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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

### PRAYER

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

Let us pray.

Almighty God, the foundation of true wisdom, You extend Your powerful dominion over the universe. Stand by our lawmakers, and protect them with Your might. Lord, refresh them with Your wisdom as You prepare them not only for time but eternity. Lord, we praise You for ethically congruent lawmakers, who, in their inmost beings, are true and honest. Give us more Senators who are as true to duty as the needle to the pole. Give us more legislators who are not afraid to call sin by its right name. Lord, provide us with more patriots who will stand for right regardless of the consequences.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 25, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. PAUL thereupon assumed the CHAIR as Acting President pro tempore.

### 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 Palk nomination, which the clerk will report.

The legislative clerk read the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10:30 a.m. will be equally divided between the two leaders or their designees.

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### TAX REFORM

Mr. McCONNELL. Mr. President, Senate Republicans had a productive discussion with President Trump yesterday about our shared agenda. We were particularly focused on how to bring tax relief, economic growth, and jobs to the middle class through tax reform.

It is clear we share a lot of the same goals. It is clear we are united in an ef-

fort to take more money out of Washington's pockets and put more in middle-class pockets. It is also clear we are all excited about this once-in-a-generation opportunity to get America going again and growing again.

So we are watching our friends in the House with anticipation as they consider the comprehensive, responsible budget that cleared the Senate last week. We anticipate they will pass it by the end of the week. Once they do, we will have important legislative tools to move tax reform forward. That is something everyone can look forward to. More importantly, that is something the American people deserve, especially after so many years of an economy that failed to reach its potential—an economy that, so often, failed them.

Tax reform represents the single most important thing we can do today to get the economy reaching for its full potential. We are looking forward to taking the next steps very soon to get it done.

Mr. President, on another matter, I would like to again commend President Trump for the outstanding judicial nominees he has sent us this year. So far, every nominee we have brought to the floor has been confirmed by a majority vote in the Senate. In some cases, those majority votes have been bipartisan and massive, like 95 to 1, like 97 to 0. Yet almost every time a judicial nominee is brought to the floor—even nominees with votes like these, nominees whom both parties support—Democrats throw up partisan procedural roadblocks. For what reason? Certainly, it is not to change the outcome. No. Like I said, in many cases, Democrats actually support the nominees. They are just wasting more of the Senate's time because they can. They are doing it again now. Let's take the two judicial nominees who are currently before the Senate.

First, there is Scott Palk. After nearly two decades as a State and Federal

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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prosecutor, Mr. Palk has the legal skill and community support to excel as a U.S. district judge for the Western District of Oklahoma. The Senate Judiciary Committee approved his nomination by a large, bipartisan vote of 17 to 3.

Then there is Trevor McFadden. Mr. McFadden's sterling record of public service makes him an ideal candidate for the U.S. District Court for the District of Columbia. Not a single Member—not one—of either party opposed him.

These nominees should have sailed to confirmation yesterday. Instead, Democrats are forcing us to waste time so we can again arrive at the exact same conclusion, but simply later this week.

This really has to stop.

In President Obama's first year in office, Republicans forced this procedural hurdle for a single judicial nominee, and it was a controversial one.

Let me say that again. In President Obama's first year in office, Republicans forced the procedural hurdle we have had to endure many times for one nominee, and that nominee was controversial.

In President Trump's first year in office, Democrats have forced this procedural hurdle for every single judicial nominee except one, even if they actually supported him or her in the end. This is just the kind of partisan game that Americans are so sick of.

President Trump should be commended for his strong judicial picks. The Senate is going to keep working hard to confirm them, and we are going to succeed. The only question is whether the Democrats are going to keep wasting more of the Senate's time getting there. I hope they won't. I hope they will end these pointless games so that the Senate can keep its time and focus where it belongs.

I suggest the absence of a quorum.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, good morning.

#### COMMENDING SENATORS FLAKE AND CORKER

Yesterday we all learned that our colleague Senator FLAKE will be retiring at the end of his term. After Senator CORKER's announcement a few weeks ago, this was another blow to this body. Senators FLAKE and CORKER are both men of principle, decency, and conscience.

In his address here on the floor shortly after his announcement, Senator FLAKE alluded to the great figures of history who toiled at these desks to remind us that our time here is only

temporary. He is certainly right. It should comfort him, however, that history will judge Senator FLAKE and Senator CORKER as two men of the greatest conscience to have graced this Chamber on either side of the aisle in a long time. This Senate will be much poorer for their departures.

#### THE BUDGET AND REPUBLICAN TAX PLAN

Mr. President, last week the Senate passed one of the worst budgets in our Nation's history. It excuses one of the most massive expansions of the national debt ever—\$1.5 trillion. It directs the committees to take a sledgehammer to Medicaid and Medicare, again to the tune of \$1.5 trillion, and it sets up the same awful, partisan process that Republicans used to try to jam healthcare through for tax cuts.

The budget is now before the House. I hope every House Member is taking a close look at it, and Republican Members who come from States such as New York, New Jersey, Washington, California, Pennsylvania, Virginia, Illinois, and Minnesota should pay particular attention to the issue of State and local deductibility. There is no doubt the elimination of State and local affects States and congressional districts over the entire country.

For instance, one of the States that pays the highest rates and gets the highest tax break from State and local is Utah. Thirty-five percent of Utahns take it because it is such a large percentage tithe, and they don't use the standard deduction. It affects middle-class families in every State. In the State it has the lowest effect on, West Virginia, it will still affect 17 percent of families. I don't have the numbers in front of me, but my guess is that Kentucky, the home State of our Acting President pro tempore, is probably in the twenties. But in many States, the State and local deduction is claimed by over one-third of taxpayers and amounts to tens of thousands of dollars a year in deductions.

In California, 34 percent of taxpayers take the deduction for an average of \$18,400. In New Jersey, 41 percent of taxpayers claim State and local with an average deduction of \$17,850. Faced with this, some of our colleagues are looking for a compromise. They say: Well, let's just take away the deduction for the people who earn above \$200,000, \$300,000, or even \$400,000. Or they say: You can choose between taking the State and local deduction or the mortgage deduction. That is like saying: Taxpayer, we will chop off your left hand or your right hand, but we will give you the choice.

