

American people. I hope that our Democratic friends will join us.

As I said before, until very recently, our colleagues on the other side of the aisle used to support many of the ideas included in this bill. The underlying ideas haven't changed. The urgent need for tax reform hasn't changed. The only thing that has really changed is the occupant of the White House. So I hope Senate Democrats will put aside partisanship and work with us in a serious way to deliver this much needed relief to small businesses and the middle class.

NOMINATION OF DAVID ZATEZALO

Mr. McCONNELL. Mr. President, in addition to the other work being done by the committees, the Senate is continuing to confirm qualified and talented nominees sent to us by the President. Yesterday we confirmed an important official for the Department of Transportation, and today we will confirm another.

Then, we will advance the nomination of David Zatezalo to serve as the Assistant Secretary of Labor for Mine Safety and Health, a position of particular importance in my home State of Kentucky, where mining supports thousands of good jobs.

Mr. Zatezalo has spent a lifetime working in the mining industry. He began as an underground coal miner and worked his way up through the ranks to most recently lead a mining company based in Lexington, KY. He knows about various levels of the business, which would be an important asset as he works with operators, miners, and inspectors to ensure that mining operations are safe for our Nation's mine workers.

Having begun his career as a coal miner himself and having later managed and operated a number of mines, Mr. Zatezalo has a keen understanding of the challenges and risks sometimes associated with mining. This firsthand experience will serve him well in his new role. As Assistant Secretary of Labor for Mine Safety and Health, Mr. Zatezalo will be given the responsibility to reduce workplace accidents and promote safe and healthy workplaces for miners.

I strongly support his nomination to serve in this role, and I would ask my colleagues to join me in advancing this nomination.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

DACA

Mr. DURBIN. Mr. President, it was 16 years ago that I introduced a bill known as the DREAM Act. The purpose of the DREAM Act was to give undocumented young people brought to the United States under the age of 18 an opportunity to go through a background check and to earn their way to legal status—16 years ago. The bill passed the Senate at various times and it passed the House, though never quite in the same year at the same time.

Now we face a crisis, literally. It is a crisis involving hundreds of thousands of these young people across America. It was just September 5 when the President of the United States announced that he was going to eliminate DACA.

DACA was the Executive order of President Obama that allowed these Dreamers to come forward, pay a filing fee of about \$500 or \$600, submit themselves to a criminal background check, and, after that background check, if they cleared it, to be given a 2-year allowance to live in the United States without fear of deportation—2 years at a time—and the legal capacity to work. That was what DACA was about.

So 780,000 young people did it. They came forward. They surrendered the information about themselves and their families. They submitted themselves to criminal background checks, and they ended up getting the protection of DACA. They went on to go to school, to go to work, to become teachers or engineers, to go to medical school, and to do things that really mean that they will have a future in this country that will be a benefit to them and to all of us.

So President Trump said that program will end on March 5, 2018, and he established a deadline, for those who were going to see their DACA eligibility end during that period of time, for them to renew. The deadline was October 5. It meant that they had to come forward with the filing fee and at least apply to go through the process again. It was quite a hardship on many of these young people to come up with the money for the filing fee and to realize that the clock was ticking in a very

meaningful way about their ability to protect themselves. Many of them stepped forward and asked for help from families, from churches, and from friends to come up with the filing fee to make sure that they renewed their DACA eligibility in time.

Let me tell you what happened to some of them who went through this process.

Here is one case. On September 14, Allison Baker, a lawyer for the Legal Aid Society in New York, sent one of these young individuals' application to renew this permit that would let him stay and work in the United States legally as part of DACA. The date of September 14 should be remembered because the deadline for filing was October 5. To be sure, this lawyer sent this renewal application for this young man by certified mail. Back in the day when I practiced law, that was one way to make sure you had written proof of when you actually mailed something far in advance of a deadline. Tracking data from the U.S. Postal Service showed that the envelope arrived in Chicago on September 16. It was mailed from New York on September 14 and arrived in Chicago September 16, on its way to a regional processing warehouse of the U.S. Citizenship and Immigration Services, the agency that administers the program known as DACA.

Then the packet started circling the Chicago postal system in a mysterious holding pattern. From September 17 to September 19, it was in transit to destination, according to the Postal Service. Then its tracking whereabouts disappeared until October 4, where, once again, the Postal Service assured the sender that it was "on its way."

On October 6, the day after the deadline, this certified application, which was sent on September 14, arrived, and the application for this 24-year-old man was rejected by our government.

He wasn't alone. We know of at least 33 other cases just like this. Congressman LUIS GUTIÉRREZ, of my State of Illinois, told the story of another application renewal sent on September 13 for an October 5 deadline. It arrived on October 6, as well. Another sent their paperwork on September 21. It wasn't received until October 9. What Congressman GUTIÉRREZ said is very obvious: Because somebody else did not do their job correctly, we are taking innocent young immigrants and making them deportable. That is unacceptable, Congressman GUTIÉRREZ said.

What does the U.S. Postal Service have to say about what I just read to you, those two or three cases? On Thursday, in a rare admission from a Federal agency, the U.S. Postal Service took the blame. David Partenheimer, a spokesman for the Postal Service, said that there had been "an unintentional temporary mail processing delay in the Chicago area."

Remember what I am saying here. Young people, undocumented had applied successfully and had been accepted into the DACA Program. The President announced he was going to end

the program, and those—many of them—had to re-sign up, renew, by October 5. They did it. They mailed it. Their application didn't arrive in time.

