in court and suspending that time limit while the Department of Labor is conducting an investigation; or (7) directing the Department of Labor to refer employers responsible for egregious and comprehensive violations to the Department of Justice for criminal prosecution, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1445. Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. BROWN, Mr. BOOKER, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ACHIEVING ECONOMY AND EFFICIENCY IN FEDERAL PROCUREMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that funding under the Native American Housing Assistance and Self-Determination Act of 1996 provides funding to all Native American communities, including Alaska Natives and Native Hawaiians, to address the critical housing needs throughout Indian Country, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1447. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO HOUSING FOR ALL NATIVE AMERICANS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that funding under the Native American Housing Assistance and Self-Determination Act of 1996 provides funding to all Native American communities, including Alaska Natives and Native Hawaiians, to address the critical housing needs throughout Indian Country, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1448. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:
SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TRUST ACQUISITIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to trust acquisitions, which may include prohibiting regulations that revise the deficit of the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 41. POINT OF ORDER AGAINST LIMITING LONG-TERM SERVICES AND SUPPORTS FOR SENIORS.

(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 report, under the budget deficit of the Senate the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1453. Mr. REED (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING NATIONAL SERVICE OPPORTUNITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing the maximum Federal Pell Grant award and adjusting the award for inflation.

At the end of title III, add the following:

SEC. 41. POINT OF ORDER AGAINST LIMITING ADDITIONAL SERVICE OPPORTUNITIES.

(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 restrict, under the budget deficit of the Senate the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1454. Mr. REED (for himself, Mr. WHITEHOUSE, Ms. HIRANO, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING THE MAXIMUM FEDERAL PELL GRANT AWARD AND ADJUSTING THE AWARD FOR INFLATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing the maximum Federal Pell Grant award and ensuring that the award is adjusted for inflation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1455. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the
concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SCHOOL INFRASTRUCTURE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reforming the Federal student loan programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) to eliminate negative subsidies and reduce costs for borrowers, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1456. Mr. REED (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PAYING FOR FIVE YEARS OF FEDERAL FUNDING FOR SHORT-TIME COMPENSATION PROGRAMS, WHICH PREVENT LAYOFFS AND KEEP AMERICANS EMPLOYED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to securing the long-term integrity of the American workforce by modernizing unemployment compensation, in-cluding by insuring against job loss due to automation, economic downturns and disasters, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1458. Mr. REED submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO REFORMING STUDENT LOAN PROGRAMS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reform, which may include establishing a policy of risk sharing to require institutions of higher education to assume some of the risk for student loans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1461. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SECURITY FOR NON-CORPORATE SMALL BUSINESS OWNERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to changes in Federal tax laws, which may include reducing the roughly 45% top marginal rate applicable to small business owners, in a manner that will prevent re-characterization of personal income as business income, and further reform the pass-through area, including loophole closers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.
Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO REPLACING THE DOWNS-BASC ACT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to repealing the prevailing wage rate requirements by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1465. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO WORK REQUIREMENT MODIFICATIONS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AND ESTABLISHING A STATE INSTITUTIVE MEDICAID WORK REQUIREMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to modifying work requirements for participation in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), and establishing a State option to institute Medicaid work requirements, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1466. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 49, line 5, insert “which may in include prohibitions States from adopting the Medicaid expansion established by the Patient Protection and Affordable Care Act or eliminating the enhanced Federal joint resolutions, amendments, amendments applicable to State expenditures for medical assistance provided under such Medicaid expansion,’ before “by the amounts”.

SA 1467. Mr. CASSIDY (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO EXPANDING HEALTH SAVINGS ACCOUNTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to expanding health savings accounts by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1468. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCENTIVIZING PRICE TRANSPARENCY IN OUR HEALTH CARE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to allowing States to combine waivers under section 1115 of the Social Security Act and waivers under section 1332 of the Patient Protection and Affordable Care Act to better serve the unique needs of their populations in a manner that provide the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1469. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVE THE QUALITY OF CARE IN MEDICAID.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments
between the Houses, motions, or conference reports relating to legislation that would improve the quality of care in the Medicaid program, which may include streamlining care delivery, rewarding high-quality care, increasing the ability of States to innovate, improving oversight of waste, fraud, and abuse, and improving quality metrics, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1470. Mr. CASSIDY (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCENTIVIZING PRICE TRANSPARENCY IN OUR HEALTH CARE SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to incentivizing States to apply for and receive, and incentivizing States to apply for, a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18971) to act as pass-through entities for funding, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1473. Mr. MANCHIN (for himself, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCENTIVIZING PRICE TRANSPARENCY IN OUR HEALTH CARE DELIVERY SYSTEM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to incentivizing price transparency in our health care delivery system, which may include addressing surprise medical billing, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
On page 24, line 7, increase the amount by $8,212,000,000.

On page 47, line 6, reduce the amount by $77,659,000,000.

At the end of title A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST LEGISLATION THAT WOULD REDUCE THE FUNDING FOR FINANCIAL AID MADE AVAILABLE TO LOW AND MIDDLE INCOME INDIVIDUALS THROUGH THE FEDERAL PELL GRANT PROGRAM.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider an amendment to any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would reduce the funding for financial aid made available to low and middle income individuals through the Federal Pell Grant program under part 1 of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), including cuts to mandatory funding and budget authority provided for the Federal Pell Grant increase calculated under section 401(b)(7) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1474. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING DRUG PRICING TRANSPARENCY FOR CONSUMERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregate, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting consumers, including students who are veterans of the armed forces, from predatory for-profit institutions of higher education, from predatory for-profit institutions of higher education by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1476. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST REDUCING FUNDING FOR FEDERAL STUDENT FINANCIAL AID PROGRAMS.

(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 reduce funding for Federal student financial aid programs.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1479. Mr. BLUMENTHAL (for himself, Mr. Heinrich, Mr. Murphy, Mrs. Feinstein, and Mrs. Murray) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 52, line 10, insert “by expanding access to State-run retirement plans for private sector workers” before the semicolon.

SA 1480. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

On page 52, line 14, strike “or”,.

On page 52, line 15, strike the comma and insert “; or”.

On page 52, insert the following after line 15:

(8) paying for successful outcomes in social programs,
SA 1481. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 52, between lines 15 and 16, insert the following:

(b) increasing organ donation and improving the organ donation system.

SA 1482. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 52, between lines 15 and 16, insert the following:

(b) addressing medical errors and patient safety.

SA 1483. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the “Vessel Incidental Discharge Act”.

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

TITILE V—VESSEL INCIDENTAL DISCHARGE ACT

Sec. 5001. Short title; table of contents.
Sec. 5002. Definitions.
Sec. 5003. Treatment of existing ballast water regulations.
Sec. 5004. Ballast water discharge requirements.
Sec. 5005. Approval of ballast water management systems.
Sec. 5006. Review and raising of ballast water discharge standard.
Sec. 5007. National Ballast Information Clearinghouse.
Sec. 5008. Requirements for discharges incidental to the normal operation of a commercial vessel.
Sec. 5009. Best management practices for Great Lakes vessels.
Sec. 5010. Judicial review.
Sec. 5011. State enforcement.
Sec. 5012. Effect on other laws.
Sec. 5013. Quagga mussel.
Sec. 5014. Coastal aquatic invasive species mitigation grant program and mitigation fund.
Sec. 5015. Rules of construction.

SEC. 5002. DEFINITIONS.

In this title:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(B) AQUATIC NUISANCE SPECIES.—The term “aquatic nuisance species” means a non-indigenous species (including a pathogen, microbe, or virus) that threatens the diversity or abundance of native species or the ecological stability of waters of the United States, or commercial, agricultural, aquacultural, or recreational activities depending thereon.

(C) BALLAST WATER DISCHARGE STANDARD.—The term “ballast water discharge standard” means—

(i) the numerical value of the discharge standard established under section 1314(b)(2)(B) of title 33, Code of Federal Regulations, or section 151.1511 of such title (as in effect on the date of the enactment of this Act); or

(ii) any other standard associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability or installed system, or from a protective, preservative, or absorbent application to the hull of a commercial vessel;

(D) COMMERCIAL VESSEL.—The term “commercial vessel” does not include—

(i) any vessel from which navigable waters of the United States are discharged pursuant to the normal operation of a commercial vessel;

(ii) a vessel engaged in the transport of goods or passengers for hire;

(iii) any vessel covered by, or subject to, the jurisdiction of the International Maritime Organization (IMO) or another international organization;

(iv) any vessel engaged in the transport of goods or passengers for hire while proceeding to or from a foreign port; or

(v) any vessel engaged in the transport of goods or passengers for hire while proceeding to or from a port or terminal facility not in a foreign commercial port.

(E) COMMERCIAL VESSEL OF THE UNITED STATES.—The term “commercial vessel of the United States” means any vessel—

(i) engaged in the transport of goods or passengers for hire while proceeding to or from a foreign port; or

(ii) engaged in the transport of goods or passengers for hire while proceeding to or from a port or terminal facility not in a foreign commercial port.

(F) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A COMMERCIAL VESSEL.—The term “discharge incidental to the normal operation of a commercial vessel” means—

(i) any discharge from a vessel to navigable waters of the United States from a commercial vessel of—

(I) ballast water;

(II) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(III) oil or a hazardous substance (as such terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321)); or

(IV) sewage (as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6))); or

(ii) any discharge resulting from the operation onboard a commercial vessel of a commercial vessel propulsion system, motor driven equipment, or incinerator;

(iii) any discharge into navigable waters of the United States from a commercial vessel when the commercial vessel is operating in a capacity other than as a means of transportation on water; or

(iv) any discharge that results from an activity other than the normal operation of a commercial vessel.

(G) EMPTY BALLAST TANK.—The term “empty ballast tank” means a tank—

(i) intended to hold ballast water that has been drained to the limit of the functional or operational capabilities of such tank, such as level of suction, and otherwise recorded as empty on a vessel log; and

(ii) that contains unpumpable residual ballast water and sediments.

(H) EXCHANGE.—The term “exchange” means, with respect to ballast water, to replace the water in a ballast tank with one of the following methods:

(i) Flow-through exchange, in which ballast water is flushed out by pumping in mid-ocean water at the bottom of the tank and continuously overfilling the tank from the top until three full volumes of water have been changed to minimize the number of original organisms remaining in the tank.

(ii) Empty and refill exchange, in which ballast water taken on from uncontrolled waters, or territorial waters is pumped out until the pump loses suction, after which the
ballast tank is refilled with mid-ocean water.


(14) GREAT LAKES STATES. — The term “Great Lakes States” means Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.

(15) INDIAN TRIBE. — The term “Indian tribe” has the meaning given that term in section 226(a)(4) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5308(e)).

(16) MAJOR CONVERSION. — The term “major conversion” shall mean means any equipment for installation or use in ballast water, the action of a ballast tank being filled with water, to a vessel being converted so that the action of such vessel to be used in conjunction with such equipment is to be used in conjunction with such equipment to ensure that any discharge of ballast water complies with the requirements under paragraph (1).

(17) MARINE POLLUTION CONTROL DEVICE. — The term “marine pollution control device” means any equipment for installation or use on board a commercial vessel that is—

(A) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a commercial vessel; and

(B) determined by the Secretary, in consultation with the Administrator, to be the most effective equipment or management practice to reduce the environmental impact of ballast water discharge consistent with the considerations set forth in section 5008(a)(2).

(18) MID-OCEAN WATER. — The term “mid-ocean water” means water greater than 200 nautical miles from any shore.

(19) NAVIGABLE WATERS OF THE UNITED STATES. — The term “navigable waters of the United States” has the meaning given that term in section 2101(14a) of title 46, United States Code.

(20) ORGANISM. — The term “organism” means any organism and includes pathogens, microbes, viruses, bacteria, and fungi.

(21) OWNER OR OPERATOR. — The term “owner or operator” means a person owning, operating, or chartering by demise a commercial vessel.

(22) PACIFIC COAST REGION. — The term “Pacific Coast Region” means Federal and State waters adjacent to Alaska, Washington, Oregon, and California, and extending from shore to sea, including the entire exclusive economic zone (as defined in section 1001(8) of the Oil Pollution Act of 1990 (43 U.S.C. 2701 et seq.)) adjacent to each such State.

(23) POLLUTANT. — The term “pollutant” has the meaning given that term in section 901(23) of title 33, United States Code.

(24) PORT OR PLACE OF DESTINATION. — The term “port or place of destination” means any port or place to which a vessel is bound.