Even without the mortgage trade, a compromise doesn't work. It doesn't work for a few reasons. No. 1, it is double taxation. You are being taxed on paying tax. No. 2, for States like New York, particularly my upstate colleagues, it chases away businesses. Companies don't want to locate in a place where their top executives are going to pay a lot more, because they can't deduct their taxes. No. 3, it low-

ers State income so that whether or not you use the State and local deduction, your school board, your road building, your police, and your fire departments will be hurt as they will be creating a huge deficit.

So a compromise doesn't work here. I have named some of my Republican colleagues in New York. One of them got very mad yesterday. All I say is this: In 1986 there was a Democratic tax reform bill led by Senator Bradley and Congressman Gephardt. I had the same conviction and with the same strength and velocity opposed their taking away State and local, even though they were of my own party. We worked hard and we succeeded. Tax reform passed in 1986 with Ronald Reagan's blessing. I supported it. It was real tax reform. We closed loopholes and lowered rates. We did not just give massive tax breaks and let the deficit go up. But State and local was removed, and the bill still passed.

So I would simply ask my Republican colleagues to oppose their party leadership when it hurts their States and constituencies, as I did back in 1986 when I was a fourth-term Member of Congress.

Now a few Members of the New York and New Jersey delegation—a whole bunch in New York—have come out against the elimination of State and local deductibility. I salute them. They have done what they should do. In the eyes of the Founding Fathers, they have represented their States and their constituents. They have not represented these hard-right, corporate, wealthy interests that just want their taxes reduced. Are the remaining Members of the Republican delegation from New York and New Jersey, as well as Members from Washington State, California, Pennsylvania, Virginia, Minnesota, Illinois, and all the other States going to stand up now because they know this hurts middle-class constituents? This is not a tax break for the rich. The rich have lots of other big tax breaks, and the property taxes that they pay are not that much in terms of their income. I hope they will stand up as some of my courageous colleagues have in New York State and in New Jersey.

Here is another reason we don't want to eliminate the State and local deduction. A recent study by PricewaterhouseCoopers found that under the Republican tax plan, any homeowner with an income of between \$50,000 and \$200,000 would see an annual average increase of \$815.

Here is the amazing part of their study. They say that home prices would fall 10.2 percent in the short term. That makes sense. If you are a new homeowner or buying another home, you calculate: How much is my mortgage? How much are my property taxes? What deductions will I get? If you don't get the deduction, you have less money to pay the mortgage because you are paying higher taxes. So the demand for homes goes down, the

price new home buyers are willing to pay is less, and home prices go down.

So my Republican colleagues, particularly those in the House who have to vote on this bill tomorrow, are going to hit their middle-class and upper middle class constituents with a double whammy if they vote for this bill. They will pay more taxes, their home values will go down, and home values are the rock of the middle class. That is what people work for their whole lives. The happiness someone 45 or 50 years old has when they pay off their mortgage and their home is theirs is great. Why delay that? Why impede that? Why impugn that?

Are our Republican colleagues willing to go home and explain to their middle-class constituents why their taxes are going up and their home values are going down? Because if they are not willing to confront that, they shouldn't vote for this bill.

The budget is a betrayal of the middle-class men and women who sent House Members to Congress, who sent all of us to the Senate and the House. For many in the middle class, as I said, it raises taxes and erodes property values. And why? To lavish tax breaks on big corporations and the superrich. Its main focus is to give a tax cut to corporations and the top 1 percent.

I would say to the average American: Is your No. 1 goal reducing taxes on big corporations and the richest people in America? Well, that is the Republican Party's No. 1 goal. They say they must have tax reform. It is their No. 1 priority. And this bill, the core of it, the *raison d'être* for it, is to cut taxes on big corporations and the wealthiest people.

Again, to the American people: Is your No. 1 goal the same as the Republican Party's here in the Senate and in the House—to cut taxes on the richest corporations, to cut taxes on the wealthiest individuals? I don't think so. Do you, Mr. and Mrs. American, think that is what Congress should be gearing up to do when it has done so little? I don't think so. The Republican Party is making a huge mistake.

It is not that there shouldn't be tax reform. There should be—but real reform. Big corporations pay a real rate of 16 percent. If we were to lower those rates and close loopholes, we would be doing the economy a favor. As I said, I helped pass that in 1986 once they abandoned State and local deductibility. If it is simply to give a huge tax cut to the wealthiest people and biggest corporations, the recent polling data has shown that the vast majority of Americans are against it. A majority of Americans say: If it means a small tax break for me and a big tax break for the wealthiest, I am not for it.

So I am going to challenge my Republican colleagues: Go out there and speak plainly and honestly about your plan. Don't hide behind fake talking points and fake math. It is a massive tax cut for corporations and the wealthy. Defend it, why you think it is

a good idea. I know some of you truly believe—the Senator from Pennsylvania, a Republican, has spent his lifetime, when he was at the Club for Growth, advocating that cutting taxes on the biggest corporations and wealthiest individuals fuels the economy. Talk directly about it.

I hear the words “middle class” coming out of our Republican colleagues' mouths but not “wealthy” or “big corporations.” And let me just say it doesn't prove to be true.

The corporate tax rate was much lower than the official tax rate. According to Goldman Sachs, our big corporations have more money than they have ever had and are paying a lower tax rate than they ever have, and they are not creating jobs. Give me one reason why giving them a tax break will now have them starting to create jobs when they are already flush with cash.

How about the example of Kansas, and I say this particularly to my two friends. Both are my friends. When I see them both in the gym—I used to play basketball with one. I would say to my two friends, the Senators from Kansas, look at what happened to your own State, the home of Charles Koch. Big tax breaks, huge tax breaks will make Kansas the growth center of America. What happened? They gave huge tax breaks. They predicted that income would go up in the Kansas State treasury by \$300 million. It went down by \$700 million. They had to actually consider schools going from 5 to 4 days. And job growth, this great engine of job growth—Kansas grew last year by 0.2 percent. The American economy grew by 1.6 percent. It was a total flop. Kansas not only rejected the proposal by raising taxes after they had cut them so deeply, they also threw out a lot of the more conservative Republicans, and there was a rebellion within the Republican Party itself.