It doesn't take a big leap of faith or intelligence to realize what should be done. Clearly, this agency should be giving these young people a chance. Once again, they have done everything they can think of to comply with the law and trust our government. They trusted our government to give them DACA status to allow them to stay in the United States, and they trusted the Postal Service, in a matter of 2 weeks, to be able to deliver a letter.

Yesterday I spoke to the USCIS Director, Francis Cissna, and I asked him about this. I said to him: There must be a way for us to acknowledge the obvious. These young people, in good faith, did everything we could ask of them to comply with the law, and now they have been rejected. Now they are subject to deportation because the Postal Service didn't do its job. I asked him: Are you prepared to at least reconsider this decision and give them a chance to renew their DACA status?

He said he was aware of the situation and that it was being considered at the highest levels of the Department of Homeland Security.

I raise this issue because real lives are at stake. These are real people. These are young men and women who are doing everything they can think of to become part of America's future. They are hiring lawyers, they are raising money, and they are filing the documents that are asked of them in the hopes they can stay in the United States of America, and the system is fighting them every step of the way. In this situation, this is totally unfair.

Our government is better than this. Our people are better than this. Our values are better than this. I am pleading with the Department of Homeland Security and those who are seeking positions in that Department to show some common sense and a little bit of heart when it comes to these young people who are simply trying to make a future for themselves and a better United States of America.

REPUBLICAN TAX PLAN

Mr. President, this week, Republicans in Congress are determined to barrel ahead at full speed in a rushed, partisan effort to pass a tax plan at any cost. Make no mistake, for working families in Illinois and across the United States, this is a mistake.

Preliminary analysis from the non-partisan Joint Committee on Taxation revealed that by 2019, more than 13 million Americans who make less than \$200,000 a year will experience not a tax cut but a tax increase under the Senate Republican plan. That number jumps from 13 million to 21 million by the year 2025.

In my State of Illinois, taxpayers at every income bracket are going to see their taxes increase for this tax reform that is being pushed through at the last minute of this session.

Fourteen percent of the middle fifth of taxpayers in Illinois—those who are the very definition of middle income—will see an average tax hike under the Senate plan of \$1,400. So much for a tax cut. It is a tax increase. Mr. President, I don't know about taxpayers in your State, but in my home State of Illinois, a \$1,400 tax hike is a gut punch to a working family.

That is not all. Further analysis from the Center on Budget and Policy Priorities shows that in addition to the millions of households which will see their taxes rise under this Senate Republican plan, 53 million households—that is 40 percent of all households earning less than \$200,000 per year—will see no significant tax change under the new plan.

Let's be clear. If you are a middle-income family listening to that and you are thinking you might want to take your chances under this Republican plan, please look at the facts. Even if you are one of the lucky ones who manage not to pay more under the Republican tax plan, make no mistake, when this plan blows a \$1.5 trillion hole in our Nation's deficit, it will be working families who end up paying the bill.

When Republicans' fake math indeed falls short and the deficit is skyrocketing, the Republican budget has already identified how they are going to pay for these tax cuts in the future. Are you ready? They are going to do it with an additional \$470 billion in cuts in Medicare benefits—Medicare. They are paying for a tax cut for wealthy people by reducing the benefits paid out under Medicare to retired Americans and another \$1 trillion cuts in Medicaid. Remember Medicaid? That is the program where the major expense is to maintain the lives and health of two-thirds of Americans who are in nursing homes.

So the Republicans want to give a tax break to the wealthy. They are going to ask seniors who are retired to pay more or receive less from Medicare and make a dramatic cut in Medicaid as well. There is no hiding. Congressional Republicans have made clear that one way or another, working families in America are going to pay for what they call tax reform. At the heart of the Republican playbook for how to bankroll massive tax cuts for the wealthy few and the largest corporations is the elimination of three vital tax breaks for working families.

The House Republican plan will be voted on this week. They are dead set to get this done in a matter of days, and they are going to eliminate in the House plan the medical expense deduction. What does that mean? It means, if someone in your family is diagnosed with a serious illness—God forbid, cancer or whatever it is—and your family ends up incurring massive debts, making sure that person survives, if you incur those debts, you currently can deduct them from your taxes that you pay, but the House Republican plan eliminates the deduction.

In my State of Illinois, 370,000 or more used the medical expense deduction. Their medical bills are that high. The Republicans in the House eliminate that deduction. That isn't going to help working families. It puts them at risk of bankruptcy. The No. 1 reason for bankruptcy in America is medical bills. The House Republican tax plan makes it tougher. More than 370,000 Illinoisans claim an average of a \$10,000 deduction for medical expenses, for hospital care, long-term nursing home care, prescription drug costs. That is just wrong.

There is more. The House plan also eliminates the student loan interest deduction. Think about that for a second. Here, we have 1.5 million young people in Illinois paying off student loans. You know what they face: \$20,000, \$40,000, \$60,000, \$80,000 in debt. Some of them are still living in their parents' basement because of their student loans. We give them one little break. You know what it is? The deductibility on the interest on student loans, and yet here comes the Republicans to eliminate that deduction.

Why would we ever want to make it harder for these students and their families to pay off that mountain of debt that they incur going to college? But that is part of the so-called Republican tax reform.

They also include the one provision I know my colleague from New York, the Democratic leader, feels very intensely about because our States share the same problem. This compromise proposed in the Senate eliminates the State and local property tax deduction for State income tax, sales tax, and property tax currently in New York and Illinois and many other States. We hold to the basic principle, Americans should not have to pay a tax on a tax.