(25) RECREATIONAL VESSEL. — The term “recreational vessel” has the meaning given that term in section 2101(35) of title 46, United States Code.

(26) RENDER NONViable. — The term “render nonviable” means, with respect to organisms in ballast water, the action of a ballast water management system that leaves such organisms permanently incapable of reproduction following treatment.

(27) SALTWATER FLUSH. — The term “saltwater flush”—

(A) means—

(i) the addition of as much mid-ocean water as is necessary to refill each ballast tank of a commercial vessel as is safe for such vessel and crew and the mixing of the flushwater with residual water and sediment to reduce the salinity of the acquired water to the extent necessary to render the ballast water nonviable; and

(ii) the discharge of the mixed water, such that the resultant residual water remaining in the tank has the highest salinity possible, and is at least 30 parts per thousand; and

(B) may require more than one fill-mix-empty sequence, particularly if only small amounts of water can be safely taken onboard the commercial vessel at one time.

(28) SECRETARY. — Except as otherwise specified, the term “Secretary” means the Secretary of Commerce in which the Coast Guard is operating.

SEC. 5003. TREATMENT OF EXISTING BALLAST WATER TREATMENTS.

(a) EFFECTIVE ON EXISTING REGULATIONS. — Any regulation issued pursuant to the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) that is in effect on the date of the enactment of this Act, and that relates to a matter subject to regulation under this title, shall remain in full force and effect unless or until superseded by a new regulation issued under this title relating to such matter.

(b) APPLICATION OF OTHER REGULATIONS. —

(1) The regulations issued pursuant to the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) relating to sanctions for violations of a regulation issued under this title may apply to violations of a regulation issued under this title.

(2) PENALTIES.—The penalties for violations described in subsection (1) shall increase consistent with inflation.

SEC. 5004. BALLAST WATER DISCHARGE REQUIREMENTS.

(a) IN GENERAL. —

(1) REQUIREMENTS.—Except as provided in paragraph (7), and subject to sections 151.2035 and 151.2036 of title 33, Code of Federal Regulations (or similar successor regulations), an owner or operator of a vessel shall discharge ballast water into navigable waters of the United States from a commercial vessel covered under subsection (b) only if—

(A) by applying the best available technology economically achievable, the discharge meets the ballast water discharge standard; and

(B) the owner or operator discharges the ballast water in accordance with other requirements established by the Secretary.

(2) COMMERCIAL VESSELS ENTERING THE GREAT LAKES SYSTEM.—If a commercial vessel enters the Great Lakes through the Lake Ontario, the St. Lawrence River, and the internal waters of Canada including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Gulf of California, and the Strait of Juan de Fuca.

(3) COMMERCIAL VESSELS OPERATING WITHIN THE PACIFIC COAST REGION.—

(A) IN GENERAL.—Except as provided in subparagraph (C) and paragraph (6), the owner or operator of a vessel described in subparagraph (B) shall conduct a complete ballast water exchange in waters more than 50 nautical miles from shore.

(B) COMMERCIAL VESSELS DESCRIBED.—A commercial vessel described in this subparagraph is a commercial vessel—

(i) operating between two ports or places of destination within the Pacific Coast Region; or

(ii) operating between a port or place of destination within the Pacific Coast Region and a port or place of origin in the Pacific Coast Region.

(C) EXCEPTIONS.—Subparagraph (A) shall not apply to the following:

(1) A commercial vessel voyaging between or to a port or place of destination in the State of Washington or Oregon if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 43 degrees, 32 minutes north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Gulf of California, and the Strait of Juan de Fuca.

(2) A commercial vessel voyaging between ports or places of destination in the States of Washington and Oregon if the ballast water to be discharged from such vessel originated solely from waters located between the parallel 40 degrees north latitude and the parallel 50 degrees north latitude.

(3) A commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine terminal if any ballast water to be discharged from such vessel originated solely from ports or places of origin within such area.

(4) A commercial vessel voyaging between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine terminal if any ballast water to be discharged from such vessel originated solely from waters located between the parallel 43 degrees, 32 minutes north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Gulf of California, and the Strait of Juan de Fuca.

(5) A commercial vessel voyaging between a port or place in the State of Alaska within a single Captain of the Port Zone.

(6) EMPTY BALLAST TANKS.—

(A) REQUIREMENTS.—Except as provided in subparagraph (B) and paragraph (6), the owner or operator of a commercial vessel with empty ballast tanks shall conduct a saltwater flush—

(i) at least 200 nautical miles from any shore for voyages originating solely from waters located outside the United States or Canadian exclusive economic zone; or

(ii) at least 50 nautical miles from any shore for voyages within the Pacific Coast Region.

(B) EXCEPTION.—The requirements of subparagraph (A) shall not apply—
(i) if a ballast tank’s unpumpable residual waters and sediments were subject to a saltwater flush, ballast water exchange, or treatment through a ballast water management system; and
(ii) unless otherwise required under this title, if the ballast tank’s unpumpable residual waters and sediments were sourced within the Pacific Coast Region port or place of destination, or Captain of the Port Zone.

(5) LOW SALINITY BALLAST WATER.—
(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (6), owners or operators of commercial vessels that voyage to a Pacific Coast Region port or place of destination, measured salinity of less than 18 parts per thousand shall conduct a complete ballast water exchange—

(i) more than 50 nautical miles from shore if the ballast water was sourced from a Pacific Coast Region port or place of destination; or

(ii) more than 200 nautical miles from shore if the ballast water was not sourced from a Pacific Coast Region port or place of destination.

(B) EXCEPTION.—The requirements of subparagraph (A) shall not apply to a commercial vessel that has a ballast water management system approved for treating freshwater at concentrations prescribed in section 5006a(4)(A) or that retains all of its ballast water.

(6) EXEMPTED VESSELS.—The requirements of paragraphs (3), (4), and (5) shall not apply to a commercial vessel if—

(A) complying with such requirements would compromise the safety of the commercial vessel;

(B) design limitations of the commercial vessel prevent ballast water exchange or saltwater flush from being conducted;

(C) the United States Coast Guard under section 5005 of this title or subpart 162.060 of title 46, Code of Federal Regulations (or similar successor regulation);

(D) the commercial vessel is certified by the Secretary as having no residual ballast water or sediments on board or retains all its ballast water while in waters subject to such requirements; or

(E) empty ballast tanks on the commercial vessel are sealed and certified by the Secretary so there is no discharge or uptake and subsequent discharge of ballast waters subject to such requirements.

(7) SAFETY EXEMPTION.—Notwithstanding paragraphs (1) through (6), an owner or operator of a commercial vessel may discharge ballast water into navigable waters of the United States from a commercial vessel if—

(A) the ballast water is discharged solely to ensure the safety of life at sea; or

(B) the ballast water is discharged accidently as the result of damage to the commercial vessel or its equipment and—(i) all reasonable precautions to prevent or minimize such discharge have been taken; and

(ii) the owner or operator did not willfully or recklessly cause such damage; or

(C) the ballast water is discharged solely for the purpose of avoiding or minimizing a discharge from the commercial vessel of a pollutant that would violate a Federal or State law.

(8) LOGBOOK REQUIREMENTS.—Section 11301(b) of title 46, United States Code, is amended by adding at the end the following new paragraph:

"(BB) the commercial vessel does not carry out ballast water management requirements as applicable and pursuant to regulations promulgated and issued by the Secretary; or a vessel fails to carry out ballast water management requirements due to an allowed safety exemption, a statement about the failure to comply and the circumstances under which the failure occurred, made immediately after when practicable to do so."
(c) ALTERNATIVE COMPLIANCE PROGRAM.—The Secretary, in consultation with the Administrator and the Governors of the States, may issue a rule establishing one or more more stringent discharge standards that may be used by the owner or operator as an alternative to compliance with the requirements of subsection (a) for that vessel that—

(1) has a maximum ballast water capacity of less than eight cubic meters; or

(2) is less than 3 years from the end of the service life of the commercial vessel, as determined by the Secretary.

(d) RECEIPTION FACILITIES.—

(1) IN GENERAL.—Notwithstanding the requirement of subsection (a), an owner or operator may discharge ballast water into an onshore or offshore facility for the reception of ballast water that meets the standards established under paragraph (2) in consultation with the Secretary, if—

(i) the ballast water is received at the concentrations prescribed in the neighboring regulation, a ballast water management system established by the Administrator, in consultation with the Secretary, under paragraph (2).

(2) ISSUANCE OF STANDARDS.—Not later than one year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall publish a rule in the Federal Register that establishes reasonable and practicable standards for reception facilities to receive vessel ballast water to mitigate adverse effects of aquatic nuisance species on navigable waters of the United States.

(3) TANKER STANDARDS.—The Secretary, in coordination with the Administrator, may promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility described in paragraph (2).

SEC. 5005. APPROVAL OF BALLAST WATER MANAGEMENT SYSTEMS.

(a) BALLAST WATER MANAGEMENT SYSTEMS THAT RENDER ORGANISMS NONViable.—Notwithstanding chapter 5 of title 5, United States Code, part 151 of title 33, Code of Federal Regulations (or similar successor regulation), a ballast water management system that renders nonviable organisms in ballast water at the concentrations prescribed in the ballast water discharge standard shall be approved by the Secretary, if—

(1) such system—

(A) undergoes type approval testing at an independent laboratory designated by the Secretary under such regulations; and

(B) is submitted to the Administrator under part 162.060 of title 46, Code of Federal Regulations (or similar successor regulation), other than the requirements related to staining methodologies or measurement of the concentration of living organisms; and

(2) such laboratory uses a testing method described in a final policy letter published under subsection (c)(3).

(b) PROHIBITION ON BIOCIDES.—The Secretary shall not approve a ballast water management system under subsection (a) or any new technology letter under this paragraph, the Secretary, in consultation with the Administrator, may promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility described in paragraph (2).

(c) APPROVAL TESTING METHODS.—

(1) DRAFT POLICY.—Not later than 60 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall publish a draft policy letter, based on the best available science, describing type approval testing methods and protocols for ballast water management systems that may be used in addition to the methods established in part 162.060 of title 46, Code of Federal Regulations (or similar successor regulation)—

(A) to measure the concentration of organisms in ballast water that are capable of reproduction; and

(B) to certify the performance of each ballast water management system under this section; and

(C) to certify laboratories to evaluate such treatment technologies.

(2) PUBLIC COMMENT.—The Secretary shall provide for a period of not more than 60 days after the publication of the draft policy letter published under paragraph (1).

(3) FINAL POLICY.—

(A) IN GENERAL.—Not later than 150 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator, shall finalize a policy letter describing type approval testing methods for ballast water management systems capable of measuring the concentration of organisms in ballast water that are capable of reproduction based on the best available science and in addition to the methods established in part 162.060 of title 46, Code of Federal Regulations (or similar successor regulation).

(B) REVISIONS.—The Secretary shall revise the final policy letter published under sub-paragraph (A) as additional testing methods are determined by the Secretary, in consultation with the Administrator, to be capable of measuring the concentration of organisms in ballast water that are capable of reproduction.

(C) CONSIDERATIONS.—In developing a policy letter under this paragraph, the Secretary, in coordination with the Administrator, shall—

(i) consider a testing method that uses organism grow out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction;

(ii) shall not consider a testing method that relies on a staining method that measures the concentration of organisms greater than or equal to 50 micrometers; and organisms less than or equal to 50 micrometers.

SEC. 5006. REVIEW AND RAISING OF BALLAST WATER DISCHARGE STANDARD.

(a) EFFECTIVENESS REVIEWS.—

(1) SIX-YEAR REVIEW.—

(A) IN GENERAL.—Not later than January 1, 2024, and subject to petitions for review under paragraph (5), the Administrator, in consultation with the Secretary, shall complete an effectiveness review to determine whether, based on the application of the best available technology economically achievable, a reduction in the risk of the introduction or establishment of aquatic nuisance species such that the ballast water discharge standard can be revised.

(B) REQUIRED INFORMATION.—A petition submitted to the Administrator under subparagraph (A) shall include—

(i) a proposed ballast water discharge standard that would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species; and

(ii) information regarding any ballast water management systems that may achieve the proposed ballast water discharge standard.

(C) R EQUIRED INFORMATION .—A petition submitted to the Administrator under subparagraph (A) shall include—

(i) a proposed ballast water discharge standard that would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species; and

(ii) information regarding any ballast water management systems that may achieve the proposed ballast water discharge standard.

(b) TIMING.—A Governor may not submit a petition under paragraph (1) during the 12-month period following the receipt of a copy of the petition, including the information included under subparagraph (A).