Trading middle-class deductions for a tax cut for the rich is not a fair trade. Raising taxes on so many middle-class people so you can pay for tax cuts for the rich makes no sense, and it makes no sense particularly now that the scales are tipped more in favor of the wealthy and powerful than ever before.

That is why the American people, now that they realize we are getting close here, despite all the distracting issues the President tweets about—by the way, I hear that in the Republican caucus, he talked about no details on the tax plan; he just said get it done. No details. I know why—they are afraid to talk about it. The President may not know the details, but our Republican colleagues do, and they are afraid to talk about the details in public.

The bottom line is that the American people are learning what this plan is about, and they don't like what they see. In a recent Reuters/Ipsos poll, fewer than one-third of all Americans supported it. And just like healthcare, I believe that the more Americans learn about the plan, the less they will

like it. The number—low enough as it is—in support of the Trump tax plan will get lower.

Listen to this: In the same poll, nearly two-thirds of Republicans said that deficit reduction was more important than tax cuts for corporations. Two-thirds of Republicans said that deficit reduction was more important than tax cuts for corporations. That is not what the bill says. The poll also showed that three-quarters of Republicans said that deficit reduction was more important than tax cuts for the wealthy. Again, the bill does the opposite.

The Republican plan balloons the deficit by \$1.5 trillion to do those two things—tax cuts for the wealthiest corporations and tax cuts for the rich. The more Republicans find out about the plan, the less they will like it.

In conclusion, as the House debates the Senate budget this week, I urge them to consider first and foremost what the plan would mean for their constituents. I would tell them, should they vote down this budget, there are a large number of Democrats, including the minority leader, who want to sit down with Republicans and come up with a nice, mainstream plan, not a plan to please the thousand wealthiest families in America who have so much say over the Republican Party and shouldn't. But we want to work with you on a real, bipartisan plan. Defeat this plan, and we will, just as we promised on healthcare, and we have.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The assistant Democratic leader.

Mr. DURBIN. Mr. President, I want to thank my colleague and the Democratic leader, Senator SCHUMER, for his statement on this Trump tax plan. I think he really has summarized in his statement the concerns many of us have.

We are concerned that the Trump tax plan will do several things. It will cut funds for education in America at a time when we need it now more than ever to prepare our people for the jobs of the future. It endangers Medicare, a program that for almost 50 million Americans is critical for the healthcare they receive. At the same time, it is going to dramatically increase the deficit. For so long, we have heard from the Republicans that their No. 1 issue was cutting the deficit, and now they come up with a tax plan that will increase the size of our deficit. Finally, of course, all of this is being done to create tax breaks for the wealthy and the biggest corporations in America.

Here are the simple facts: As a percentage of our gross domestic product, corporate profits in America have never been higher. Corporate profits have never been higher. As a percentage of the gross domestic product, corporate Federal taxes paid have never been lower. Profits never higher, taxes never lower, and the Trump tax plan says: Let's cut corporate taxes even more, and then let's cut taxes on the

wealthiest people even more. That is not a fair tax plan. It is not a fair tax reform.

The Trump tax plan sadly rewards the biggest corporations and the wealthiest individuals at the cost of cutting education, endangering Medicare, and unfortunately increasing the deficit, to be paid for by our children. The tax break for the wealthiest people in the Trump tax plan doesn't go to the rich. It doesn't even go to the very rich. It goes to the superrich—the superrich. Who am I talking about? The one-tenth of 1 percent. The highest incomes in America—way beyond the rich. It is not a person who drives a big limousine; it is a person who is never going to drive the rest of their lives and owns a big yacht. Those folks—the one-tenth of 1 percent—get 40 percent of all the tax breaks in the Trump tax plan. That may be good news for the President and his colleagues and friends and even his family; it is not good news for working Americans. To think that we would cut education, endanger Medicare, and increase the deficit to give that level of income, the wealthiest people in our country, such a tax break is hard to imagine.

Sadly, one of the provisions in the Trump tax plan creates an incentive for companies to move jobs overseas, because they will have a lower tax rate if they do. Think about that. A President who has told us over and over again that we want to “make America great again” creates a tax program to incentivize businesses to locate overseas and make their profits overseas. That makes no sense whatsoever, but that is the Trump tax plan. I am glad Senator SCHUMER brought that up.

DACA

Mr. President, let me address the issue of the Dreamers. It is one that I have spoken to many times before, and I would like to address it at this point.

On September 5, about 7 weeks ago today, Attorney General Jeff Sessions announced the Trump administration's repeal of the Deferred Action for Childhood Arrivals Program, better known as DACA.

DACA provided temporary legal status to immigrant students if they registered with the government, paid a fee, went through a criminal background check and a national security check, and did that on a renewable basis every 2 years.

The young people protected by that Executive order are known as Dreamers. They came to the United States as children, brought here by their parents. They grew up in our schools, singing our “Star-Spangled Banner,” pledging allegiance to the only flag they have ever known. Seven years ago, I asked President Obama, in a letter that I sent with then-Republican-Senator Dick Lugar, to create a program to protect these young people and give them a chance to earn their way into legal status. The President responded to our request, and almost 800,000 have signed up.

Now, with President Trump's announcement that he is going to eliminate this program, the clock is ticking. By March 5, 2018, every workday for the following 2 years, approximately 1,400 of these Dreamers protected by DACA will lose their work permits and will be subject to deportation. Mr. President, 1,400 a day who signed up for this program, as of March 5 next year, will hear the clock ticking. Teachers will be forced to leave their students, nurses to leave their patients, first responders to leave their posts, and soldiers who are willing to fight for their country will be forced to leave the Army if this happens. It is an outcome that none of us want to see, I hope.