Unfortunately, the Republicans in the Senate believe they want to change that. The net result of that is to increase dramatically the burden so many taxpaying families already face. We have seen increases in our State income tax. We face regular increases in property taxes. This is the one deduction that gives these families a little bit of help, and Republicans are eliminating it.

It was a week ago when I had a press conference with the Realtors in my State and the homebuilders, who are dramatically opposed to the elimination of this deduction and other changes that are being made when it comes to purchasing homes and homeownership. They have told me: If you want real economic growth in Illinois or any State, you start with people who are building and buying homes. Sadly, the Republican approach, when it comes to tax reform, refuses to take that into consideration.

We need to stand up for working families in our States of Illinois and New York and across this Nation. This tax reform plan that has been proposed by the Republicans, who are determined to get it done in just a matter of a few

days, is going to be damaging to so many, and it is not going to help America grow. Middle-income families are going to pay for the cost of giveaways to the wealthiest taxpayers in America.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

THANKING THE SENATOR FROM ILLINOIS

Mr. SCHUMER. Mr. President, first, let me thank my dear friend and colleague from Illinois. As I have always maintained, he is one of the most articulate and eloquent Members of this Senate, on either side of the aisle, and it is a joy to listen to him—not the subject but the way he articulates it, the subject we are interested in but not happy about, which is the tax bill.

REPUBLICAN TAX BILL

Now, Mr. President, Senator McCONNELL always comes down and says: I hope the Democrats will join us in the tax reform bill. Mr. Leader, Mr. Republican leader, we want to join you, but that doesn't mean you write a bill behind closed doors and then say support it.

The way we have done tax reform successfully in the past—I was there in 1986—is Democrats and Republicans sat down together and came up with a bill that maybe a few in each party wouldn't support, but the mainstreams of both parties would. It avoids the secrecy. It also avoids one or two Members saying: Unless I get this, I am not going to be for the bill—which pulls the bill in many different directions.

So, Mr. Leader, yes, Democrats do want to join this, but it is totally disingenuous, not honest of you, to say that without letting us sit at the table, without letting us see the bill. So let's knock it off. You want to do a bill with just Republicans, fine. You tried it with healthcare. You are trying it with tax reform. It is a lose-lose. You will either not pass the bill or you will pass the bill that was enshrouded in secrecy that will have so many problems every Republican who votes for it will regret it.

Yesterday's markup in the Finance Committee indicated the same thing. The markup of the Republican tax bill wasn't the actual bill. It was "a preliminary draft." How do we know it wasn't the real bill? Well, today the Finance Committee has notified us that instead of continuing the markup as usual, the committee will recess after a morning session because the Republicans are not ready with their replacement bill—the real one.

This is crazy. The President, who doesn't know what is in the bill—we all know that—has set an arbitrary deadline, and to meet that deadline, our Republican colleagues are sacrificing the integrity of the process and the quality of the bill.

We are 2 days into a markup, halfway, and Democrats haven't even seen

a real bill yet. In their desperate rush to get this bill through Congress, Republicans started by marking up a bill that is not even the one they intended to pass. It is a bait and switch. It is the perfect example of the problem with rushing a bill of this magnitude through Congress.

Republicans can't keep up with their own reckless, breakneck pace, and they are going to have to delay the markup. This same problem is going to repeat itself over and over again on issues of greater complexity and consequence.

What happens when Republicans realize their new international tax regime encourages scores of new tax savings and avoidance schemes? What happens if the independent analysts say their new loophole for passthrough businesses doesn't have enough guardrails? What happens if the House and Senate are unable to reconcile their disparate approaches to slashing State and local deductions?

In the New York Times this morning—I commend all my Republican colleagues to read it—they identified new potential problems in this Republican tax bill, problems the writers hadn't thought about, but corporate lawyers by the dozens, by the scores, by the hundreds will find a way to walk through these loopholes, even though our Republican colleagues didn't intend those loopholes to exist. You can be sure that for every 1 of these loopholes, these misadventures, the Times identified, there are 5 or 10 more lurking in the print, in the fine print. The only question is whether our Republican colleagues find them now or find them out later when it is too late after the bill passes.

Instead of rushing through a bill of such enormous complexity, sunlight is the great fermenter of this type of legislation. If it lies out there for a little while, people come in and say: This is wrong or that is wrong. Those will be individuals, those will be pundits, those will be the companies our Republican friends are trying to help. They will say: Wait a minute; this doesn't quite work because no one has had a chance to really see it, examine it, and let it stew.

Now we are asked for other significant changes. What happens if, as we have seen, every few days President Trump tweets, asking the Republicans to change their bill, and this time they repeal the individual mandate and drop the top rate, as he asked them to do yesterday? Each of these decisions has enormous, drastic consequences for American families and American industries.

President Trump's crazy idea to repeal the individual mandate as a part of this bill, according to CBO, would boot 13 million people from the health insurance rolls and cause premiums to skyrocket, all to pay for a bigger tax cut at the top bracket—the wealthiest people in America. What a toxic idea. Are any Republicans going to go home and campaign on that? We are going to

get rid of the individual mandate, kick 13 million people off healthcare, and raise premiums so we can lower the top rate when no one—no one but the hard right—is clamoring for it?