(c) CONSIDERATIONS.—In developing a policy letter under this paragraph, the Secretary, in coordination with the Administrator, shall—

(i) consider a testing method that uses organism grow out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction;

(ii) shall not consider a testing method that relies on a staining method that measures the concentration of organisms greater than or equal to 50 micrometers; and organisms less than or equal to 50 micrometers.

(d) APPEAL.—A petition under paragraph (1) shall be treated as a petition under paragraph (5) if the Administrator finds—

(i) that the petition satisfies the criteria set forth in subparagraph (A); or

(ii) that the petition satisfies the criteria set forth in subparagraph (A) with respect to a class of vessels, the Administrator shall not determine whether the application of the best available technology economically achievable would result in a reduction of the risk of introduction or establishment of aquatic nuisance species such that the ballast water discharge standard can be revised.

(e) STATE PETITIONS FOR REVIEW.—

(A) IN GENERAL.—The Governor of a State may submit a petition requesting the Administrator to conduct a review under paragraph (1) or (2) if there is new information that could reasonably indicate the ballast water discharge standard could be made more stringent to reduce the risk of introduction or establishment of aquatic nuisance species.

(B) PRIVACY INFORMATION.—A petition under paragraph (A) shall include—

(i) a proposed ballast water discharge standard that would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species; and

(ii) information regarding any ballast water management systems that may achieve the proposed ballast water discharge standard.

(C) R EQUIRED INFORMATION .—A petition submitted to the Administrator under subparagraph (A) shall include—

(i) a proposed ballast water discharge standard that would result in a reduction in the risk of the introduction or establishment of aquatic nuisance species; and

(ii) information regarding any ballast water management systems that may achieve the proposed ballast water discharge standard.

(d) PUBLIC AVAILABILITY.—Upon receiving a petition under paragraph (A), the Administrator shall make publicly available a copy of the petition, including the information included under subparagraph (C).

(E) TREATMENT OF MORE THAN ONE PETITION AS A SINGLE PETITION.—The Administrator shall treat any more than one petitions submitted under paragraph (A) as a single such petition.
(A) that the ballast water discharge standard can be made more stringent, the Administrator shall—
(i) promptly publish such determination in the Federal Register and on a publicly available website; and
(ii) provide a copy of the documents required under clause (i) to any State that has petitioned the Administrator for the review.

(b) PRACTICABILITY REVIEW.—

(1) IN GENERAL.—If the Administrator determines under subsection (a) that the ballast water discharge standard as proposed to be revised is operationally practicable; and

(2) CRITERIA FOR PRACTICABILITY REVIEW.—In conducting a practicability review, the Administrator considers—

(A) improvements in ballast water management systems, including—
(i) the effectiveness and reliability of such systems in the shipboard environment;

(ii) the compatibility of such systems with the operation of a commercial vessel;

(iii) the commercial availability of such systems; and

(iv) the safety of such systems;

(B) improvements in the capabilities to detect, quantify, and assess whether aquatic nuisance species are capable of reproduction in the commercial vessel, as determined by the Administrator; and

(C) other criteria that the Secretary and the Administrator consider appropriate.

(2) CRITERIA FOR PRACTICABILITY REVIEW.—In conducting a practicability review under paragraph (1), the Secretary and the Administrator consider—

(A) ballasting practices; and

(B) the safety of the commercial vessel and other installation facility capacity.

(C) INFORMATION FROM STATES.—In conducting a practicability review under paragraph (1), the Secretary shall solicit information from the States concerning matters the Secretary and the Administrator are required under paragraph (2).

(c) ISSUANCE OF REVISED BALLAST WATER DISCHARGE STANDARD.—

(1) IN GENERAL.—The Secretary shall issue a rule to revise the ballast water discharge standard if the Secretary, in consultation with the Administrator, determines on the basis of the practicability review under subsection (b) that—

(A) a ballast water management system that is capable of achieving the ballast water discharge standard as proposed to be revised is the best available technology, economically achievable, and operationally practicable; and

(B) testing protocols can be practically implemented that can assure accurate measurement of compliance with the ballast water discharge standard as proposed to be revised.

(2) STANDARD NOT REVISED.—If the Secretary determines that the requirements of paragraph (1) are not satisfied, the Secretary shall publish a description of how the determination was made.

(3) REQUIREMENT.—Any modified ballast water discharge standard issued in the rule under paragraph (1) shall be more stringent than the ballast water discharge standard it replaces.

(d) REVISED BALLAST WATER DISCHARGE STANDARD EFFECTIVE DATE AND COMPLIANCE DEADLINE.—

(1) IN GENERAL.—The Secretary shall issue a rule to revise the ballast water discharge standard under paragraph (c), the Secretary shall include in such rule—

(A) a ballast water management system that is capable of achieving the ballast water discharge standard as proposed to be revised;

(B) other criteria that the Secretary and the Administrator consider appropriate;

(C) provisions in the revised ballast water discharge standard that are more stringent than the general deadline established under paragraph (1); and

(D) other criteria that the Secretary considers necessary.

(2) VESSEL SPECIFIC COMPLIANCE DEADLINES.—The Secretary may establish a deadline for compliance by a commercial vessel (or a class, type, or size of commercial vessels) with a revised ballast water discharge standard that is different from the general deadline established under paragraph (1).

(3) EXTENSIONS.—The Secretary shall establish a deadline for compliance with the revised ballast water discharge standard under paragraph (1) or (2).

(B) LIMITATION.—Subparagraph (A) shall not be construed to apply with respect to a commercial vessel—

(i) that is in compliance with the ballast water discharge standard under paragraph (1) or (2); and

(ii) that is maintained and used in accordance with the manufacturer’s specifications; and

(iii) that is maintained and used in accordance with the regulations issued by the United States Coast Guard.

(4) DETERMINATIONS.—The Secretary shall determine whether the ballast water discharge standard occurring after the implementation date can be made more stringent, and if so, determine how and by what means such a standard can be made more stringent.

(5) FACTORS.—In reviewing an application under this subsection, the Secretary shall consider, with respect to an owner or operator to meet a compliance deadline—

(A) whether the ballast water management system to be installed or approved is available in sufficient quantities to meet the compliance deadline;

(B) whether there is sufficient shipyard or other installation facility capacity;

(C) whether there is sufficient availability of engineering and design resources;

(D) commercial vessel characteristics, such as engine size, layout, or a lack of installed piping;

(E) electric power generating capacity aboard the commercial vessel;

(F) the safety of the commercial vessel and crew; and

(G) any other factor that the Secretary determines appropriate.

(6) CONSIDERATION OF PETITIONS.—

(A) DETERMINATIONS.—The Secretary shall approve or deny an application for an extension of a compliance deadline submitted by an owner or operator under this subsection.

(B) DEADLINE.—The Secretary shall—

(i) acknowledge receipt of an application for an extension not later than 60 days after the date of receipt of the petition; and

(ii) extend the deadline for compliance with the revised ballast water discharge standard not later than 60 days after the date of receipt of such application.

(C) FAILURE TO REVIEW.—If the Secretary denies an application for an extension of a compliance deadline, the Secretary shall—

(i) deny such an application not later than 90 days after the date of receipt of the application; and

(ii) provide notice to the applicant and the Administrator.

(D) OTHER FACTORS.—The Secretary shall, in determining whether to grant an extension of a compliance deadline, consider—

(i) the extent practicable, approve or deny such an application not later than 90 days after the date of receipt of the application.

(E) PERIOD OF EXTENSIONS.—An extension granted to an owner or operator under paragraph (5) may be granted for an initial period of not more than 18 months; and

(F) PERIOD OF USE OF INSTALLED BALLAST WATER DISCHARGE STANDARD.—The Secretary may grant extensions for an initial period of not more than 18 months.

SEC. 5007. NATIONAL BALLAST INFORMATION CLEARINGHOUSE.

Subsection (f) of section 1102 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)) is amended to read as follows:

"(f) NATIONAL BALLAST INFORMATION CLEARINGHOUSE.—

"(1) IN GENERAL.—The Secretary shall develop and maintain, in consultation and cooperation with the Task Force and the Smithsonian Institution (acting through the Smithsonian Environmental Research Center), a National Ballast Information Clearinghouse of national data concerning—

(A) ballasting practices;

(B) compliance with the guidelines issued pursuant to section 1101(c); and

(C) any other information obtained by the Task Force pursuant to subsection (b).

"(2) BALLAST WATER REPORTING REQUIREMENTS.—

(A) IN GENERAL.—The owner or operator of a commercial vessel subject to this Act shall submit the current ballast water management report form approved by the Office of..."
of Management and Budget (OMB 1625–0069 or subsequent form) to the National Ballast Information Clearinghouse not later than 6 hours after the arrival of such vessel at a United States port or place, unless such vessel is on a voyage between ports or places within a single Captain of the Port Zone (as established by the Secretary pursuant to sections 92, 93, and 633 of title 46, United States Code).

(2) MULTIPLE DISCHARGES WITHIN A SINGLE PORT.—The owner or operator of a commercial vessel subject to this Act shall submit directly to the State a ballast water management report form—

(i) not later than 24 hours prior to arrival at a United States port or place of destination if the voyage of such vessel is anticipated to exceed 24 hours; or

(ii) before departing the port or place of departure if the voyage of such vessel is not anticipated to exceed 24 hours.

(3) COMMERCIAL VESSEL REPORTING DATA.—

(A) DISSEMINATION TO STATES.—Upon receiving submission of a ballast water management report required under paragraph (2), the National Ballast Information Clearinghouse shall—

(i) in the case of forms submitted electronically, immediately disseminate the report to interested States; or

(ii) in the case of forms submitted by means other than electronically, disseminate the report to interested States as soon as practicable.

(B) AVAILABILITY TO THE PUBLIC.—Not later than 30 days after the date of the receipt of a ballast water management report required under paragraph (2), the National Ballast Information Clearinghouse shall make the data in such report fully and readily available to the public in searchable and fully retrievable electronic formats.

(4) REPORT.—In consultation and cooperation with the Task Force and the Smithsonian Institution (acting through the Smithsonian Environmental Research Center), the Secretary shall prepare and submit to the Task Force a biennial report to Congress and make available to the public, on a biennial basis not later than 180 days from the end of each odd numbered calendar year, that synthesizes and analyzes the data referred to in paragraph (1) for the previous two years to evaluate nationwide status and trends relating to—

(A) ballast water delivery and management practices; and

(B) invasions of aquatic nuisance species resulting from ballast water.

(5) WORKING GROUP.—Not later than one year after the date of the enactment of the Vessel Incidental Discharge Act, the Secretary shall establish a working group that includes members from the National Ballast Information Clearinghouse and States with ballast water management programs to establish a process for compiling and readily sharing Federal and State commercial vessel data in a form compatible with the National Ballast Information Clearinghouse.

(6) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.”.

SEC. 5008. REQUIREMENTS FOR DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A COMMERCIAL VESSEL.

(a) MANAGEMENT OF INCIDENTAL DISCHARGE FOR COMMERCIAL VESSELS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary, in consultation with the Administrator and in consultation with the States, shall publish a final rule in the Federal Register that establishes best management practices for the admission to the normal operation of a commercial vessel for commercial vessels that—

(A) are greater than or equal to 79 feet in length; and

(B) are not fishing vessels, including fish processing vessels and fish tender vessels (as such terms are defined in section 2101 of title 46, United States Code).

(2) ELEMENTS.—The best management practices established under paragraph (1) shall—

(A) mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel or from aquatic invasive species; and

(B) reduce the adverse effects on navigable waters of the United States of discharges incidental to the normal operation of a commercial vessel; and

(3) IMPLEMEN TATION.—The Secretary shall implement the best management practices established by final rule under paragraph (1) not later than 60 days after the date on which the final rule is published in the Federal Register as required under such paragraph.

(b) TRANSITION.—

(1) IN GENERAL.—Except as provided in section 5009(c) and notwithstanding the expiration date for the General Permit, any practice, limitation, or concentration applicable to any discharge incidental to the normal operation of a commercial vessel that is required by the General Permit on the date of the enactment of this Act, and any reporting requirement required by the General Permit on such date of enactment, shall remain in effect until the implementation date under subsection (a)(3).

(2) PART 6 CONDITIONS.—Except as provided in section 5009(c) and notwithstanding paragraph (1) and any other provision of law, the terms and conditions of Part 6 of the General Permit (regulating requirements for individual States or Indian country lands) shall expire on the implementation date under subsection (a)(3).