It isn't just a looming humanitarian crisis; it is economic too. The non-partisan Institute on Taxation and Economic Policy says that DACA-eligible individuals contribute about \$2 billion a year to our economy. They are working. They are going to school. These are productive people who against the odds have succeeded in life and want to do more.

The Cato Institute—no liberal think tank—estimates that ending DACA and deporting DACA recipients would cost \$60 billion and result in a \$280 billion reduction in economic growth over the next 10 years.

Poll after poll shows overwhelming bipartisan support for the Dreamers. Even FOX News—no liberal media outlet—recently found that 79 percent of Americans support a path to citizenship for Dreamers—79 percent. What percentage of Republicans support it? According to the FOX poll, 63 percent of Donald Trump voters believe that Dreamers should be given a chance at citizenship.

The answer is clear: We need to pass the DREAM Act, and we need to do it before we leave Washington in the next few weeks. It was 16 years ago that I first introduced it. We have had our ups and downs. We have passed it at some time on the floor of the Senate and then again in the House of Representatives but never quite at the same moment so that it became the law of the land.

Over the years, I have told over 100 stories about the Dreamers. This is another one I want to share with you. This is a story about William Medeiros. William was 6 years old when his family moved to the United States from Brazil. He grew up in Boston and then moved to Florida. In high school, he was an honor student. He graduated with a 3.8 GPA. He was an athlete, playing high school soccer and football. He is now a student at the University of Central Florida. He has a 3.5 GPA. He will graduate in the spring of 2019 with a bachelor's degree in criminal justice.

He is working full time to support himself. Because he is a DACA recipient, he isn't eligible for any Federal financial assistance to go to college. He has to work his way through school, and he is doing it. His dream is that he

wants to be part of America's military. Then, after serving his country, he wants to be an officer with his local police department. Thanks to DACA, he is on his way.

Last year, he enlisted in the Army through the MAVNI Program. In this photo, he is shown with his recruiter from his enlistment ceremony. The MAVNI Program allows immigrants like him, who are vital to the national interest, to enlist in the Armed Forces. More than 800 DACA recipients with these critical skills have had their dream come true. They have volunteered to serve America in our military.

Some Trump administration officials have claimed that DACA recipients are taking jobs away from Americans. But William and hundreds more like him have vital skills that our military desperately needs, and they want him to serve our country. William, along with many Dreamers, is now waiting to ship to basic training. He continues his undergraduate studies and is working full time while waiting for his first chance to serve.

He wrote me a letter, and here is what he said: “My desire to serve this nation and help people, to pay back my dues for everything I have received from this great country, and to lead by example by showing my fellow DACA members that anything is possible with hard work, perseverance, and dedication.”

Is there any doubt in anyone's mind that this young man, William, desperate to serve our country and to be a law enforcement officer, will be an asset to the United States, a source of pride for all of us? Of course not. If DACA goes away and is not replaced, if this young man loses that opportunity, America will lose an important part of its future.

I was at the Phoenix Military Academy, one of six military academies within the Chicago public schools, just last week. I am proud to say that our Chicago public school system hosts the largest ROTC Program in America, with 10,000 cadets from school to school. It turns out that many of them are DACA Dreamers. They want to serve our country just like William. I was joined by COL Daniel Baggio, who runs the Junior ROTC Program. His grandfather was an immigrant who served in the U.S. Army during World War I. Colonel Baggio certainly understands the important role immigrants play in our Armed Forces.

William Medeiros and other Dreamers have so much to give America, but without the Dream Act, William and hundreds of other immigrants with skills that are vital to the national interest will literally be kicked out of the Army. Thousands of Junior ROTC cadets in Chicago will never realize their dream of volunteering to enlist in America's military. They want to serve. They are willing to risk their lives for our country. How can we let them down?

When we introduced the Dream Act, Senator LINDSEY GRAHAM, Republican of South Carolina, said: "The moment of reckoning is coming." It is coming in a manner of days and weeks. I implore my colleagues and both sides of the aisle: Don't let that young man down. Don't let down the hundreds of thousands who just want a chance to prove themselves and earn their way into legal status. We can do this.

Many people are skeptical as to whether Congress can get anything done on a bipartisan basis. I am not skeptical. I believe it can. I believe that we can work together. I have sat down with a lot of conservative Republican Senators in my office—Senators I never dreamed I would be sitting with, discussing this issue, and now we want to make sure we get this job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

PROVIDING FOR A CORRECTION IN THE  
ENROLLMENT OF H.R. 2266

Mr. KENNEDY. Mr. President, I ask unanimous consent that, as in legislative session, the Senate proceed to the immediate consideration of H. Con. Res. 85, which was received from the House.

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

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 85) providing for a correction in the enrollment of H.R. 2266.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion 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 concurrent resolution (H. Con. Res. 85) was agreed to.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

TAX REFORM

Mr. KENNEDY. Mr. President, as the Senate irons out the details of our comprehensive tax reform plan to get the American economy back on track, I want to draw attention today to what I believe is one of the greatest obstacles in our path as we pursue 3-percent annual growth. That obstacle I am referring to is our aging national infrastructure: our roads, our bridges, our airports, our water systems, our sewage systems, and our waterways that desperately need dredging, especially in my State.

If our tax plan is going to be pro-growth, then we need to take advantage of this once-in-a-generation chance to use Federal revenues to invest meaningfully in our economy.

Allow me to explain what I mean by that. Federal investment in our roads, our bridges, our railways, and our waterways would be a shot in the arm for the American economy. It would pay dividends for decades. Companies need good roads and bridges and shipping channels to transport their products and to ensure that they aren't sitting in traffic for hours—sometimes it seems like days—which eats away at profits and raises costs for our people. But for too long, Washington's spending priorities have been to grow the Federal bureaucracy instead of growing our capacity for economic expansion and development through infrastructure upgrades. We know the result. Our Department of Transportation now estimates that we have a backlog of construction and repairs that would cost \$926 billion to clear. It would cost nearly a trillion dollars, and that is just the backlog.