Income distribution is a problem in America. We all admit that we have different solutions for it. So be it. But I haven't heard, as I did in the 1980s, 1990s, or even the early 2000s, a clamoring to lower the top rate, even among those who pay it. They know they are doing well. Wealth has gone way up in America, and it has gone to the top. That is not what we need. It is a toxic idea. Yet Republicans may have to consider adding it to the bill to placate a restless and uninformed President, who, we all know, knows very little of what is in this bill. He just tweets. Somehow our Republican colleagues, instead of ignoring the tweets, pay attention to too many of them.

Yesterday, the nonpartisan Joint Committee on Taxation said that they would not be able to properly analyze the effects of the Republican tax bill in the time they have planned for it. So we are not even having the JCT—nonpartisan, respected for decades—analyze the bill before we are going to vote on it in the committee and maybe on the floor.

Again, the Republican leadership in the House and Senate will ask their Members to vote on a major bill without knowing the consequences. In no world is this proper legislative procedure. No party has ever done this before—Democrats, Republicans, Whigs, Anti-Federalists, Democratic-Republicans, Federalists. We have never seen this before. It is so wrong.

We see so many things that ail this country, and I have to say a lot of them stem from the top—from the President. Yet our Republican colleagues are still fearful of ignoring him, of not listening to ideas they know are ludicrous.

The rush is because my Republican friends, fearful of the President and his self-imposed deadline, are trying to hide a bill that would transfer even more wealth to the superwealthy while raising taxes on millions of middle-class Americans.

According to the Joint Committee on Taxation, of all taxpayers making less than \$200,000 a year, 13 million would see a tax hike in 2019, and 20 million would see a tax hike by 2027. Both Leader McCONNELL and Speaker RYAN said that they would not raise middle-class taxes. They had to back off. For working Americans who do get a tax cut, the average is so small compared to what folks at the top are getting. Americans making \$40,000 to \$50,000 a year get an average cut of \$480, while folks making over \$1 million will get a tax cut of \$50,000—100 times more than what working families get. They can say: Well, that is because the wealthy are richer. But that is not what we need in America right now. The wealthy are getting wealthier. They are doing fine, even under the present

tax regime. Middle-class people's median income has been going down over the last decade. It is harder for middle-class people to average—it shouldn't be OK for them to get \$500 and the wealthy to get \$50,000. We ought to be directing the tax cuts at the middle class.

Republicans—Trump's organization—had an ad on TV. They said that wealthy people's tax rates remain the same, while the middle class gets a cut. That is false advertising because, when we compare apples to apples, the wealthy get a much larger cut than the middle-class people.

We have known for weeks that the longer this bill is in effect, the worse it gets for the middle class. To stay within deficit numbers, the JCT confirmed that under the revised House bill, entire middle-income groups will see a tax hike, on average, just a few years down the road. Speaker RYAN and other Republicans say that those tax hikes will not happen because future Congresses will extend certain tax breaks in perpetuity. If that is true, all the deficit hawks ought to pay attention. There is a gigantic hidden cost to the bill if we are going to make these tax cuts temporary in this bill and then make them permanent.

The scores this week will say that these bills blow a \$1.5 trillion hole in the deficit over the next decade. That is bad enough. But if a bunch of breaks, deductions, and expansions that are now temporary are made permanent, as the Speaker says they will be, the real cost will be hundreds of billions, if not trillions, more. All of my Republican friends who care about the deficit should be wary of this gain.

We do need permanence. We need corporate America in particular to be relying on a permanent change. But you can't do a permanent change without blowing a hole in the deficit, so you do a temporary change. There is a simple solution, which, if Democrats and Republicans work together, we could do: Close corporate loopholes, lower the top rate, keep the corporate reduction deficit-neutral and permanent. My guess is most corporate leaders would prefer that. They would prefer less of a tax decrease and more permanence because you can't build a factory or make a major investment if you know that the decrease is going to vanish.

We shouldn't be rushing through such an ill-conceived, backward bill—breaking the fine traditions of this body, busting the deficit, breaking the backs of millions of middle-class families, making the funding of defense far more difficult when there is so much agreement between our two parties on tax reform. On healthcare, it is hard to agree; the visions are diametrically opposed. But on tax reform, that is not true. Our Republican friends are just bollixing this up. Somehow they had in their heads that they had to do it through reconciliation. They had to do it without Democrats, and the result is a very poor product that most Ameri-

cans already don't like and even more will not like as they learn more about it.

We all want to reduce the burden on small businesses. We all want to encourage companies to locate jobs here. We could put together a bill that does those things. This bill doesn't.

If Republicans turn their backs on this deeply flawed approach, my commitment to so many of my colleagues on the other side of the aisle—who I know are squirming about this bill—is that we will come together and put a good bill together that a majority of both parties can support—both parties. That is how it ought to be done.

PRESIDENT'S TRIP TO ASIA

As President Trump returns from his week-long trip to several Asian nations, it is worth asking: What did America get out of his trip?

Did he forcefully confront the Chinese leaders about our imbalanced and unfair trade system, where we play by the rules and the Chinese do not? No. He said that China's behavior was not their fault and blamed American leaders instead for China's trade abuses.

Even if he believes that, what is the point of saying it? He is encouraging China to keep doing what they have been doing all along if he thinks they are not to blame—letting them off the hook. Why? Because Xi gave him a red carpet?

I have never been so ashamed of a foreign trip in my years. It is just inside out. We attack our friends, and the people who have given us the most trouble—China and Russia—we mollycoddle. That is so bad for the future of this country.