(c) APPLICATION TO CERTAIN VESSELS.—

(1) APPLICATION OF FEDERAL WATER POLLUTION CONTROL ACT.—No permit shall be required under section 402 of the Federal Water Pollution Control Act (43 U.S.C. 1321 et seq.), as a condition to the normal operation of a commercial vessel under this title, to a discharge incidental to the normal operation of a commercial vessel that—

(A) is less than 79 feet in length; or

(B) is a fishing vessel, including a fish processing vessel or fish tender vessel (as such terms are defined in section 2101 of title 46, United States Code).

(2) APPLICATION OF GENERAL PERMIT.—The terms and conditions of the General Permit shall contain, in the form described in subparagraphs (A), (B), and (C) of paragraph (1) on and after the date of the enactment of this Act:

(A) REVIEW AND REVISION.—The Secretary, in consultation with the Administrator and in consultation with the States, shall—

(1) review the practices and standards established under subsection (a) not less frequently than once every ten years; and

(2) revise such practices consistent with the elements described in paragraph (2) of such subsection.

(b) STATE PETITION FOR REVISING BEST MANAGEMENT PRACTICES.

(1) IN GENERAL.—The Governor of a State may submit a petition to the Secretary requesting that, in concurrence with the Administrator, the best management practice established under subsection (a) if there is new information that could reasonably indicate that—

(A) revising the best management practice would—

(i) mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel or from aquatic invasive species; and

(ii) reduce the adverse effects on navigable waters of the United States of discharges incidental to the normal operation of a commercial vessel; and

(B) the revised best management practice would be economically achievable and operationally practicable.

(2) REQUIRED INFORMATION.—A petition submitted to the Secretary under paragraph (1) shall include—

(A) the scientific and technical information on which the petition is based; and

(B) any additional information the Secretary and Administrator consider appropriate.

(3) PUBLIC AVAILABILITY.—Upon receiving a petition under paragraph (1), the Secretary shall make publicly available a copy of the petition, including the information included under paragraph (2).

(4) TREATMENT OF MORE THAN ONE PETITION AS A SINGLE PETITION.—The Secretary may treat more than one petition submitted under paragraph (1) as a single petition.

(5) REVISION OF BEST MANAGEMENT PRACTICES.—If, after reviewing a petition submitted by a Governor under paragraph (1), the Secretary, in concurrence with the Administrator, determines that revising a best management practice would mitigate the adverse impacts on the marine environment from discharges incidental to the normal operation of a commercial vessel or from aquatic invasive species, the Secretary, in concurrence with the Administrator and in consultation with the States, shall revise such practices consistent with the elements described in subsection (a)(2).

(d) REVOCATION OF NO BALLAST WATER REQUIREMENT.—Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking section 2.
in subsection (a), shall ensure that the best management practices established under subsection (a)—

(1) minimize the risk of establishment of aquatic nuisance species from discharges into or upon navigable waters of the United States from such commercial vessels;

(2) minimize the discharge of pollutants into or upon navigable waters of the United States from such commercial vessels;

(3) use the best available technology when appropriate;

(4) ensure economically achievable and operationally practicable;

(5) minimize disruption of commerce;

(6) do not compromise the safety of a commercial vessel;

(7) to the extent possible, apply consistently to all navigable waters of the United States within the Great Lakes and Saint Lawrence River.

c) Transition.—

(1) In General.—Except as provided in paragraph (2), notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the following best management practices described in subsection (a) shall remain in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.

c) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described in such subsection are in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.

c) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described in the sections in Part 6 of the General Permit applicable to the Great Lakes States that are applicable to commercial vessels described in subsection (a) shall remain in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.

c) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described in subsection (a) shall remain in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.

c) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described in subsection (a) shall remain in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.

c) Exception.—Notwithstanding the expiration date for the General Permit and to the extent to which they do not conflict with section 5004(b), the best management practices described in subsection (a) shall remain in effect until the date on which the best management practices described in such subsection are implemented under subsection (g):

(A) Best management practices required by Part 2 of the General Permit.

(B) Such other practices as required by the Secretary.
the International Convention for the Prevention of Pollution from Ships, 1973, with annexes and protocols, done at London February 17, 1978; and

(c)INTERNATIONAL LAW.—Any action taken under this title shall be taken in accordance with international law.

(d)COMMITTEE RESPONSIBILITIES.—Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended by adding at the end the following:

“(d) CONFORMING AMENDMENT.—Section 1205 (16 U.S.C. 4725) is amended by adding at the end the following:

“Beginning in fiscal year 2018 and each fiscal year thereafter, $5,000,000 shall be made available to carry out the activities authorized under this section and section 42 of the National Oceanic and Atmospheric Administration Act (33 U.S.C. 1241 et seq.).”

(e)FUNDING.—There is authorized to be appropriated to carry out the activities authorized under this title, $10,000,000 for each of fiscal years 2018 through 2027.

(f)PAYMENT.—The Secretary of Commerce shall make payment of such amounts as may be appropriated or credited to the Fund as provided in this section to the Foundation on such terms and conditions as the Secretary, in consultation with the Committee on Appropriations, shall determine.

(g)DEFINITIONS.—In this title:

(1)THE COASTAL AQUATIC INVASIVE SPECIES MITIGATION FUND.—The term ‘‘Coastal Aquatic Invasive Species Mitigation Fund’’ means the fund established by section 2(a)

(2)THE COASTAL AQUATIC INVASIVE SPECIES MITIGATION GRANT PROGRAM.—The term ‘‘Coastal Aquatic Invasive Species Mitigation Grant Program’’ means the grant program established under this title.

(3)THE SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Commerce, or the Secretary’s designee.

(4)THE FOUNDATION.—The term ‘‘Foundation’’ means the foundation established by the Secretary under this title.

(h)ADMINISTRATION.—The Foundation shall provide the Secretary with a detailed annual report setting forth the appropriate budgetary and performance information for the period covered by the report.

(i)TAX PROVISIONS.—There shall be allowed as a credit against the tax imposed by section 1 of the Internal Revenue Code of 1986, an amount equal to 30% of the dollar amount of any cash contributions made to the Fund by any person during any taxable year, but only if such contributions exceed $500.

(j)DETROIT RIVER.—The amounts provided under this title for deterring aquatic invasive species from the Detroit River shall be used to fund studies and projects to prevent, control, and mitigate, or progressively eradicate aquatic invasive species in the coastal zone of the United States; and the Great Lakes and other waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior, respectively.

(k)ENFORCEMENT.—The Foundation shall use the amounts provided under this title to support the enforcement of the Magnuson-Stevens Conservation and Management Act in the coastal zone and the exclusive economic zone of the United States.

(l)AMOUNTS.—The amounts provided under this title shall be used to support the implementation of section 2(b)(1)(A) of the Magnuson-Stevens Conservation and Management Act in the coastal zone and the exclusive economic zone of the United States.

(m)ADMINISTRATION.—The shall, in addition to the amounts provided under this section for the period of fiscal years 2018 through 2027, which was ordered to lie on the table; as follows:

SEC. 5013. QUAGGA MUSSEL.

The Secretary of the Interior shall prescrive by regulation that the quagga mussel (Dreissena rostriformis bugensis) is a species that is injurious under section 42 of title 18, United States Code.

SEC. 5014. COASTAL AQUATIC INVASIVE SPECIES MITIGATION FUND.

(a)COASTAL AQUATIC INVASIVE SPECIES MITIGATION FUND.—There is established the fund referred to in subsection (b), to award grants under the Program.

(b)COASTAL AQUATIC INVASIVE SPECIES MITIGATION GRANT PROGRAM.—The Secretary of Commerce shall establish the Coastal Aquatic Invasive Species Mitigation Program to award grants to eligible entities, as described in this subsection, to:

(1)mitigate and prevent the introduction of aquatic invasive species in the coastal zone of the United States; and

(2)mitigate and prevent the spread of aquatic invasive species in the Great Lakes and other waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior.

(c)AMOUNTS.—The amounts provided under this title shall be—

(1)expended on projects to:

(A) develop and implement procedures and programs to prevent, control, mitigate, or progressively eradicate aquatic invasive species in the coastal zone of the United States; and

(B) carry out the activities authorized by this title.

(d)GRANTS.—In this title:

(1)GRANT.—The term ‘‘grant’’ means a grant made under this title.

(2)ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ means an entity that is eligible to receive a grant made under this title.

(e)APPROPRIATION.—There is authorized to be appropriated to carry out the activities authorized under this title.

(f)ADMINISTRATION.—The Secretary of Commerce and the Foundation shall use the amounts provided in such legislation for the purposes set forth in this section, to the extent practicable, and may use those amounts to—

(1)MITIGATION GRANT PROGRAM.—To establish a grant program to award grants to eligible entities, as described in this title, to carry out the activities authorized under this title, including:

(i)to develop and implement procedures and programs to prevent, control, mitigate, or progressively eradicate aquatic invasive species in the coastal zone of the Exclusive Economic Zone of the United States; and

(ii)to support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone of the United States; and

(iii)to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species; and

(iv)to develop mitigation measures to protect natural and cultural living resources, including shellfish, from aquatic invasive species; or

(v)to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from aquatic invasive species; or

(vi)to develop mitigation measures to protect aquatic ecosystems; or

(vii)to develop mitigation measures to protect threatened and endangered species; or

(b)OTHER AUTHORITIES.—Nothing in this title may construed as affecting the authorities of the Secretary of Commerce or the Secretary of the Interior to administer lands or waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior.

SEC. 5015. RULES OF CONSTRUCTION.

(a)INTERNATIONAL STANDARDS.—Nothing in this title may be construed to impose any design, equipment, or operation standard on a commercial vessel not documented under the laws of the United States and engaged in innocent passage unless the standard imple-
amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROMOTING CONGRESSIONAL, STATE, AND LOCAL INNOVATION, ESTABLISHMENT OF NATIONAL MONUMENTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to enhancing transparency and disclosure by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE IMPOSITION OF THE PARIS CLIMATE CHANGE AGREEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the implementation of the agreement of the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change, adopted at Paris on December 12, 2015, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE EXPENDITURE OF AMOUNTS FROM THE LAND AND WATER CONSERVATION FUND AND THE NATIONAL PARK SERVICE CONSERVATION INVESTMENT FUND FOR THE ACQUISITION OF LAND UNTIL THE DATE ON WHICH THE MAINTENANCE BACKLOG OF THE NATIONAL PARK SERVICE IS REDUCED.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the expenditure of such amounts, provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1489. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE UNLAWFUL DETENTION OF A CITIZEN OF THE UNITED STATES THAT VIOLATES CERTAIN RIGHTS OF THE CITIZEN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the unlawful detention of a citizen of the United States, regardless of the circumstances of the arrest or the commitment, that may violate the process rights of the citizen indefinitely, the right of the citizen to counsel, or the right of the citizen to have the identity of the citizen disclosed to the public, by the amounts provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1492. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO ANNUAL REPORTS ON THE DEFENSE SPENDING OF THE ALLIES AND PARTNER NATIONS OF THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to annual reports on the defense spending of the allies and partner nations of the United States, provided in such legislation for those purposes, provided that such legislation would not raise new revenue and would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1493. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027;
which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE DEPLOYMENT OF THE ARMED FORCES INTO A FOREIGN COUNTRY NOT PREVIOUSLY AUTHORIZED BY STATUTE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the deployment of the Armed Forces into a foreign country or humanitarian operations not previously authorized by statute.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING EXTRAJUDICIAL EXECUTION AND ABUSE AND HAVE FAILED TO IMPLEMENT NECESSARY CHANGES AND ACCOUNTABILITY MEASURES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to extrajudicial execution and abuse and have failed to implement necessary changes and accountability measures.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING THE APPLICATION OF THE MILITARY SELECTIVE SERVICE ACT BY EXECUTIVE OR JUDICIAL AGENCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, and conference reports relating to prohibiting the application of the Military Selective Service Act by executive or judicial agency.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.

At the end of title III, add the following:

SEC. 3. SPENDING-NEUTRAL RESERVE FUND RELATING TO PROHIBITING OPERATIONS AND ACTIVITIES OF THE OFFICE OF TRANSITION INITIATIVES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations for committees or other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting the operations and activities of the Office of Transition Initiatives.
the period of the total of fiscal years 2018 through 2027.

SA 1502. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DEVOLVING SURFACE TRANSPORTATION MANAGEMENT FROM THE FEDERAL GOVERNMENT TO THE STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to devolving surface transportation management from the Federal Government to the States.

