

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

The resolution (S. Res. 324) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

EXPRESSING SUPPORT FOR DESIGNATION OF "NATIONAL OBESITY CARE WEEK"

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 325, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 325) expressing support for designation of the week of October 29 through November 4, 2017, as "National Obesity Care Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 325) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

FITARA ENHANCEMENT ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3243, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3243) to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3243) was ordered to a third reading, was read the third time, and passed.

FEDERAL AGENCY MAIL MANAGEMENT ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 250, H.R. 194.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 194) to ensure the effective processing of mail by Federal agencies, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 194) was ordered to a third reading, was read the third time, and passed.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11 a.m. on Thursday, November 9, there be 30 minutes of postcloture time remaining on the Wehrum nomination, equally divided between the leaders or their designees, and that following the use or yielding back of that time, the Senate vote on the confirmation of the Wehrum nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; further, that following disposition of the Wehrum nomination, the Senate stand in recess until 1:45 p.m., and that at 1:45 p.m., the Senate vote on the motion to invoke cloture on the Kan nomination with no intervening action or debate.

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

ORDERS FOR THURSDAY, NOVEMBER 9, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, November 9; 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 proceed to executive session and resume consideration of the Wehrum nomination.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous con-

sent that it stand adjourned under the previous order, following the remarks of Senators Perdue and Merkley.

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

The Senator from Georgia.

TAX REFORM

Mr. PERDUE. Mr. President, I say to the Presiding Officer, like you, I am a relative newcomer to this body. It is an enormous privilege and responsibility to be a Member. Like you, I come from the real world, spending a career where your word is your bond, and telling untruth is not rewarded. Unfortunately, in this body, sometimes that is not the case, and both sides are guilty. What Americans are demanding right now is a change in the status quo, not only in this body but in Washington and in its entirety.

Tonight I want to talk about some of the things that have happened in this body. I know both sides are guilty, but these are a couple of examples that I think rise above the norm and are so egregious that I could not let them stand.

Right now, Members of the minority party and their friends in the media are doing everything they can to stop us from changing the Tax Code this year. Their complaint about healthcare was that we weren't doing it in regular order. Now we are doing tax reform in regular order. The bill that we are working on in the Senate will go to committee as soon as next week. It will be marked up with amendments from both sides. At the right time, it will then go to this floor, and we will have amendments—again, from both sides—and we will vote that bill, up or down, into law or not. But Members on the other side are actively spreading numbers in studies that are based on false assumptions and have been proven to be untrue. I want to highlight a couple tonight, but there are many others.

On Monday, the Tax Policy Center released a study saying that the House plan, which was released last week, to change the Tax Code would raise taxes on 25 percent of American families. The minority leader said this on that day:

This analysis makes clear that over one quarter of taxpayers will see a tax increase under the Republican plan, all in the name of giveaways for the wealthiest Americans and biggest corporations. Republicans want to take away middle class deductions for people with student loan interest and medical expenses so that the rich can exploit bigger loopholes and corporations can pay lower taxes.

That study by the Tax Policy Center didn't even survive a full day. It was retracted later that afternoon. It is not even publicly available online today to review any longer. Do you know what is, though? The statements that came out of that report that day—false statements, just like the one I just gave, and many others highlighting that this study was reality. Maybe even worse is that these are false stories that are still running through the

media, as if they were true, as if they were facts.

The website Vox posted a story about this study titled, “The numbers are in, and House Republican tax bill raises taxes on nearly a third of Americans.” Surely, they posted an update saying that the study has been retracted. They say that they will update the story once new numbers are released. In the meantime, this headline and this story are still in existence as if they were still true. Why wouldn’t they take down the story? Why wouldn’t they change the headline until new numbers are available?

I wish this were a single, discredited study we are talking about and that this were the only time something like this has happened since we started to have this debate about changing the Tax Code and making America competitive again. Unfortunately, it is not.

Multiple Members of the minority party said that the tax framework supported by President Trump would raise taxes on families earning less than \$86,000 per year. One of my colleagues said: “On average, middle class families earning less than \$86,000 will see a tax increase under the Republican ‘tax reform’ plan.”

Another colleague said: “The average tax increase on families nationwide earning up to \$86,100 would be \$794.00 per year.”

Here is another one: “The average tax increase on families nationwide earning up to \$86,100 would be \$794.”

You begin to think that there is a common thread among many Members in this body about this same story. This talking point is so wrong that even the Washington Post later that day came out and said so. It gave this claim four Pinocchios, which we all know is their highest number against a falsity. That is the worst rating you can get on their fact checking.