Did President Trump engage the various regional powers in a project of great importance, curtailing and containing the rogue North Korean regime? No. He settled for a sophomoric exchange of insults on Twitter, far below the dignity of the office. Then he came back and bragged about the great ceremony and how well he was treated. Xi played the President. He played the President. Every American should be embarrassed.

I heard one commentator say this morning that this trip cemented China as the leading power of the world, not because they have more economic power, not because they have greater intellectual ideas, not because they are better people but because Xi is dominating and smart, and the President so susceptible to flattery. It is demeaning to the United States and its role in the world.

Then, to add insult to injury, he seems to have a love for dictators. In the Philippines, where a strongman leader is engaged in a vicious campaign of extrajudicial killings, did Trump admonish him? Did Trump uphold the beacon of the United States as the noblest power in the world? No. He lectured and unsettled our allies while emboldening our adversaries, like China and Russia, by treating them with kid gloves and making it clear

that all they have to do is say a few flattering words and the United States will drop the interests that our people are so dependent on.

All in all, President Trump's trip was a colossal flop and embarrassment. He seemed far more interested in pomp and circumstances, red carpets, fancy meals, and the flattery of foreign leaders than in advancing vital American interests in a region that is increasingly looking to China for leadership. After the President's performance, those countries are going to turn more to China. At least they have strength and direction, even though China will take advantage of them, for sure, as they have taken advantage of us.

It is a sad state of affairs when the simplest of strategies—flattery—can derail an entire foreign trip and undercut American influence in the world. President Trump was played for a fool by China's leaders, and he enthusiastically accepted the role.

The President of the United States—this great, grand country we love—is supposed to be the single strongest voice and advocate for our national interests. If he will not stick up for America, her interests, and her values on the world stage, who will?

I yield the floor.

I suggest the absence of a quorum.

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

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

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

TAX REFORM

Mr. RISCH. Mr. President, thank you. I rise to speak about the tax reform issue and the tax reform effort that is front and center for this Congress and for all Americans. Particularly, I want to point out the fact that Congress has not undertaken this difficult task for over 30 years, and for anyone who has been involved in this, they now realize how difficult it really is.

In the years since the last major overhaul, Congress has, by patchwork, added numerous carve-outs and special interests, passed short-term tax extenders, which have made planning for families and businesses very difficult, and has generally contributed to a tax code that today is extremely complex, burdensome, and unpredictable.

My colleague from Idaho Senator CRAPO has stated that we couldn't have done worse if we had set out intentionally to do worse. Many of my colleagues and I have heard story after story from our constituents who have said the same thing. The Tax Code makes it hard for families and businesses, especially small businesses, to comply and plan ahead, let alone grow and prosper. This conversation hasn't gone away, so clearly the system, as it stands, is not serving the American people as it should.

It is imperative for the continued growth of the American economy that

we simplify the system, reduce complexity, and create certainty. Tax reform will bring relief to American families. Under the plan released by the Senate Finance Committee, middle-class Americans will see a benefit in the form of a lower tax bill, which means more money for households to bring home. In addition to keeping more money in the pockets of hard-working Americans, the Senate plan nearly doubles the standard deduction, increases the child tax credit to help families with the very real costs associated with raising a family, and preserves an existing tax credit to help care for elderly family members. This tax plan would also make it easier for individuals and families to avoid a time-consuming and expensive tax-filing nightmare by simplifying the Tax Code and eliminating deductions.

The aim of this entire exercise is to make the Tax Code simpler, fairer, and easier to comply with, reducing the burden on taxpayers and creating an environment that enables families and businesses to thrive.

Tax reform will help grow small businesses. As chairman of the Senate Small Business Committee, I have focused on highlighting small business issues in this tax reform process. The ranking member, Senator SHAHEEN, and I held a bipartisan hearing in June to talk about tax policies that would most benefit small businesses across the country. As a result, we sent a bipartisan letter to the Senate Finance Committee, which was drawing this bill, to outline the policies we determined were most important. The topline issue was the need to address the individual Tax Code along with the corporate Tax Code. Most of the Nation's small businesses are organized in a way that they pay taxes through the individual code. It is amazing they managed to create the majority of new jobs in America, despite facing this higher tax rate, with the added burden of spending time and money away from businesses to comply with this complex Tax Code. Thankfully, Ranking Member SHAHEEN and I are not the only ones who heard this message, and lower rates for small businesses is part of this conversation.

Small businesses have identified tax policies that work for them, along with changes that could be made to help more of them across the country. Two of the examples are the cash method of accounting and section 179 expensing. Cash method accounting is a simpler way for small businesses to keep their books, and section 179 expensing allows small businesses to immediately deduct the cost of investing in their business up to a certain amount. Both of these commonsense policies will reach more business owners in tax reform.

I am encouraged by the plan the Senate Finance Committee released last week and the process they are undertaking this week to move this bill forward. With tax reform, we have a real opportunity to make changes that will

have a tangible, positive impact on the American people and create an environment for our Nation's job creators to prosper. I am excited to see the kind of job creation that will result from the changes we are considering, and I look forward to working with my colleagues to make this a reality.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

YEMEN HUMANITARIAN CRISIS

Mr. MURPHY. Mr. President, my colleagues, cholera is a truly awful way to die. It is a manmade disease, a man-caused disease that this world could easily eradicate from existence. You become so dehydrated, you vomit so much liquid, your body dispenses so many nutrients, so much water through unending diarrhea, that your body is thrown into shock. You literally die from vomiting and diarrhea, sometimes over the course of hours, sometimes over the course of days, sometimes over the course of weeks.