I have a simple solution that I would respectfully suggest to get us back on track. According to the Congressional Research Service, \$2.6 trillion in corporate profits made by American companies are parked overseas, and some outside estimates say \$4 or \$5 trillion. This money is overseas, and it will not be brought back to America as long as our antiquated corporate tax system is going to charge those American companies 35 percent in tax just to bring them back.

Congress is already discussing repatriation as a part of the move to a territorial tax system, which would use a competitive tax rate to encourage companies to bring their dollars back to the United States and keep them here and invest them here in American products and American businesses and American employees.

When tax reform passes—and it will—and we get a one-time surge in tax revenue as a result of this \$3 to \$5 trillion being brought back to the United States, we are going to get only one chance to spend that money wisely. Instead of blowing those repatriated dollars on an already bloated Federal bureaucracy, we ought to invest that money solely and exclusively in desperately needed infrastructure upgrades. Even a one-time target investment in clearing the industrial backlog will create jobs and stimulate the economy for decades.

Let's face it, too many of American roads today are axle-breaking insults to the 21st century. They are holding our economy back.

Let me be clear. We are talking about hundreds of billions of dollars flowing into infrastructure if we just make good use of those repatriated dollars. For example, just in my State of Louisiana, this could mean building a new bridge through Lake Charles. It could mean widening the interstate in Baton Rouge. It could mean closing the gaps in I-49 between Lafayette and Shreveport and New Orleans. We have neglected our highways and bridges for far too long, and this is our chance to

use tax reform to catch up, to boost our international competitiveness, to lower costs for consumers, and to put our economy back on track to 3 percent-plus growth, which the American people expect and deserve.

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

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Mitch McConnell, Orrin G. Hatch, John Cornyn, Chuck Grassley, Thom Tillis, Pat Roberts, John Barrasso, Johnny Isakson, Roger F. Wicker, John Thune, Marco Rubio, James Lankford, Richard Burr, Steve Daines, Mike Crapo, John Boozman, James M. Inhofe.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 250 Ex.]

YEAS—79

Alexander	Crapo	Johnson
Baldwin	Cruz	Kaine
Barrasso	Daines	Kennedy
Bennet	Donnelly	King
Blunt	Durbin	Klobuchar
Boozman	Enzi	Lankford
Brown	Ernst	Lee
Burr	Fischer	Manchin
Cantwell	Flake	McCain
Capito	Franken	McCaskill
Cardin	Gardner	McConnell
Carper	Graham	Moran
Casey	Grassley	Murkowski
Cassidy	Hassan	Murray
Cochran	Hatch	Nelson
Collins	Heitkamp	Paul
Coons	Heller	Perdue
Corker	Hoeven	Peters
Cornyn	Inhofe	Portman
Cotton	Isakson	Reed

Risch	Shaheen	Toomey
Roberts	Shelby	Udall
Rounds	Strange	Warner
Rubio	Sullivan	Wicker
Sasse	Tester	Young
Schumer	Thune	
Scott	Tillis	

## NAYS—18

Blumenthal	Harris	Schatz
Booker	Hirono	Stabenow
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Sanders	Wyden

## NOT VOTING—3

Heinrich	Leahy	Menendez
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The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18.

The motion is agreed to.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I rise to speak to the Senate about the nominee that is currently in front of this body and on whom we should vote in the next few hours. We just finished a cloture vote to actually start 30 hours of debate. In the past, we wouldn't have had 30 hours of debate for a district court nominee, especially a district court nominee like this. This would have been something that would have been done by consent. We would have had a vote on this individual, rather than burning up 30 hours of time in debate on a single individual who just passed a cloture vote 79 to 18. This is not a controversial nominee.

Let me introduce you to Scott Palk. Scott Palk was actually reported out of the Judiciary Committee on June 15 of this year. He was nominated by President Trump on May 8. He has been pending since June 15 to get a vote on this floor because of the ongoing delays for each nominee as we go through the process.

Why do I say Scott Palk is not a controversial nominee? It is not just the fact that he passed the cloture vote 79 to 18. Scott Palk, if you remember his name in this body, was also a nominee of President Obama for the U.S. District Court for the Western District of Oklahoma. He is now a nominee of President Trump for the U.S. District Court for the Western District of Oklahoma.

There may be five things total that President Obama and President Trump agree on. Scott Palk is one of those five. This is not a controversial nominee, and he will be a great judge for us. He will also be a great judge in Western Oklahoma.

He currently serves as the assistant dean for students and the assistant general counsel at the University of Oklahoma College of Law in Norman, OK, a position he has held since 2011. He has the strong support of the president of the University of Oklahoma, who happens to be former Senator David Boren, a Democratic Senator from this body, who is now leading the University of Oklahoma and has done that with great excellence for the past two decades. He is also strongly behind this nominee as well.

Scott Palk joined the University of Oklahoma College of Law after 19 years

of public service as a State and Federal prosecutor. He graduated in 1992 from the University of Oklahoma College of Law, where he began his legal career as a legal intern for the district attorney's office of district 21, serving in Cleveland, Garvin, and McClain Counties.

After graduating and passing the bar, he became an assistant district attorney for Cleveland County, where he prosecuted a variety of crimes and death penalty cases. In 1994, he became the multicounty drug task force coordinator, initiating and directing the district's first wire-interception drug investigation and coordinating Federal and local resources, culminating in the successful prosecution of a significant multicounty methamphetamine distribution organization.

The Association of Oklahoma Narcotics Enforcers awarded him the Prosecutor of the Year award in 1993. In 1992, he became the first assistant district attorney for district 21 and served in a dual prosecutorial and administrative role.

In 2002, he joined the U.S. attorney's office in the Western District of Oklahoma, where we are pushing him to be a judge now, as an assistant U.S. attorney, prosecuting violent crimes, gangs, and domestic terrorism.

In 2004, he became the deputy criminal chief of the U.S. attorney's office and served in the additional roles of violent crime, national security coordinator, anti-terrorism, advisory council coordinator, and crisis management coordinator.