SA 1504. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DEVOLVING SURFACE TRANSPORTATION MANAGEMENT FROM THE FEDERAL GOVERNMENT TO THE STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to devolving surface transportation management from the Federal Government to the States.

SA 1505. Mr. BOOKER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 55, between lines 22 and 23, insert the following:

(7) restricting harmful or fraudulent treatments that purport to change the sexual orientation or gender identity of a child, youth, or adult.

SA 1506. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 3, line 12, increase the amount by $520,000,000.

On page 3, line 13, increase the amount by $1,850,000,000.

On page 4, line 1, increase the amount by $3,090,000,000.

On page 4, line 2, increase the amount by $4,035,000,000.

On page 4, line 3, increase the amount by $4,955,000,000.

On page 4, line 4, increase the amount by $5,955,000,000.

On page 4, line 5, increase the amount by $6,925,000,000.

On page 4, line 6, increase the amount by $7,770,000,000.

On page 4, line 7, increase the amount by $8,475,000,000.

On page 4, line 8, increase the amount by $9,010,000,000.

On page 4, line 12, increase the amount by $520,000,000.

On page 4, line 13, increase the amount by $1,850,000,000.

On page 4, line 14, increase the amount by $3,090,000,000.

On page 4, line 15, increase the amount by $4,035,000,000.

On page 4, line 16, increase the amount by $4,955,000,000.

On page 4, line 17, increase the amount by $5,955,000,000.

On page 4, line 18, increase the amount by $6,925,000,000.

On page 4, line 19, increase the amount by $7,770,000,000.

On page 4, line 20, increase the amount by $8,475,000,000.

On page 4, line 21, increase the amount by $9,010,000,000.

On page 4, line 25, increase the amount by $520,000,000.

On page 5, line 1, increase the amount by $1,850,000,000.

On page 5, line 2, increase the amount by $3,090,000,000.

On page 5, line 3, increase the amount by $4,035,000,000.
On page 5, line 4, increase the amount by $4,955,000,000.
On page 5, line 5, increase the amount by $5,955,000,000.
On page 5, line 6, increase the amount by $6,925,000,000.
On page 5, line 7, increase the amount by $7,770,000,000.
On page 5, line 8, increase the amount by $8,475,000,000.
On page 5, line 9, increase the amount by $9,010,000,000.
On page 5, line 13, increase the amount by $50,200,000.
On page 5, line 14, increase the amount by $1,850,000,000.
On page 5, line 15, increase the amount by $3,090,000,000.
On page 5, line 16, increase the amount by $4,035,000,000.
On page 5, line 17, increase the amount by $4,955,000,000.
On page 5, line 18, increase the amount by $5,955,000,000.
On page 5, line 19, increase the amount by $6,925,000,000.
On page 5, line 20, increase the amount by $7,770,000,000.
On page 5, line 21, increase the amount by $8,475,000,000.
On page 5, line 22, increase the amount by $9,010,000,000.
On page 22, line 20, increase the amount by $50,200,000.
On page 22, line 21, increase the amount by $50,200,000.
On page 22, line 24, increase the amount by $1,850,000,000.
On page 22, line 25, increase the amount by $1,850,000,000.
On page 23, line 3, increase the amount by $3,090,000,000.
On page 23, line 4, increase the amount by $3,090,000,000.
On page 23, line 7, increase the amount by $4,035,000,000.
On page 23, line 8, increase the amount by $4,035,000,000.
On page 23, line 11, increase the amount by $4,955,000,000.
On page 23, line 12, increase the amount by $4,955,000,000.
On page 23, line 15, increase the amount by $5,955,000,000.
On page 23, line 16, increase the amount by $5,955,000,000.
On page 23, line 19, increase the amount by $6,925,000,000.
On page 23, line 20, increase the amount by $6,925,000,000.
On page 23, line 23, increase the amount by $7,770,000,000.
On page 23, line 24, increase the amount by $7,770,000,000.
On page 24, line 2, increase the amount by $8,475,000,000.
On page 24, line 3, increase the amount by $8,475,000,000.
On page 24, line 6, increase the amount by $9,010,000,000.
On page 24, line 7, increase the amount by $9,010,000,000.
On page 47, line 6, decrease the amount by $52,585,000,000.

At the end of subtitle A of title IV, add the following:

*SEC. 4.* POINT OF ORDER AGAINST AN INCREASE IN PAYMENTS FOR FEDERAL STUDENT LOAN BORROWERS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill, joint resolution, amendment, amendment between the Houses, or conference report that would reduce the benefits available to current or future Federal student loan borrowers through income-driven repayment programs under part B or D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.), including proposals that would increase the amount borrowers must pay to 12.5 percent of discretionary income and extend the cap on repayment for graduate students to 30 years.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members present. An affirmative vote of three-fifths 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).—

**SA 1507. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, Mr. WARNER, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:**

At the end of title III, add the following:

**SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO RELATING TO SUPPORTING, PROTECTING, AND MAINTAINING FEDERAL PUBLIC LAND.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to reporting, and maintaining Federal public land, including national monuments, in the form in which the national monuments are in as of the date of enactment of this Act, for the enjoyment by current and future generations, to honor the national heritage of the United States, and to recognize the Federal public land as national treasures that belong to all people of the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

**SA 1510. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:**

At the end of title III, add the following:

**SEC. 3. **DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRIORITIZING THE USE OF NATIVE PLANTS BY PUBLIC LAND MANAGERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prioritizing the use of native plants by public land managers by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

**SA 1511. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H.**
Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING DEFERRED MAINTENANCE AT SCHOOLS OF HISTORIC CULTURE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing deferred maintenance at schools of historic culture. The Committee on Appropriations may, at its discretion, and after receiving a solicitation from the President of the Senate, make appropriations to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1514. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE DEFERRED MAINTENANCE BACKLOG OF THE NATIONAL PARK SERVICE.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing deferred maintenance backlog of the National Park Service, supporting the capacity of the National Park Service to meet annual maintenance, or ensuring that the repair, stabilization, or reconstruction of infrastructures is compliant with all applicable historic preservation and natural resource standards by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1515. Ms. HIRONO (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STIMULATING INNOVATION TO ADVANCE THE ABILITY OF THE UNITED STATES TO UNDERSTAND, RESEARCH, OR MONITOR CORAL REEF ECOSYSTEMS, OR TO DEVELOP MANAGEMENT OR ADAPTATION OPTIONS TO PRESERVE, SUSTAIN, AND RESTORE CORAL REEF ECOSYSTEMS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1516. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INVESTING IN CLEAN ENERGY AND PRESERVING THE ENVIRONMENT.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the removal and renewable energy development or new or existing approaches to clean energy financing, reducing greenhouse gas emissions levels, or Federal programs for land and water conservation and acquisition or the preservation, restoration, or protection of public land, oceans, coastal areas, or aquatic ecosystems by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ENHANCING THE READINESS OF THE ARMED FORCES BY INVESTING IN ENERGY RESILIENCE ON MILITARY INSTALLATIONS.

The Chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the readiness of the Armed Forces, which may include legislation that improves energy resilience on military installations, including the use of cyber-secure microgrids, energy storage, and renewable energy projects that provide power directly to a military facility or installation, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1518. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO IMPROVING THE RELIABILITY AND RESILIENCE OF THE ELECTRIC GRID IN ISLANDED COMMUNITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to improving the reliability and resilience of the electric grid in islanded communities affected by natural disasters, including through the use of microgrids, energy storage, and renewable power sources, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1519. Ms. HIRONO (for herself, Mrs. MURRAY, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STRENGTHENING AND EXPANDING COLLECTIVE BARGAINING RIGHTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to:

(1) strengthening and reaffirming the Federal policy in favor of collective bargaining;

(2) stiffening penalties for companies that violate workers' rights to unionize and act collectively;

(3) ending company interference in union organizing campaigns;

(4) preserving the right of official time;

(5) prohibiting permanent replacement of striking workers; and

(6) expanding the benefits of the collective bargaining process to new and emerging employment sectors;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1520. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INVESTMENTS IN PRE-DISASTER MITIGATION, FLOOD MAPPING, FLOOD MITIGATION, AND RESILIENCE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to investments in improving pre-disaster mitigation, flood mapping, flood mitigation, and resilience by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1521. Mr. REED (for himself, Mr. WHITEHOUSE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 79, line 2, insert “. including the costs of fraud, waste, abuse, and crime resulting from any deregulation” after “variables”.

SA 1522. Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNET, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

(a) insert the following:

(b) EXCEPTIONS.—Advance appropriations may be provided.

(b) insert the following:

(b) insert the following:

(b) insert the following:
managers accompanying this concurrent resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed $33,952,000,000 in new budget authority in each fiscal year; (2) for the Corporation for Public Broadcasting; (3) for the Department of Veterans Affairs for Medical Care and Compliance, Veterans Medical Community Care, and Medical Facilities accounts of the Veterans Health Administration; and (4) for Federal Railroad Passenger and National Network Grants to the National Railroad Passenger Corporation (commonly known as “Amtrak”).

SA 1525. Mr. BROWN (for himself, Mr. Wyden, Mr. Blumenthal, Mr. Bennet, Mrs. Murray, Mr. Booker, Mr. Warner, Mr. Casey, Ms. Harkin, and Ms. Warren) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE DEFICIT OR DEBT LIMIT WITHOUT A SCORE IN THE SENATE.

The Chairman of the Committee on the Budget of the Senate; or

SA 1527. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO THE JOINT INTEGRA-TION OF THE MODERNIZATION AND SUSTAINMENT OF THE UNITED STATES NUCLEAR TRIAD.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to the joint integration of the modernization and sustainment of the United States nuclear triad by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1529. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO DECREASING RATES OF METHAMPHETAMINE USE IN NATIVE AMERICAN COMMUNITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to decreasing rates of methamphetamine use in Native American communities, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1530. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO COMPREHENSIVE REVIEWS OF THE UNITED STATES GOVERNMENT'S PARTICIPATION IN AND FUNDING OF THE UNITED NATIONS AND UNITED NATIONS-ASSOCIATED ORGANIZATIONS AND THE ORGANIZATION OF AMERICAN STATES, TO THE IMPLEMENTATION OF THE OAS REFORM ACT OF 2013, AND TO COMPILING A REPORT ON FEDERAL SPENDING IN FOREIGN COUNTRIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to comprehensive reviews of the United States Government’s participation in and funding of the United Nations and United Nations-affiliated organizations and the United States Government’s participation in and funding of the Organization of American States, to the implementation of the OAS Reform Act of 2013, and to compiling a report on Federal spending in foreign countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to addressing the deferred maintenance needs of the National Park Service by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1531. Mr. CASEY (for himself, Ms. WARREN, Mrs. MURRAY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 3, line 12, increase the amount by $425,000,000.
On page 3, line 13, increase the amount by $1,015,000,000.
On page 4, line 1, increase the amount by $1,420,000,000.
On page 4, line 2, increase the amount by $1,765,000,000.
On page 4, line 3, increase the amount by $2,140,000,000.
On page 4, line 4, increase the amount by $2,570,000,000.
On page 4, line 5, increase the amount by $3,015,000,000.
On page 4, line 6, increase the amount by $3,825,000,000.
On page 4, line 7, increase the amount by $4,105,000,000.
On page 4, line 8, increase the amount by $4,105,000,000.
On page 4, line 9, increase the amount by $4,105,000,000.
On page 4, line 10, increase the amount by $4,105,000,000.
On page 4, line 11, increase the amount by $4,105,000,000.
On page 4, line 12, increase the amount by $4,105,000,000.
On page 4, line 13, increase the amount by $4,105,000,000.
On page 4, line 14, increase the amount by $4,105,000,000.
On page 4, line 15, increase the amount by $4,105,000,000.
On page 4, line 16, increase the amount by $4,105,000,000.
On page 4, line 17, increase the amount by $4,105,000,000.
On page 4, line 18, increase the amount by $4,105,000,000.
On page 4, line 19, increase the amount by $4,105,000,000.
On page 4, line 20, increase the amount by $4,105,000,000.
On page 4, line 21, increase the amount by $4,105,000,000.
On page 4, line 22, increase the amount by $4,105,000,000.
On page 4, line 23, increase the amount by $4,105,000,000.
On page 4, line 24, increase the amount by $4,105,000,000.
On page 4, line 25, increase the amount by $4,105,000,000.
On page 4, line 26, increase the amount by $4,105,000,000.
On page 4, line 27, increase the amount by $4,105,000,000.
On page 4, line 28, increase the amount by $4,105,000,000.
On page 4, line 29, increase the amount by $4,105,000,000.
On page 5, line 14, increase the amount by $1,015,000,000.
On page 5, line 15, increase the amount by $1,420,000,000.
On page 5, line 16, increase the amount by $1,765,000,000.
On page 5, line 17, increase the amount by $2,140,000,000.
On page 5, line 18, increase the amount by $2,570,000,000.
On page 5, line 19, increase the amount by $3,015,000,000.
On page 5, line 20, increase the amount by $3,445,000,000.
On page 5, line 21, increase the amount by $3,825,000,000.
On page 5, line 22, increase the amount by $4,105,000,000.
On page 5, line 23, increase the amount by $4,105,000,000.
On page 5, line 24, increase the amount by $4,105,000,000.
On page 5, line 25, increase the amount by $4,105,000,000.
On page 5, line 26, increase the amount by $4,105,000,000.
On page 5, line 27, increase the amount by $4,105,000,000.
On page 5, line 28, increase the amount by $4,105,000,000.
On page 5, line 29, increase the amount by $4,105,000,000.