Inside Yemen today, by the end of this year, there will be 1 million people diagnosed with cholera.

This picture I have in the Chamber is a hard image to see. I will replace it with this one.

One million people will be diagnosed with cholera. Thousands and thousands inside Yemen today are dying because of this disease. There is a humanitarian catastrophe inside this country—which very few people in this Nation can locate on a map—of absolutely epic proportions. This humanitarian catastrophe, this famine—one of four famines across the world today—is being caused in part by actions of the United States of America, and it is time that we do something about it as a body.

As we speak today, the Saudi-led coalition that has been engaged in an incessant 2-year bombing campaign in Yemen is blockading Yemen, not allowing any humanitarian relief, not allowing fuel or food or water to get into the country.

The coalition's blockade has grounded U.N. flights. It has prevented humanitarian workers from flying in and out of the country. It has barred ships from delivering lifesaving food, fuel, and medical supplies. A 25,000-metric-ton World Food Programme ship is currently, as we speak, being denied access to the port. As we speak today, hospitals and aid organizations inside Yemen are shutting down because they do not have enough fuel to continue operating. Vaccines will run out in the country by the end of the month. Prices for food and medicine are spiking such that they are unaffordable to

the majority of Yemenis. Because of cholera alone, 2,000 people have died. Thousands of other civilians have died because of other humanitarian nightmares, including a lack of access to the medical system.

I mentioned that the blockade is being run by the Saudi-led coalition. The United States is a member of that coalition. For 2 years, the United States has been aiding the Government of Saudi Arabia in a bombing campaign of the Houthi-controlled areas of Yemen. That bombing campaign caused this outbreak of cholera. Why is that? The bombing campaign deliberately targeted the electricity grid of Yemen in and around Sana'a, the capital controlled today by the Houthis. The water treatment facility runs on the electricity from that grid.

As you can read in a lengthy story in the New York Times from 2 days ago, the country no longer has the ability to treat water that goes to its capital because the Saudi-led bombing campaign has knocked out electricity. The fuel that has helped temporarily run the water treatment facility is no longer available either because the Saudi-led bombing campaign has targeted the infrastructure that allows for fuel to be delivered. So today the water is undrinkable. It is toxic. Yet, because there aren't other supplies of water, millions of Yemenis are ingesting it. They are eating food that is also toxic because of the inability to treat water, because of the flow of sewage and feces throughout the capital city, and almost 1 million people have contracted cholera.

That bombing campaign that targeted the electricity infrastructure in Yemen could only happen with U.S. support. It is the United States that provides the targeting assistance for the Saudi planes. It is U.S. refueling planes flying in the sky around Yemen that restock the Saudi fighter jets with fuel, allowing them to drop more ordnance. It is U.S.-made and transferred ordnance that is carried on these planes and dropped on civilian and infrastructure targets inside Yemen.

The United States is part of this coalition. The bombing campaign that has caused the cholera outbreak could not happen without us. The official position of the State Department with respect to the blockade—which was imposed by the Saudis about a week ago—is that they should end it, at least for the purposes of allowing humanitarian resources into the country. That has not happened.

As I mentioned, there is literally a World Food Programme ship right now with 25,000 metric tons of food waiting to get into the capital to help families like this. So although that may be the official position of the State Department, we clearly aren't articulating that position to the Saudis because the Saudi blockade—which happens with U.S. military support—continues. Maybe that is because the State Department and the White House are simply operating on two different planets.

While on his trip to Asia, President Trump said that he has full confidence in the Saudi King, that he knows what he is doing. Let me tell you what he is doing. He is using starvation and disease as a weapon of war, which is in contravention of international human rights law. You cannot use starvation. You cannot intentionally cause this kind of disease in order to try to win a military conflict. So maybe the Saudis do know what they are doing, but what they are doing is a gross violation of human rights law.

It would be one thing if the United States were a mere observer, but we are a participant in this. This horror—I am sorry, it is hard to see—is caused in part by our decision to facilitate a bombing campaign that is murdering children and to endorse a Saudi strategy inside Yemen that is deliberately using disease and starvation and the withdrawal of humanitarian support as a tactic.

Last night, the House of Representatives passed a nonbinding resolution making clear that there is no legal authorization for U.S. participation in the Saudi-led campaign against the Yemeni people. Importantly, the resolution also made clear that there are multiple bad actors in Yemen today. The vast majority of cholera cases today—I think upwards of 80 percent—are in Houthi-controlled areas. But the Houthis do not have clean hands, and their patrons, the Iranians, do not have clean hands. There have been human rights abuses and attacks on civilian targets by the Houthi forces as well.

The Iranians should stand down immediately, as should the Saudis, as they continue to whip up this proxy war between regional powers that is killing civilians inside Yemen, but without U.S. leadership in the region, there is no hope for that stand-down to happen.

In the Obama administration, at least Secretary Kerry was actively, personally engaged in trying to bring some resolution to the civil war inside Yemen. But since President Trump took office and Secretary Tillerson became Secretary of State, there is zero U.S. leadership on this question. We don't have an Assistant Secretary of State for the Middle East. We don't have any envoy for this crisis. All we have is a President who says that the Saudi Government knows what it is doing.