That same year, in 2004, the Oklahoma Gang Investigators Association awarded him the Prosecutor of the Year award. The Executive Office for U.S. Attorneys awarded him the Director's Award for Superior Performance.

In 2005, the Drug Enforcement Administration awarded him the Certificate of Appreciation for Outstanding Contribution in the Field of Drug Law Enforcement.

In his most recent role at the U.S. attorney's office, he supervised administrative staff and assistant U.S. attorneys, handling a criminal caseload primarily consisting of national security and organized crimes and coordinating efforts with the FBI Joint Terrorism Task Force, the FBI foreign counterintelligence squad, and the National Security Division of the Department of Justice.

His work in national security matters included both traditional criminal investigations, as well as investigations utilizing provisions of the Foreign Intelligence Surveillance Act.

In 2011, the FBI awarded him the Director's Certificate of Appreciation for Assistance to the Joint Terrorism Task Force.

Scott Palk is eminently qualified for this task. He shouldn't be a controversial nominee, and he should already be a judge. We are missing three judges in the Western District of Oklahoma. President Trump nominated him on

May 8, and it is now the end of October when we can finally get him to the floor to be able to move him.

This delay tactic, this stalling tactic that is out there, this resist movement to try to prevent the President of the United States from getting his staff in every agency and to prevent judges from being able to actually go on the bench is delaying good people who are not controversial to be able to do the job that is needed in each district. He is an individual who passed 79 to 18 on a cloture vote, and I am confident we will not consume the next 30 hours of debate about him. The hours will now expire as we sit in silence on the Senate floor, waiting for us to be able to have a final vote—just delays.

I have made a proposal to my colleagues. It is not a radical proposal. Quite frankly, it was a proposal in 2013, first proposed by a Senator named Harry Reid: to be able to move the nominations time period from 30 hours of just wasted time on the Senate floor to 2 hours—2 hours for district court, 2 hours for the Deputy Assistant Secretary of whatever agency it may be, having 2 hours of debate. These are for individuals who have already gone through committee, already gone through extensive vetting, already moved to the floor, and who most certainly will pass because it is a simple majority to be able to move these individuals based on the change of rules that at that time Senator Reid led.

Let's also do the same rule on time. Instead of 30 hours of wasted time on the floor when we could do other things for the American people, let's go back to the 2-hour agreement that we had in the past. It was a simple rule of 2 hours for individuals like for district courts and other individuals and agencies, 8 hours for higher tier individuals, who may be for a circuit court and such, and 30 hours for Cabinet officials.

I don't think that is an unreasonable request to make. It is a rule that we have done in the past, and it is a rule that we need to go back to. The American people are frustrated with the block in timing on moving people, especially people with wide bipartisan support. No one understands why someone who President Obama nominated and President Trump nominated has to take up 30 hours of time on the floor on debate when no one will really debate him and it is certain what the outcome of these people will be.

The American people are expecting us to debate and to engage on issues. I recommend again to this body: Let's go back to the Harry Reid rule—2 hours of debate for individuals like this in district courts, 8 hours of debate for higher tiered courts, and 30 hours of debate for Cabinet officials and the Supreme Court. We can do that again. We have done that in the past, and I recommend that we move back to that, not just for a single congressional body but as a change in the rules of the Senate, so that, permanently, we are able to be more functional again. A body that is

dysfunctional can be fixed by its own Members, moving us to a functional set of rules. That is what I hope we would achieve in the days ahead.

I look forward to voting for Scott Palk, whenever we finish with a 30-hour clock of time—of wasted time—to be able to move on a nominee and to see wide bipartisan support again for a good nominee. Scott is going to do a great job on the bench. We need him there to be able to get started.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.

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

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

#### HEALTHCARE

Mrs. MURRAY. Mr. President, I come to the floor today to talk about what my bipartisan healthcare bill with Chairman ALEXANDER means for the people we are all here to serve, what it means for patients and families in my home State of Washington and across the country who are worried about being able to afford the healthcare they need, and what it means for States and communities and hospitals that are administering and providing care.

Negotiations of this magnitude are always tough. There are some things you agree on, and sometimes there is common ground that emerges early, but there is no question that you also find areas of strong disagreement. You have to work your way to each answer step by step.

One issue that Chairman ALEXANDER and I agreed on from the very start of our negotiations, where we worked our hardest, and what we had the most discussions on was the goal of putting patients and families first and that it would be families who would benefit as much as possible from our efforts to restore stability to our markets. That was the crux of our debate. It was our guiding star.

I am very proud to say that our bipartisan bill does just that. Here is what is at stake. Here is what we know. Patients and families across the country are looking ahead to next year. They are rightly worried about their healthcare—premiums, benefits, and coverage—and they are realizing that they are about to pay the price for the uncertainty and partisanship we have seen on healthcare over the last 9 months.

Like all of my colleagues, I have listened and I have talked with many of these families in my home State, at hospitals, schools, roundtables, and in meetings with patients, doctors, providers, and veterans. They have all made it very clear that enough is enough with playing politics with people's healthcare.

Here is how our bipartisan bill would protect those families and restore certainty to the markets. I will not go into all of the details, of course, but I

do want to focus on some really important points.

First of all, this bill would restore the out-of-pocket cost reduction payments that President Trump has announced he will be ending for this year as well as for 2018 and 2019. This means that some serious sabotage—something that experts say would raise premiums by double digits for millions of families—would be off the table.

Second, this bill would make significant investments when it comes to healthcare outreach and enrollment to make sure that families know about their insurance options.

Third, this bill makes some changes to give our States more flexibility when it comes to developing plans and offering options while maintaining essential health benefits, like maternity care and protecting people with pre-existing conditions or protecting the elderly—and all of this while making sure that costs go down for families and preventing insurers from doubledipping and padding their profits with both cost reduction payments and higher premiums.

Put simply, this bill is an important step in the right direction of preventing premium increases, stabilizing healthcare, and pushing back against President Trump's recent actions.