The Washington Post’s full ruling said:

Democrats have spread far and wide the false claim that families making less than \$86,100 on average will face a hefty tax hike. Actually, it’s the opposite. Most families in that income range would get a tax cut. Any Democrat who spread this claim should delete their tweets and make clear they were in error.

That is from the Washington Post. At least one statement making this claim is still up, and I haven’t seen a single statement admitting error. These are but a couple of examples. There are many more.

As one last example, House Minority Leader PELOSI has called changing the Tax Code “a Ponzi scheme.” Virtually every Democrat has called it a “betrayal of the middle class.” Clearly, the facts do not back up these claims.

The minority party is doing all it can to stop us from getting this done this year because it makes good politics somehow. That is the only explanation I can think of.

Answer this for me; it doesn’t make any sense: Why would someone oppose

giving the middle class a tax break? Why would someone oppose making America competitive again? Why would someone oppose bringing billions of dollars of U.S. profits back to the United States so that they can be reinvested in the economy and create jobs? I don’t understand it.

It is time for people in Washington, and even in this body, to stop doing what is best for their own political self-interest on both sides, frankly, and start doing what is right for the national interest. That right now—in the next few days—is clearly one thing, and that is fixing this archaic Tax Code.

Every person in this body is responsible to some degree for the archaic nature of this Tax Code. Both parties are responsible. If they were acting in our national interest, we would be hearing about the study showing that, on average, Americans are projected to get a pay increase of somewhere between \$4,000 and \$9,000 under this plan. We would be hearing about how families making less than \$86,000 a year are actually getting a tax cut. Again, that is a point even the Washington Post has acknowledged.

We would be hearing about how lowering the corporate tax rate, ending the tax on repatriated earnings will make us more competitive with the rest of the world. We would be hearing about the economic growth that could result from these potential changes.

We have a historic opportunity before us to deliver results and make a difference in the lives of all Americans. There are Members of the minority party, however, who have supported these changes in the Tax Code right up until the point when President Trump took office. But that is no excuse for this nonsense that is going on right now.

I think it is our role, on both sides, to call out these untruths. It is also our responsibility to stop this nonsense. What the American people want are facts. They don’t want fake news. They want to know that we are here doing their work for them, to make sure that we make America competitive again.

I say to the Presiding Officer, like you, I live in the real world. I have dealt with the nonsense that came out of these bodies that affected our Tax Code in a way that kept us from being competitive. It is time we change that. We have to get it done this year so that we can ignite economic growth next year and give relief to the middle class, who have suffered so much over the last 8 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM WEHRUM

Mr. MERKLEY. Mr. President, we have a very important role in this Senate—to provide advice and consent on

nominees. Our forefathers, who wrote the Constitution, envisioned that this power would be used rarely because a President, knowing this power existed, would nominate highly suitable people for the post that they were intended to occupy. But we haven’t seen highly suitable people coming through this Chamber this year. In fact, we have seen one person after another fabulously unsuited for the office or position to which they were nominated.

We saw Scott Pruitt, who took on and attacked regulations designed to create clean air across this country time after time, in a very close association with the fossil fuel industry that wanted to allow more particulates, more particulates that cause a tremendous amount of health damage in this country.

We saw Betsy DeVos come through this Chamber, an individual who was nominated to be Secretary of Public Education but had never stepped inside a public school, didn’t respect public schools, hadn’t had children in public schools, hadn’t volunteered in public schools, and wanted to decimate public schools. The best thing we could have done for public schools would have been to turn down that nomination, but this Chamber said: Boy, you know, we are going to do everything we can to damage public education.

Many of us stood up against that and said: No, let’s fight for someone who can make public education better, not tear it down. But that is not what we got.

Now we have another individual to be considered on the floor of the Senate, Bill Wehrum. Bill Wehrum was nominated to head EPA’s Office of Air and Radiation. Bill Wehrum has made a career out of working for powerful special interests and attacking any effort to make the air cleaner. Is that a person suitable for this role of protecting the air we breathe and making it better, someone who has sought to make it worse?

During the nomination hearing, I put up a very simple chart. I wanted to understand his thoughts about what was driving climate disruption. I put up a chart showing what NASA data showed for the solar impact, solar flares, and so forth, about which sometimes people say: Well, maybe it is solar flares that are causing the warming of the planet. NASA had data that showed a flat line on that and then a rising temperature.

I said: Is there any sign of correlation between these two lines?

His response was: Well, what do you mean? It is correlation.

He didn’t have any understanding of the basics of how to compare one thing to another.

I put up another chart. The other chart showed all of the activities that are considered to be ones that might contribute to global warming, that are not manmade activities, things like the solar flares and volcanic activity. Again, the NASA data showed a flat line and the rising temperature.