That kind of unconditional endorsement of intentional humanitarian pain is un-American. We have stood up time and time again for human rights all across the world. We have been the people who deliver humanitarian salvation to people who are at risk of disease and famine and death. And instead of rescuing the people of Yemen during this moment of blockade, we are contributing to the deterioration of the quality of life inside that country.

The Saudi blockade needs to end today. And a partial lifting of the blockade is not enough. This morning,

the coalition did say they are going to allow some humanitarian access to the ports they control, but we need access to the ports near where the majority of the population actually lives—Hudaydah and Saleef. Allowing access to the ports that the Saudis control—which are not the ports where the majority of humanitarian aid flows through—is not sufficient. It will not do the job. Medicine and vaccinations will continue to dry up. Price spikes will continue to go through the roof. The cholera epidemic will continue.

We have a responsibility as a nation to ensure that the coalition, of which we are a part, is not using starvation as a weapon of war. This will be a stain on the conscience of our Nation if we continue to remain silent. I hope the Senate takes the same action that the House did. I hope we make clear that there is no legal authorization for the United States to be part of a war inside Yemen. Congress has not given the authorization for this President to engage in these military activities.

By the way, the civil war inside Yemen has aided the enemies we actually have declared war against. Al-Qaida is getting stronger inside Yemen because, as more and more of the country becomes ungovernable because of this war, al-Qaida is moving into that territory. ISIS—against which we have not declared war, but we are engaged in active military activity in the region—is getting stronger there too.

So even if you don't believe there is a humanitarian imperative attached to U.S. withdrawal from this coalition, there is a national security imperative because we are just strengthening the most lethal elements of the extremist movement worldwide.

I know many other Members of this body on both sides of the aisle feel as strongly about this as I do. We are not going to get leadership on this question from the administration. They have given a blank check to the Saudis. They have turned a blind eye to this epidemic inside Yemen—an epidemic that is getting worse by the day since the Saudi blockade began. Leadership will have to come from this body.

We need to make clear to the administration that they do not have the authority to continue to participate in this military coalition. We need to press the administration to tell the Saudis to end this blockade. We need to start using our ability as appropriators and authorizers to send messages to the Saudis that this kind of conduct cannot continue. We have tools at our disposal to lead as a Congress on this question—the world's worst humanitarian catastrophe happening right now, as we speak, getting worse by the hour inside Yemen. This Congress, this Senate, cannot remain silent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. HASSAN. Mr. President, I rise today to oppose Steven Bradbury's nomination to serve as general counsel at the Department of Transportation.

The general counsel position at DOT oversees and makes critical judgments about legal work that impacts public safety, development, and innovation that drives our economy. Unfortunately, Mr. Bradbury's previous actions during his time at the Department of Justice showed that he lacks the judgment and commitment to our shared values that are a prerequisite for any lawyer privileged to serve the people of the United States of America.

During his time as the acting head of the Department of Justice's Office of Legal Counsel, Mr. Bradbury was one of three primary lawyers who helped lay the groundwork for the Bush administration's defense of what they described as "enhanced interrogation techniques." The so-called torture memos that Mr. Bradbury helped write were used to justify the Bush administration's decision to use torture that included extreme sleep deprivation, cramped confinement, and waterboarding. Mr. Bradbury helped find legal loopholes that were an affront to our American values. And he failed to fulfill the special responsibility all lawyers have to the quality of justice in our legal system.

Mr. Bradbury's past government service reflects a lack of sound legal judgment. In fact, a 2009 review by the Department of Justice raised questions about the objectivity and reasonableness of the conclusions found in the memos he authored. Rather than standing up for our values and laws, Mr. Bradbury deferred to the wishes and pressure of the President he was serving.

Furthermore, during his confirmation hearing, when referring to his legal justification for these so-called enhanced interrogation techniques, Mr. Bradbury stated: "If I had my druthers, I wouldn't have engaged in having to address those issues."

If Mr. Bradbury preferred to not engage in tough legal questions at the time, then he should not have been serving in the Office of Legal Counsel, and he should not be confirmed for a general counsel position now. By definition, the job of general counsel is to deal with difficult legal questions.

It is clear Mr. Bradbury is unwilling to provide the sound legal judgement and impartiality necessary for this role. He has demonstrated, in the past, that his legal analysis is flawed, he lacks a commitment to America's values, and his actions have had truly dangerous implications for our Nation.

I will oppose this nomination, and I urge my colleagues to do the same.

I yield the floor.

CONFIRMATION OF DEREK KAN

Mr. THUNE. Mr. President, I have sought recognition to note last night's strong bipartisan vote of 90 to 7 to confirm Derek Kan's nomination. I am very happy that Mr. Kan is now able to take up the duties of Under Secretary for Transportation Policy at the Department of Transportation after a long, entirely unnecessary delay. As I stated on the floor last week, it is truly unfortunate that it took 4 months and the engagement of the cloture process to confirm this well-qualified nominee, who obviously has strong bipartisan support.

I hope that last night's vote will signal to those who are holding other well-qualified nominees to the Department—including the nomination of Ronald Batory to be Administrator of the Federal Railroad Administration and the nomination of Adam Sullivan to be Assistant Secretary of Transportation for Legislative Affairs—over funding for the multibillion dollar Gateway Project in New York and New Jersey that their strategy is misplaced and depriving the Department of the very expertise needed to make progress on Gateway and a host of other critical issues.

Mr. President, I have also sought recognition to voice my strong support for the nomination of Steven Bradbury to be general counsel at the U.S. Department of Transportation. Mr. Bradbury has had an extraordinary legal career in both the private and public sector, and he is well prepared to address the many challenging legal questions that will come before the Department.