This bill reflects the input of patients, Governors, State commissioners, experts, and advocates, and it has strong support from a majority here in the Senate. So far, 24 Senators—12 Democrats and 12 Republicans—have cosponsored this bill. I know there are a lot of others who agree that we need to act and that we must do so in our working together under regular order, as with our bill, rather than doubling down on partisanship and dysfunction.

I am focused on moving our bill forward as quickly as possible, and I certainly hope that the majority leader will listen to the Members on both sides of the aisle who also want this bill to be brought up for a vote without delay.

Let me be clear. As this bill moves forward, I am certainly open to changes that expand access to quality care, put families ahead of insurers, and maintain those core patient protections that I have been clear all along have to be protected. I am certainly not interested in changing our bipartisan agreement to move healthcare in the wrong direction.

Chairman ALEXANDER and I have a record of seeing tough legislation through to the end together, whether that is K-12 education, FDA user fees, mental health reform, or opioid use disorders, which is why I am confident that we can do the same with this stabilization bill.

We have negotiated a strong agreement that has the support of 60 Senators, and the support is growing. The President has also expressed his support for our effort, so I see no reason why we should not move this bill

through the Senate, get it signed into law, and then continue the bipartisan discussion on healthcare in the country.

I will also take some time to talk about another pressing healthcare challenge, and that is the immediate need to extend Federal funding for the historically bipartisan, expired primary care cliff programs, like the Community Health Center Fund, the National Health Service Corps, and, of course, the Children's Health Insurance Program, or CHIP.

It has now been almost 25 days since the Federal funding of these primary care cliff programs and CHIP were allowed to expire by the Republican majority, and in that time, I have heard from thousands of people in my State and nationwide who are urging Congress to act. Each day that passes is a day that we are failing to meet our commitment to these families and putting the health and well-being of nearly 9 million children, including more than 60,000 children in my home State of Washington and the 25 million patients who, at great harm and great risk, get care from the community health centers.

In Washington State, as in so many other States, notices to families about gaps in their children's healthcare are about to go out as soon as December 1, and in my State, we will run out of Federal funds for CHIP in November.

Let me be clear. Parents in my home State and across the country should not be up at night, worrying about their children's healthcare because Congress cannot get the job done. That is so unacceptable.

There is a bipartisan deal in the Senate right now that was negotiated between the chairman and ranking member of the Finance Committee that would provide certainty for this vital program. I understand that extreme House Republicans have chosen, instead, to take an irresponsible path in their trying to ram through a partisan bill that will jeopardize the efforts in the Senate and in the House to come to an agreement as soon as possible.

To be clear, this delay has not been without serious consequences, but we can still act. It is up to Republican leaders now to reverse course, come to the table, and join with Democrats to get this done. It should not have to be said, but there should not be any place for partisanship or politics when it comes to protecting the children and families we represent. I hope that we get this done and get it done quickly, and I hope that all of our Members will move forward on this.

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

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



Mr. ALEXANDER. Mr. President, I see the Senator from New Hampshire on the floor. I ask through the Presiding Officer if she is about to speak or if I may speak after her. What I would like to do is to give a brief report on the Congressional Budget Office's report of the Alexander-Murray proposal, of which the Senator from New Hampshire is a cosponsor. I would like to do that either before or after she speaks. Either way would be fine.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, my understanding is that Senator CORNYN was about to come to the floor, but I would be happy to have the Senator give the CBO report on this legislation, which I very enthusiastically support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in respecting Senator CORNYN's prerogative, I will stop when he comes to the floor.

I believe that Senator MURRAY has come to the floor and has reported that the Congressional Budget Office has just finished an evaluation of the Alexander-Murray proposal to the U.S. Senate that would be for the purpose of reducing premiums and avoiding chaos in the individual insurance markets during the years 2018 and 2019.

The Senator from New Hampshire is a strong sponsor of that legislation. It is unusual, in fact, that it has 12 Republican Senators and 12 Democratic Senators. Not many pieces of legislation come to the floor with that support. The reason we accelerated work on it was that President Trump called me and asked me to work with Senator MURRAY to try to develop such a proposal. So now it is being considered by the President, by the House of Representatives, and by other Members of this body.

An important piece of information, as Senator MURRAY has said, is what the Congressional Budget Office writes about the impact of our proposal on the Federal taxpayers and on the consumers across the country.

President Trump has been very clear on one thing he wants, which is that we do not bail out insurance companies if, in 2018, we pay cost-sharing payment reductions, which are payments to pay for deductibles and copays for low-income Americans.

I 100 percent agree with President Trump on that, and Senator MURRAY 100 percent agrees with President Trump on that. We have language in our proposal to make sure that benefits go to consumers and to taxpayers and not to insurance companies. We asked the Congressional Budget Office to review that, and this is what it wrote: "On net, CBO and the staff of the Joint Committee on Taxation (JCT) estimate that implementing the legislation would reduce the deficit by \$3.8 billion over the 2018-2027 period relative to CBO's baseline."

In other words, the Alexander-Murray proposal would reduce Federal

spending by \$3.8 billion. Not only does it not cost anything, but it saves the taxpayers money.

They then wrote a second thing, and this is quoting the Congressional Budget Office: "CBO and JCT expect that insurers in almost all areas of the country would be required to issue some form of rebate to individuals and the federal government."

Let me say that again. This is the CBO talking, the nonpartisan Congressional Budget Office, with respect to the Alexander-Murray proposal that has been cosponsored by a total of 24 Senators—12 Republicans, 12 Democrats: "CBO and JCT expect that insurers in almost all areas of the country would be required to issue some form of rebate to individuals and the federal government."

The Congressional Budget Office has found that our proposal benefits taxpayers and consumers, not insurance companies. The specific benefit to the taxpayers is \$3.8 billion. The exact benefit to consumers has not been determined yet because that will be done State by State. Under our proposal, every State would come up with a plan to say, in 2018, because of the cost-sharing payments, premium rates need to be lower than they are already set. Then, in that State, they would be, and as a result, there would be rebates to individuals.