At the end of subtitle A of title IV, insert the following:

SEC. 4. POINT OF ORDER AGAINST CUTS TO PUBLIC SERVICE LOAN FORGIVENESS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider a bill, joint resolution, amendment, amendment between the Houses, or conference report that would eliminate or reduce the public service loan forgiveness available under section 421D of the Higher Education Act of 1965 (20 U.S.C. 1070e(m)) to student borrowers of eligible Federal Direct Loans.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1532. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO SUPPORTING RESEARCH, NUTRITION, AND EDUCATION REGARDING NEGLECTED TROPICAL DISEASES IN THE UNITED STATES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to encouraging the Department of Health and Human Services to improve research, surveillance, and education regarding the presence of neglected tropical diseases in the United States, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1533. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROMOTING AND EDUCATING AMERICANS ABOUT THE OPEN ENROLLMENT PERIOD FOR THE HEALTH INSURANCE EXCHANGES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing funds for advertising, in-person assistance, and other outreach activities that would promote and educate Americans about the open enrollment period for the health insurance Exchanges, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1534. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:
SA 1535. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO TAX RELIEF FOR FAMILIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing Federal tax relief for families, which may include amending the child tax credit and the child and dependent care tax credit, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027.

SA 1536. Mr. KING submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROHIBITING FEDERAL FUNDS FOR CONSTRUCTION OR EXPANSION OF PRIVATELY-RUN IMMIGRATION DETENTION FACILITIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prohibiting funding for the construction or expansion of privately-run immigration detention facilities by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1537. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING PROGRAMS ADMINISTERED BY THE BUREAU OF INDIAN AFFAIRS, THE INDIAN HEALTH SERVICE, AND ALL OTHER RELEVANT AGENCIES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to protecting programs administered by the Bureau of Indian Affairs, the Indian Health Service, and all other relevant agencies, which may include changing the scope of sequestration as carried out by the Office of Management and Budget, and as for all programs administered by the Bureau of Indian Affairs (including public safety, health, education, social services and natural resources programs), programs administered by the Indian Health Service, and housing programs carried out pursuant to the Native American Housing Assistance and Self-Determination Act of 1996, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1538. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT FROM LOSING ITS EXISTING SENSITIVE LOCATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to preventing U.S. Immigration and Customs Enforcement from deviating from its existing sensitive locations policy or executing enforcement actions at sensitive locations by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1539. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING THE RIGHTS OF ALL AMERICANS TO BE FREE FROM DISCRIMINATION BASED ON THEIR SEXUAL ORIENTATION, GENDER IDENTITY, RELIGION, RACE, COLOR, SEX, OR NATIONAL ORIGIN.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that Federal agencies protect the rights of all individuals (whether or not in receipt of Federal funding) against discrimination (such as discrimination in employment, contracting, or programs and services) based on their sexual orientation, gender identity, religion, race, color, sex, or national origin, in accordance with the Constitution of the United States and Federal law, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1540. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING EXISTING SENSITIVE LOCATIONS FOR IMMIGRATION AND CUSTOMS ENFORCEMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to preventing U.S. Immigration and Customs Enforcement from deviating from its existing sensitive locations policy or executing enforcement actions at sensitive locations by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1541. Mr. SCHATZ (for himself, Ms. CORTEZ MASTO, Mr. UDALL, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PROTECTING EXISTING SENSITIVE LOCATIONS FOR IMMIGRATION AND CUSTOMS ENFORCEMENT AND THE FIRST AMENDMENT.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that the Federal Communications Commission is dissatisfied by the news content aired by the licensee about the President or the Administration by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1542. Mr. LEE submitted an amendment intended to be proposed to
amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. PROHIBITION ON PROCEEDING TO CONSIDERATION OF LEGISLATION WITHOUT A SCORE IN THE SENATE.

(a) DEFINITIONS.—

(1) the term ‘‘covered estimate’’, with respect to covered legislation, means an estimate of the costs which would be incurred in carrying out the covered legislation, as determined by the Chairman of the Committee on the Budget of the Senate under the authority under section 312 of the Congressional Budget Act of 1974 (2 U.S.C. 643); and

(2) the term ‘‘covered legislation’’ means a bill, joint resolution, amendment between the Houses, or conference report.

(b) POINT OF ORDER.—It shall not be in order in the Senate to proceed to any covered legislation by motion or by consent unlesss, within four hours before the Senate proceeds to consideration of the covered legislation, a covered estimate with respect to the covered legislation is made publicly available.

(1) by the Chairman of the Committee on the Budget of the Senate; or

(2) on the website of the Congressional Budget Office.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (b) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair under subsection (b) with respect to a motion to proceed.

SA 1543. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 47, strike line 3 and insert the following:

In the Senate, not later than November 13, 2017, the Committee on

On page 47, strike lines 8 through 21.

SA 1544. Mr. MERKLEY (for himself, Mr. WYDEN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 57, strike lines 19 and 20 and insert the following:

(a) SOURCES TO ASSIST LOCAL COMMUNITIES IN RECOVERING FROM DAMAGES RELATING TO WILDLAND FIRES;

(b) THE PAYMENTS IN LIEU OF TAXES PROGRAM;

(c) THE SECURE RURAL SCHOOLS AND COMMUNITY FACILITIES PROGRAM;

SA 1545. Ms. WARREN (for herself, Mr. MENENDEZ, Ms. DUCKWORTH, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 41. POINT OF ORDER AGAINST LEGISLATION THAT WOULD HARM BABIES BORN PREMATURELY BY CUTTING FEDERAL FUNDING FOR MEDICAID THAT SUPPORTS MEDICATIONS, SPECIAL EQUIPMENT, AND THERAPIES TO HELP THESE BABIES THRIVE AND PROTECT THEIR FAMILIES FROM BANKRUPTCY.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment between the Houses, or conference report that would harm babies born prematurely by cutting Federal funding for the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), which supports medications, special equipment, and therapies to help these babies thrive and protect their families from bankruptcy.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths 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).

SA 1546. Ms. WARREN (for herself, Mr. SANDERS, Mr. MARKEY, Mr. MENENDEZ, Ms. DUCKWORTH, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SA 1547. Mr. DAINES (for himself, Mr. LARKIN, Mr. STRICKLAND, Mr. BLUNT, and Mrs. ENSPIE) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING FUNDING FOR COMMUNITY HEALTH CENTERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the congressional budget for other bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to legislation that would transfer Federal funding from organizations that receive such funding and perform abortions to organizations that provide comprehensive care for women, including community health centers, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1548. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO INCREASING BENEFICIARY CHOICE AND INDIVIDUAL FREEDOM IN HEALTH CARE.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to increasing beneficiary choice and individual freedom in the receipt of health care, which may include the expansion of the available uses and contribution limits applicable to health savings accounts, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1549. Mr. DAINES submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 42. DIRECT BILLS THAT WOULD CUT FEDERAL FUNDING FOR MEDICAID RELATING TO INCREASING FUNDING FOR COMMUNITY HEALTH CENTERS.

At the end of subtitle A of title IV, add the following:

SEC. 42. DIRECT BILL THAT WOULD CUT FEDERAL FUNDING FOR MEDICAID RELATING TO INCREASING FUNDING FOR COMMUNITY HEALTH CENTERS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to legislation that would transfer Federal funding from organizations that receive such funding and perform abortions to organizations that provide comprehensive care for women, including community health centers, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
TITLE V—BUDGET PROCESS IN THE HOUSE OF REPRESENTATIVES

Subtitle A—Budget Enforcement

SEC. 5101. POINT OF ORDER AGAINST INCREASING LONG-TERM DIRECT SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives to consider any bill or joint resolution, or amendment thereto or conference report thereon, that would cause a net increase in direct spending in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal year periods described in subsection (b).

(b) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare an estimate of whether a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or amendment thereto or conference report thereon, for which the chair of the Committee on the Budget of the House of Representatives ordered to lie on the table, would cause, relative to current law, a net increase in direct spending in the House of Representatives, in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal year periods described in subsection (a); and shall make adjustments to the levels for fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND REBUILDING TO INCREASING TRANSPARENCY IN HEALTH CARE PRICING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations in paragraphs 302(a) and 302(b) relating to the House of Representatives to reflect the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions or conference reports relating to ensuring transparency for costs and pricing of health care services provided through Federal Government programs under which beneficiaries have a financial responsibility, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 41. PROHIBITION ON SCORING OF AMOUNTS FROM SALES OR LEASES OF PUBLIC LAND.

In the Senate, for purposes of determining budgetary impacts to evaluate points of order under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) or any concurrent resolution on the budget, provisions contained in any bill, resolution, amendment, motion, or conference report that generate Federal offsetting receipts from the sale or lease of land or interest in land that is part of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, National Forest System, or a National Monument shall not be taken into account with respect to the level of budget authority, outlays, or revenues contained in such legislation.

SEC. 1550. Mr. UDALL (for himself and Mr. HINCH?CH) submitted an amendment to amendment SA 1116 proposed by Mr. ENZI to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 5102. APPEALS ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.

(a) SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.—In the House of Representatives, there shall be a separate allocation of new budget authority and outlays provided to the Committee on Appropriations for the purposes of Overseas Contingency Operations/Global War on Terrorism under section 302(a) of the Congressional Budget Act of 1974. Section 302(a)(3) of such Act shall not apply to such separate allocation.

(b) APPLICATION.—The separate allocation referred to in subsection (a) shall be the exclusive allocation for Overseas Contingency Operations/Global War on Terrorism, which shall be deemed to be the full fiscal year that proposes a change in mandatory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraph (3), shall be in order in the House of Representatives.

(c) LIMITATION.—It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a full fiscal year if such amendment thereto or conference report thereon proposes a change in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraph (3).

SEC. 5103. LIMITATION ON CHANGES IN CERTAIN MANDATORY PROGRAMS.

(a) IN GENERAL.—A provision in a bill or joint resolution making appropriations for a full fiscal year that proposes a change in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraph (3), shall not be in order in the House of Representatives.

(b) LIMITATION ON CONFERENCE REPORTS.—It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a full fiscal year if such amendment thereto or conference report thereon proposes a change in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraph (3).

(c) AMOUNT.—The amount specified in this paragraph is—

(A) for fiscal year 2018, $19,100,000,000;

(B) for fiscal year 2019, $17,000,000,000; and

(C) for fiscal year 2020, $15,000,000,000.

(d) DETERMINATION.—For purposes of this section, budgetary levels shall be determined on the basis of estimates provided by the chair of the Committee on the Budget of the House of Representatives.

SEC. 5104. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House of Representatives, except as provided for in subsection (b), any general appropriation bill or joint resolution making appropriations for new budget authority for, or the joint explanatory statement of enacted appropriations, for any of the fiscal years 2018 through 2027; shall be deemed to refer to fiscal year 2018.

(b) EXCEPTIONS.—In the House of Representatives, except as provided for in subsection (a), advance appropriations for any of the fiscal years 2018 through 2027; shall be deemed to refer to fiscal year 2018.

(c) DETERMINATION.—For purposes of this section, budgetary levels shall be determined on the basis of estimates provided by the chair of the Committee on the Budget of the House of Representatives.

SEC. 5105. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House of Representatives, except as provided for in subsection (b), any general appropriation bill or joint resolution making appropriations for new budget authority for, or the joint explanatory statement of enacted appropriations, for any of the fiscal years 2018 through 2027; shall be deemed to refer to fiscal year 2018.