Mr. Bradbury is currently a litigation partner at the Dechert law firm here in Washington, DC, and his practice focuses on regulatory enforcement and investigations, rulemakings, and judicial review of agency actions, as well as appellate cases and antitrust matters.

From 2005 to 2009, Mr. Bradbury headed the Office of Legal Counsel at the Department of Justice, the office that provides essential legal advice to the President and the heads of executive departments and agencies.

In that role, he received the Edmund J. Randolph Award and the Secretary of Defense Medal for Outstanding Public Service, among other awards. Before serving in the Justice Department, he worked in private practice for 10 years and clerked for Justice Clarence Thomas on the U.S. Supreme Court and for Judge James L. Buckley on the D.C. Circuit.

On June 28, 2017, the Commerce Committee held a hearing on his nomination, and we reported his nomination favorably on August 2. Last night, the Senate invoked cloture on his nomination.

At his nomination hearing, a number of our Democrat colleagues raised concerns over Mr. Bradbury's suitability for this position, mostly focusing on a number of opinions he wrote regarding interrogation policies while at the Justice Department.

I do not doubt the sincerity of those who question the Bush administration's approach to detainee treatment in the wake of the horrific attacks of 9/11. I know that these concerns are not limited to a single party.

Nevertheless, I would suggest that Mr. Bradbury has demonstrated a willingness to reexamine the difficult decisions made at that time in a manner that underscores the thoughtfulness he would bring to the position to which he has been nominated.

For example, after he became the head of the Office of Legal Counsel in 2004, he participated in decisions to withdraw and supersede previous legal opinions addressing interrogation policies that had been issued by his predecessors.

In response to questions for the record from some of my committee colleagues, Mr. Bradbury elaborated on this topic. Specifically, he said:

I support the McCain-Feinstein Amendment, enacted by Congress in 2015, which mandates that all agencies of the U.S. government are limited to use of the Army Field Manual in the interrogation of detainees and which prohibits the use of physical coercion. I believe the McCain-Feinstein Amendment represents a historic policy decision and a moral judgment for the United States, and it reaffirms America's leadership on interrogation policy and practice. The clear mandate of the McCain-Feinstein Amendment appropriately elevates and vindicates the compelling principle of reciprocity in the treatment of captured U.S. service men and women.

Mr. Bradbury went on to say:

Twelve years ago, when I was called upon to advise on the legality of proposed interrogation policies for use by intelligence officers, the McCain-Feinstein Amendment had not been enacted, and it was understood at that time that intelligence agencies operated under a different, less well defined, legal regime from the U.S. Armed Services. I did my best to pull back previous OLC opinions that were overly broad or otherwise flawed; to limit OLC's advice to the narrowest grounds necessary and avoid reliance on expansive interpretations of presidential power; to spell out very clearly the specific factual assumptions on which the advice depended, including the particular conditions, limitations, and safeguards that were required as part of the policies; and to describe in detail the specifics of those policies so that the senior decision makers on the Principals Committee of the National Security Council would be fully apprised of precisely what they were being asked to approve.

The OLC opinions I prepared on these issues are no longer operative, and the law has changed. I welcome the statutory changes enacted by Congress.

In sum, I believe that Mr. Bradbury has fully addressed these concerns.

It is also worth noting that Mr. Bradbury's nomination has received the endorsement of many bipartisan leaders. During his confirmation process, the committee received letters of support signed by more than 50 former government officials, including former Transportation Secretaries Rodney Slater and Norm Mineta; former Attorneys General Ed Meese, William Barr, and Michael Mukasey; former counsel to the President Fred Fielding; former National Security Advisor Stephen

Hadley; former Solicitors General Ted Olson, Paul Clement, Greg Garre; and many others. He also received the support of nearly 20 State attorneys general from across the country.

Finally, I would also like to address the concerns raised about Mr. Bradbury's representation of the U.S. subsidiary of Takata in connection with the airbag inflator ruptures before the National Highway Traffic Safety Administration.

Mr. Bradbury has agreed to go beyond the requirements of his ethics agreement to recuse himself from all aspects of the Takata airbag inflator recalls for the duration of Mr. Bradbury's tenure as general counsel at the Department of Transportation.

Because Mr. Bradbury has agreed to go well beyond what is required by federal ethics laws and regulations, and well beyond the ethics agreement he signed with the Office of Government Ethics with respect to the Takata airbag inflator recall, I am satisfied that he has more than adequately dealt with conflict of interest concerns and recusals.

Moreover, as I have noted, Mr. Bradbury has received bipartisan support for his nomination, including from former Transportation Secretary Rodney Slater and former Transportation Secretary Norm Mineta.

Accordingly, I urge my colleagues to support the nomination of Steven Bradbury to be general counsel for the Department of Transportation.

Ms. HASSAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BLUNT. Mr. President, Senator KLOBUCHAR and I are here to talk about National Adoption Month.

I think we started a little bit late, so by unanimous consent, I ask that we be allowed to extend our closing time by the same number of minutes.

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

Mr. BLUNT. Mr. President, it is good for both of us and our colleagues to be thinking this month about National Adoption Month, to recognize the celebration of National Adoption Day, which will occur this Saturday. I have had the great privilege of serving as co-chair of the Coalition on Adoption with Senator KLOBUCHAR from Minnesota. It is an opportunity not only for us to work together in a bipartisan way, but at an event we attended just the other