(b) EXCEPTIONS.—In the House of Representatives, except as provided for in subsection (a), advance appropriations for any of the fiscal years 2018 through 2027; shall be deemed to refer to fiscal year 2018.

(c) DETERMINATION.—For purposes of this section, budgetary levels shall be determined on the basis of estimates provided by the chair of the Committee on the Budget of the House of Representatives.
continued appropriations for fiscal year 2018, or any amendment thereto or conference report thereon, that first becomes available for the first fiscal year following fiscal year 2018.

SEC. 5105. ESTIMATES OF DEBT SERVICE COSTS.

In the House of Representatives, the chair of the Committee on the Budget may direct the Director of the Congressional Budget Office to include, in any estimate prepared pursuant to section 402 of the Congressional Budget Act of 1974 with respect to any bill or joint resolution, an estimate of any debt service costs resulting from carrying out such bill or resolution. Any estimate of debt service costs provided under this section shall be advisory and shall not be used for purposes of enforcing a concurrent resolution of the Congress or amendment thereto or conference report thereon.

(a) For which an estimate is required to be prepared pursuant to section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653) and that causes a gross budgetary effect (before incorporating macroeconomic effects and surpluses for fiscal year 2018) of $0.25 billion or more in any fiscal year in the period of years of the most recently agreed to concurrent resolution on the budget equal to or greater than 0.25 percent of the current projected gross domestic product of the United States for that fiscal year or;

(b) designated as such by—

(i) the chair of the Committee on the Budget of the House of Representatives for all direct spending legislation;

(ii) the chair of the Committee on the Budget of the House of Representatives for any major legislation, as defined by section 1105(a) of title 31, as included in the same purpose. This section shall not apply to authorizations provided by the Congressional Budget Office under section 201(f) of such Act.

(c) Definitions.—In this section:

(1) Major legislation.—The term ‘major legislation’ means—

(A) provisions that cause an acceleration of discretionary and direct spending legislation; or

(B) provisions that cause a delay of the budgetary effects of changes in economic output, employment, capital stock, and surpluses for fiscal year 2018 and the total of fiscal years 2018 through 2027.

(d) Enforcement in the House of Representatives.—In the House of Representatives, any provision of this section shall be advisory and shall not be used for purposes of enforcing the Concurrent Resolution of the Congress or amendment thereto or conference report thereon.

SEC. 5106. FAIR-VALUE CREDIT ESTIMATES.

(a) All Credit Programs.—Whenever the Director of the Congressional Budget Office provides an estimate of any measure that establishes any program of loan subsidies, loan guarantees, or loan guarantees, the Director shall also, to the extent practicable, provide a fair-value estimate of such loan or loan guarantee program as the chair of the Committee on the Budget of the House of Representatives, or the Committee on Appropriations.

(b) Student Financial Assistance and Housing Programs.—The Director of the Congressional Budget Office shall provide, to the extent practicable, a fair-value estimate as part of any estimate for any measure that establishes a loan or loan guarantee program for student financial assistance or housing (including residential mortgage).

(c) Baseline Estimates.—The Congressional Budget Office shall include estimates, on a fair-value and credit reform basis, of loan and loan guarantee programs for student financial assistance, housing (including residential mortgage), and such other major loan and loan guarantee programs, as practicable, in its Text and Economic Outlook: 2018 to 2027.

(d) Enforcement in the House of Representatives.—If the Director of the Congressional Budget Office provides a fair-value estimate pursuant to subsection (a) or (b), the chair of the Committee on the Budget of the House of Representatives may use such estimate for purposes of the Congressional Budget Act of 1974 and other budget enforcement requirements.

SEC. 5107. ESTIMATES OF MACROECONOMIC EFFECTS OF MAJOR LEGISLATION.

(a) CBO and JCT Estimates.—During the 115th Congress, any estimate of major legislation considered in the House of Representatives or the Senate of Congress shall be advisory and shall not be used for purposes of enforcing the Concurrent Resolution of the Congress or amendment thereto or conference report thereon.

(b) Contents.—Any estimate referred to in subsection (a) shall, to the extent practicable, incorporate the budgetary effects of changes in economic output, employment, capital stock, and other macroeconomic variables resulting from such major legislation.

(c) Qualitative Assessment.—A qualitative assessment of the budgetary effects (including macroeconomic variables described in subsection (a)) of the major legislation considered in the 115th Congress shall begin following the last fiscal year of the most recently agreed to concurrent resolution on the budget that sets forth budgetary levels required under section 301 of the Congressional Budget Act of 1974; and

(d) Identification of the Critical Assumptions and the Source of Data Underlying That Estimate.—The Director of the Congressional Budget Office shall include, in any estimate of major legislation, a description of the critical assumptions and the source of data underlying that estimate.

SEC. 5108. ADJUSTMENTS FOR IMPROVED CONTROL OF BUDGETARY RESOURCES.

(a) Adjustments of Discretionary and Direct Spending Levels.—In the House of Representatives, if a committee (other than the Committee on Appropriations) reports a bill or joint resolution, or an amendment thereto is offered or conference report thereon is submitted, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also provides for an authorization of appropriations for fiscal year 2018 (or amendment thereto or conference report thereon) that transfers any portion of the net surplus for fiscal year 2018 to any succeeding fiscal year, shall be classified as mandatory or discretionary, as applicable, provided by the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974, this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.

(b) Classification of Spending.—For purposes of budget enforcement, the estimated net present value of any covered energy savings contract calculated under subsection (b) results in a net savings contract shall not be counted for purposes of titles III and IV of the Congressional Budget Act of 1974, this concurrent resolution, or clause 10 of rule XXII of the Rules of the House of Representatives.

(c) Prohibition on Use of Federal Reserve Funds.—The provisions of the Federal Reserve Act shall not be used to score any contracts other than covered energy savings contracts.

SEC. 5109. SCORING RULE FOR ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) In General.—The Director of the Congressional Budget Office shall estimate provisions of any bill or joint resolution, or amendment thereto or conference report thereon, to enter into or modify any covered energy savings contract on a net present value basis (NPV), and

(b) NPV Calculations.—The net present value of any covered energy savings contract shall be calculated as follows:

(1) The discount rate shall reflect market risk.

(2) The cash flows shall include, whether classified as mandatory or discretionary, payments to contractors under the terms of the contracts, payments for other services, and direct savings in energy and energy-related costs.

(3) The stream of payments shall cover the period covered by the contracts but not to exceed 25 years.

SEC. 5110. LIMITATION ON TRANSFERS FROM THE GENERAL FUND TO THE TREATY TRUST FUND.

In the House of Representatives, for purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and the rules and orders of the House of Representatives, a bill or joint resolution, or amendment thereto or conference report thereon, that transfers funds from the general fund of the Treasury to the Treaty Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 5111. PROHIBITION ON USE OF FEDERAL RESERVE FUNDS TO OFFSET THE GENERAL FUND OF THE TREASURY.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto or conference report thereon, that transfers any surplus of the Federal Reserve System to the general fund of the Treasury shall not be counted for purposes of enforcing the Concurrent Resolution of the Congress or amendment thereto, or conference report thereon, that transfers funds from the general fund of the Treasury to the Treaty Trust Fund.
SEC. 5112. PROHIBITION ON USE OF GUARANTEE FEES AS AN OFFSET.

In the House of Representatives, any provision of a bill or joint resolution, or amendment thereto or conference report thereon, that increases, or extends the increase of, any guarantee fees of the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac) shall not be counted for purposes of enforcing the Congressional Budget Act of 1974, this concurrent resolution, or clause 3 of rule XXI of the Rules of the House of Representatives.

SEC. 5113. MODIFICATION OF RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) In General.—Section 2002 shall have no force or effect.

(b) CONCILIATION IN THE HOUSE OF REPRESENTATIVES.—Not later than November 13, 2017, the Committee on Ways and Means of the House of Representatives shall report to the House of Representatives any bill or joint resolution, or amendment thereto or conference report thereon, that would not cause the 302(a) line item and the aggregate to be reduced to $640,000,000,000 for fiscal year 2018 to be $640,000,000,000, the chair of the Committee on the Budget may adjust, at a time the chair deems appropriate, the section 302(a) allocation to the House of Representatives to any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on such bill or joint resolution if—

(1) the enactment of that bill or resolution; or

(2) the adoption and enactment of that amendment;

or

(3) the enactment of that bill or resolution in the form recommended in that conference report, would not cause the 302(a) allocation to the Committee on Appropriations for fiscal year 2018 to be exceeded.

SEC. 5201. BUDDY VANCE ON BEHALF OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the House of Representatives, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, and section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, the House of Representatives shall report to the House of Appropriations, committee allocations, and other budgetary levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 5202. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—In the House of Representatives, any adjustments of the allocations, aggregates, and other budgetary levels made pursuant to this concurrent resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be consistent with the purposes of the Congressional Budget Act of 1974 as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—

For purposes of this concurrent resolution, the budgetary levels for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the chair of the Committee on the Budget of the House of Representatives.

(d) AGGREGATES, ALLOCATIONS AND APPROPRIATIONS.—For purposes of this concurrent resolution and budget enforcement, the consideration of any bill or joint resolution, or amendment thereto or conference report thereon, of which the chair of the Committee on the Budget makes adjustments or revisions in the allocations, aggregates, and other budgetary levels of this concurrent resolution shall not be subject to the points of order set forth in clause 19 of rule XXI of the Rules of the House of Representatives or section 5101 of this concurrent resolution.

(e) OTHER ADJUSTMENTS.—The chair of the Committee on the Budget of the House of Representatives may, at any time, adjust appropriate levels in this concurrent resolution pending reconciliation legislation.

SEC. 5203. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

In the House of Representatives, the chair of the Committee on the Budget may adjust, at a time the chair deems appropriate, the section 302(a) allocation to the Committee on Appropriations or any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on such bill or joint resolution if—

(1) the enactment of that bill or resolution; or

(2) the adoption and enactment of that amendment;

or

(3) the enactment of that bill or resolution in the form recommended in that conference report, would not cause the 302(a) allocation to the Committee on Appropriations for fiscal year 2018 to be exceeded.

SEC. 5204. ADJUSTMENT FOR CHANGES IN THE BASELINE.

In the House of Representatives, the chair of the Committee on the Budget may adjust, at a time the chair deems appropriate, the section 302(a) allocation to the Committee on Appropriations or any bill, joint resolution, or amendment that provides new budget authority for a fiscal year or to any conference report on such bill or joint resolution if—

(1) the enactment of that bill or resolution; or

(2) the adoption and enactment of that amendment;

or

(3) the enactment of that bill or resolution in the form recommended in that conference report, would not cause the 302(a) allocation to the Committee on Appropriations for fiscal year 2018 to be exceeded.

SEC. 5205. APPLICATION OF RULE REGARDING LIMITS ON DISCRETIONARY SPENDING.

(c) OTHER ADJUSTMENTS.—The chair of the Committee on Appropriations, committee allocations, and other appropriate budgetary levels established under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate committee of the House of Representatives may adjust all other budgetary aggregates, allocations, levels, and limits contained in this concurrent resolution, as necessary, consistent with such measure.

SUBTITLE D—RESERVE FUNDS

SEC. 5401. RESERVE FUND FOR COMMERCIALIZATION OF AIR TRAFFIC CONTROL.

(a) IN GENERAL.—In the House of Representatives, the chair of the Committee on the Budget may adjust, at a time the chair deems appropriate, the section 302(a) allocation to the Committee on Transportation and Infrastructure and other applicable committees of the House of Representatives, aggregates, and other appropriate levels established in this concurrent resolution for a bill such as an omission, or increasing the limit for the revised security category for fiscal year 2018 to be $640,000,000,000, the chair of the Committee on the Budget of the House of Representatives may adjust, at any time, in the same manner, and to the same extent as is the case of any other rule of the House of Representatives.

(b) DEFINITION.—For purposes of this section, a measure that commercializes the operations of the air traffic control system shall be a measure that establishes a Federally-chartered, not-for-profit corporation that—

(1) is authorized to provide air traffic control services within the United States airspace;

(2) sets user fees to finance its operations;

(3) may borrow from private capital markets to finance improvements;

(4) is governed by a board of directors composed of a CEO and directors whose fiduciary duty is to the entity; and

(5) becomes the employer of those employees directly connected to providing air traffic control services and who the Secretary transfers from the Federal Government.

SEC. 5402. RESERVE FUND FOR INVESTMENTS IN NATIONAL LEGISLATION.

In the House of Representatives, the chair of the Committee on the Budget may adjust...
the allocations, aggregates, and other appropriate levels in this concurrent resolution for any bill or joint resolution, or amendment thereto or conference report thereon, that invests in national infrastructure to the extent that such measure is deficit neutral for the total of fiscal years 2018 through 2027.

SEC. 5403. RESERVE FUND FOR COMPREHENSIVE TAX REFORM.

In the House of Representatives, if the Committee on Ways and Means reports a bill or joint resolution that provides for comprehensive tax reform, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, that extends the State Children’s Health Insurance Program for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PAYMENT IN LIEU OF TAXES PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to providing full, permanent, and mandatory funding for the payment in lieu of taxes program by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SEC. 5405. RESERVE FUND FOR THE REPEAL OR REPLACEMENT OF PRESIDENT OBAMA’S HEALTH CARE LAWS.

In the House of Representatives, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate budgetary levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that repeals or replaces any provision of the Patient Protection and Affordable Care Act or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 by the amount of budget authority and outlays flowing therefrom provided by such measure for such purpose.

SA 1553. Mr. ENZI (for Mrs. FISCHER (for herself and Ms. COLLINS)) proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PRESCRIPTION DRUG COSTS UNDER THE MEDICARE PROGRAM.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to prescription drug costs under the Medicare program, which may include making prescription drugs more affordable for seniors and for taxpayers by requiring the Secretary of Health and Human Services to negotiate prescription drug costs under the Medicare program, particularly through the use of leverage from Medicare program reimbursements, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1555. Mr. FRANKEN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO WORKER MISCLASSIFICATION.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to ensuring that workers are appropriately classified as employees or independent contractors for purposes of labor law and payroll taxes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 and the period of the total of fiscal years 2018 through 2027.

SA 1557. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO PUBLIC-PRIVATE PARTNERSHIPS FOR TRAINING.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills,
joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to employment and job growth, which may include programs that encourage partnerships between businesses, educational institutions, and the workforce development system, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1558. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN LIENS IN BANKRUPTCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to bankruptcy discharge in order to allow Federal and private student loan borrowers to discharge their student loans in bankruptcy, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1559. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN LIENS IN BANKRUPTCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal student loan borrowers eligible for a borrower defense to repayment under section 554(h) of the Higher Education Act of 1965 (20 U.S.C. 1087e(h)), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1560. Ms. WARREN (for herself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO STUDENT LOAN LIENS IN BANKRUPTCY.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to Federal student loan borrowers eligible for a borrower defense to repayment under section 554(h) of the Higher Education Act of 1965 (20 U.S.C. 1087e(h)), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1561. Mr. ENZI proposed an amendment to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; as follows:

At the end, add the following:

TITLE V—BUDGET PROCESS IN THE HOUSE OF REPRESENTATIVES

Subtitle A—Budget Enforcement

SEC. 501. POINT OF ORDER AGAINST INCREASING LONG-TERM DIRECT SPENDING.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives to consider an amendment or conference report on any bill or joint resolution (in or out of conference) which would cause a net increase in direct spending in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal-year periods described in subsection (b).

(b) CONGRESSIONAL BUDGET OFFICE ANALYSIS OF PROPOSALS.—The Director of the Congressional Budget Office shall, to the extent practicable, prepare an estimate of whether a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or amendment thereto or conference report thereon, would cause, relative to current law, a net increase in direct spending in excess of $2,500,000,000 in any of the 4 consecutive 10-fiscal-year periods beginning after the last fiscal year of this concurrent resolution.

(c) LIMITATION.—In the House of Representatives, the provisions of this section shall not apply to any bills or joint resolutions, or amendments thereto or conference reports thereon, for which the chair of the Committee on the Budget has made adjustments that would cause the absolute value of the total budgetary levels for fiscal years 2018 through 2027 for all such legislation enacted in relation to a full fiscal year to be more than the amount specified in
(2) AMENDMENTS AND CONFERENCE REPORTS.—It shall not be in order in the House of Representatives to consider an amendment to, or a conference report on, a bill or joint resolution making appropriations for a full fiscal year if such amendment thereto or conference report shall increase in mandatory programs that, if enacted, would cause the absolute value of the total budget authority of all such changes in mandatory programs enacted in relation to a full fiscal year to be more than the amount specified in paragraph (3).

(3) AMOUNT.—The amount specified in this paragraph shall be $10,000,000,000 for fiscal year 2018, $11,000,000,000 for fiscal year 2019, and $12,000,000,000 for fiscal year 2020.

SEC. 5104. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House of Representatives, joint resolutions providing for an advance appropriation shall not exceed the amount specified in paragraph (3).

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts identified in the report or the joint explanatory statement of managers, as applicable, accompanying this concurrent resolution under the following headings:

(1) General.—"Accounts Identified for Advance Appropriations";

(2) Education and Human Resources Accounts Identified for Advance Appropriations";

(3) LIMITATIONS.—The aggregate level of advance appropriations shall not exceed the following:

(a) General.—$28,552,000,000 in new budget authority for all programs identified pursuant to subsection (b)(1).

(b) Veterans.—$70,699,313,000 in new budget authority for programs in the Department of Veterans Affairs identified pursuant to subsection (b)(2).

SEC. 5105. ESTIMATES OF DEBT SERVICE COSTS.

In the House of Representatives, the chair of the Committee on the Budget may direct the Congressional Budget Office to include in any estimate prepared pursuant to section 402 of the Congressional Budget Act of 1974; and other budgetary effects (including macroeconomic variables resulting from such major legislation).
SEC. 5201. BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the House of Representatives, notwithstanding section 302(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, the Committee on Appropriations, in its report, may include any discretionary amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—In the House of Representatives, for purposes of enforcing section 302(a) of the Congressional Budget Act of 1974, estimates of the levels of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in subsection (a).

SEC. 5202. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—In the House of Representatives, in the allocation of the allocations, aggregates, and other budgetary levels made pursuant to this concurrent resolution shall:

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as the allocations and aggregates contained in this concurrent resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this concurrent resolution, the budgetary levels for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the chair of the Committee on the Budget of the House of Representatives.

SEC. 5203. MODIFICATION OF RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—Section 2002 shall have no force or effect.

(b) RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.—Notwithstanding section 302(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, the Committee on the Budget may adjust other appropriate levels in this concurrent resolution for any change in budgetary concepts and definitions consistent with section 302(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 5204. ADJUSTMENT FOR CHANGES IN THE BASES.

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, reconciliation targets, and other appropriate budgetary levels in this concurrent resolution to reflect changes resulting from the Congressional Budget Office’s update to its baseline for fiscal year 2018 through 2027.
Committee on the Budget of the House of Representatives may adjust the allocation called for under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the Appropriations Committees of the House of Representatives, and may adjudge all other budgetary aggregates, allocations, levels, and limits contained in this resolution, as necessary, consistent with such measure.

**Subtitle D—Reserve Funds**

**SEC. 5401. RESERVE FUND FOR INVESTMENTS IN NATIONAL INFRASTRUCTURE.**

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels in this concurrent resolution for any bill or joint resolution, or amendment thereto or conference report thereon, that invests in national infrastructure to the extent that such measure is deficit neutral for the total of fiscal years 2018 through 2027.

**SEC. 5402. RESERVE FUND FOR COMPREHENSIVE TAX REFORM.**

In the House of Representatives, if the Committee on Ways and Means reports a bill or joint resolution that provides for comprehensive tax reform, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any such bill or joint resolution, or amendment thereto or conference report thereon, if such measure would increase the deficit for the total of fiscal years 2018 through 2027.

**SEC. 5403. RESERVE FUND FOR THE STATE CHILDREN’S HEALTH INSURANCE PROGRAM.**

In the House of Representatives, the chair of the Committee on the Budget may adjust the allocations, aggregates, and other appropriate levels in this concurrent resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that extends the legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO ADDRESSING THE AFFORDABLE HOUSING NEEDS OF FAMILIES, VETERANS, INDIVIDUALS WITH DISABILITIES, AND SENIORS.**

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to affording housing options for families, veterans, individuals with disabilities, and seniors, including the 11,000,000 renter households paying more than half of their income toward housing costs, to the extent that such measure would increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.
SA 1567. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1116 proposed by Mr. Enzi to the concurrent resolution H. Con. Res. 71, establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3. DEFICIT-NEUTRAL RESERVE FUND RELATING TO LOWERING PRESCRIPTION DRUG PRICES BY LIFTING THE BAN ON MEDICARE NEGOTIATING PART D PRESCRIPTION DRUG PRICES.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to lowering prescription drug prices on behalf of millions of seniors which makes it illegal for Medicare to negotiate prescription drug prices on behalf of millions of seniors; provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2018 through 2022 or the period of the total of fiscal years 2018 through 2027.

SA 1568. Mr. MCCONNELL proposed an amendment to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; as follows:

At the end add the following:

“This Act shall take effect 1 day after the date of enactment.”

SA 1569. Mr. MCCONNELL proposed an amendment to amendment SA 1568 proposed by Mr. MCCONNELL to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; as follows:

Strike “1 day” and insert “2 days”

SA 1570. Mr. MCCONNELL proposed an amendment to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; as follows:

At the end add the following:

“This Act shall take effect 3 days after the date of enactment.”

SA 1571. Mr. MCCONNELL proposed an amendment to amendment SA 1570 proposed by Mr. MCCONNELL to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; as follows:

Strike “3 days” and insert “4 days”

SA 1572. Mr. MCCONNELL proposed an amendment to amendment SA 1571 proposed by Mr. MCCONNELL to the amendment SA 1570 proposed by Mr. MCCONNELL to the bill H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; as follows:

Strike “4 days” and insert “5 days”

AUTHORITY FOR COMMITTEES TO MEET

Mr. TOOMEY. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON AGRICULTURE

The Committee on Agriculture is authorized to meet during the session of the Senate on Thursday, October 19, 2017, at 2 p.m., in room S–1216, to conduct a hearing the following nominations: Gregory Ibach, of Nebraska, to be Under Secretary for Marketing and Regulatory Programs, and William Northey, of Iowa, to be Under Secretary for Farm and Foreign Agricultural Services, both of the Department of Agriculture.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, October 19, 2017, at 9:30 a.m., in open and closed session to receive testimony on the roles and responsibilities for defending the nation from cyberattack.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, October 19, 2017, at 10 a.m., in room G–810, to conduct a hearing entitled “Examining How Healthy Choices Can Improve Health Outcomes and Reduce Costs.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, October 19, 2017, at 10:30 a.m. to hold a hearing entitled “Food Aid.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, October 19, 2017, at 2:30 p.m. to conduct a hearing on the following nominations: Stephanos Bibas, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Allison H. Eid, of Colorado, to be United States Circuit Judge for the Tenth Circuit, Annemarie Carney Axon, to be United States District Judge for the Northern District of Alabama, Michael Lawrence Brown, to be United States District Judge for the Northern District of Georgia, Thomas Alvin Farr, to be United States District Judge for the Eastern District of North Carolina, William M. Ray II, to be United States District Judge for the Northern District of Georgia, Liles Clifton Burke, to be United States District Judge for the Northern District of Alabama, Walter David Counts III, to be United States District Judge for the Western District of Texas, Michael Joseph Juneau, to be United States District Judge for the Western District of Louisiana, A. Marvin Quattlebaum, Jr., to be United States District Judge for the District of South Carolina, Karen Gren Scholer, to be United States District Judge for the Northern District of Texas, Eugene H. E. Sert, to be United States District Judge for the Middle District of Georgia, and John C. Demers, of Virginia, to be an Assistant Attorney General, Scott C. Blader, to be United States Attorney for the Western District of Wisconsin, Mark A. Klaassen, to be United States Attorney for the District of Wyoming, William C. Lamar, to be United States Attorney for the Northern District of Mississippi, John R. Sale, III, to be United States Attorney for the Northern District of Illinois, and J. Douglas Overby, to be United States Attorney for the Eastern District of Tennessee, all of the Department of Justice.

RESOLUTIONS SUBMITTED TODAY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 298, S. Res. 299, and S. Res. 300.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to. (The resolutions, with their preambles, are printed in today’s Record under “Submitted Resolutions.”)

ORDERS FOR MONDAY, OCTOBER 23, 2017

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until 3 p.m., Monday, October 23, further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 2266, with the time until 5:30 p.m. equally divided between the two leaders or their designees; further, that notwithstanding the provisions of rule XXI, the pending cloture motion ripened at 5:30 p.m.
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 10:23 p.m., adjourned until Monday, October 23, 2017, at 3 p.m.