The CBO also found that there is a provision in the law for a catastrophic plan. That is a new insurance plan for people over the age of 29 that would have lower premiums and higher deductibles, but it would allow people to afford an insurance policy so that a medical catastrophe would not turn into a financial catastrophe.

"CBO estimates that making catastrophic plans part of the single risk pool would slightly lower premiums for other nongroup plans, because the people who enroll in catastrophic plans tend to be healthier, on average, than other nongroup market enrollees."

A major objective, I think, of all of us is to attract more young, healthy people into the pool as a way of lowering rates for everybody.

"As a result of the slightly lower estimated premiums, CBO and JCT expect that federal costs for subsidies for insurance purchased through a marketplace established under the ACA would decline by about \$1.1 billion over the 2019-2027 period."

We have already said what the Congressional Budget Office has reported earlier; that if we don't pass something like the Alexander-Murray proposal, this is what happens: If the cost-sharing payments are not paid, premiums in 2018 will go up an average 20 percent. They are already up. Our proposal will take them down. The Federal debt will increase by \$194 billion over 10 years, if we don't pass our proposal, due to the extra cost of subsidies to pay higher premiums, and up to 16 million Americans may live in counties where they are not able to buy any insurance in in-

dividual markets. The 350,000 Tennesseans in individual markets in Tennessee would be terrified by the prospect of not being able to buy any insurance or by the skyrocketing premiums.

I thank Senator CORNYN and the Senator from New Hampshire, Mrs. SHAHEEN, for allowing me to interrupt and make a brief statement.

Let me go to the bottom line once more. The President has said repeatedly, Senator MURRAY has said repeatedly, and I have said repeatedly that the Alexander-Murray amendment, the short-term bipartisan plan to reduce premiums and avoid chaos, must not bail out insurance companies. We have written language to make sure it does not, and now the Congressional Budget Office says it does not. It does not bail out insurance companies. It does benefit consumers. It does benefit taxpayers to the tune of \$3.8 billion. That is very important information.

I am encouraged by the President's comment yesterday. He thanked me at the luncheon for working in a bipartisan way on this. I am encouraged that Senator HATCH and KEVIN BRADY have introduced a bill recognizing the importance of continuous cost sharing. The ball is in the hands of the White House right now. They have our recommendations. They made some suggestions. That is the normal legislative process.

I am hopeful that something that has this kind of analysis; that it doesn't bail out insurance companies, that avoids a big increase to the Federal debt, that makes certain that people will be able to buy insurance for the next couple of years, that begins to lower premiums, that almost all Democrats want and that Republicans in the House have all voted for once this year when they voted for their repeal-and-replace bill—something like that sounds like something that might become law before the end of the year, and I believe the sooner the better.

I thank the Presiding Officer, Senators CORNYN and SHAHEEN.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am delighted to follow Senator ALEXANDER and was very pleased to hear the news from the CBO that this Alexander-Murray proposal not only doesn't bail out insurance companies, as we all agree we should not do—we want to make sure savings go to consumers—but it also will save taxpayers \$3.8 billion.

This is a bipartisan agreement. I applaud the work of Senator ALEXANDER and Senator PATTY MURRAY to craft this bipartisan agreement to address the challenges we have in the short term with healthcare. Senators ALEXANDER and MURRAY have given us a template for bipartisan negotiations not just on healthcare but on other critical matters that are going to come before this Senate—tax reform, reauthorizing community health centers and the Children's Health Insurance



Program, reaching an agreement on the 2018 budget. These are all major issues facing this country and issues we should be working on in a bipartisan way. The Senate is at its best when we observe regular order and we follow the committee process, when we work across the aisle and make principled compromises to get things done for the American people. I believe that is exactly what this health insurance bill does.

In a Senate that is nearly equally divided between Republicans and Democrats, this is the only productive way forward for us to address the challenges that face this country. Too often we have seen people use bipartisan negotiations as a last resort, but bipartisanship should be the Senate's first resort, not the last resort. It should be the foundation of our work in this body. This is how the great majority of Americans want us to conduct the Senate's business.

When I travel around New Hampshire, this is the consistent comment I hear everywhere I go: Why can't you all work together to get things done for this country? This is especially true on matters like healthcare and tax reform, which affect families throughout the country.

I am encouraged that the Alexander-Murray bill has earned strong bipartisan support and, as Senator ALEXANDER said, has 24 original cosponsors. That number is equally divided between Republicans and Democrats. This is a balanced agreement that has been negotiated by both parties over many months, and I think it is our best bet for stabilizing marketplaces in the short run so we can continue to work on long-term issues around healthcare.

I am especially pleased this agreement provides for the continuation of cost-sharing reduction payments for 2 years. These payments are necessary to keep premiums, deductibles, and copayments affordable for working people. Without these payments, the cost of coverage will skyrocket, insurers will leave the marketplaces, and millions of people will lose their healthcare coverage. I have been working on this issue of cost-saving reduction payments since earlier this year, when I introduced a bill that would permanently appropriate funds for the CSRs.

As the CBO said, the language in the Alexander-Murray bill ensures that these CSRs are not a bailout to insurance companies, but they are a way to help people with the cost of insurance. They are orderly payments that are built into the law that will go directly to keeping premiums, copays, and deductibles affordable for lower income Americans. Both Democrats and Republicans recognize that these payments are an orderly, necessary subsidy that keeps down the cost of health coverage for everyday Americans. As Senator ALEXANDER said, we saw that these payments were in the bill the House voted for around healthcare, and

they were also in the Senate bill earlier this year.

In recent months, I have heard from hundreds of people across New Hampshire about the enormous difference healthcare reform has made in their lives. We are a small State; we have just about 1.3 million people. Nearly 94,000 Granite Staters have gotten individual healthcare coverage through the marketplaces. Nearly 50,000 have gotten coverage thanks to the Medicaid expansion program in New Hampshire. That has been a bipartisan effort, with a Republican legislature and a Democratic Governor, to get that program in place, and it continues to enjoy the support of the Republican legislature and the Republican Governor.

Because of the Affordable Care Act's increased access to care, we also have 11,000 Granite Staters who have substance use disorders and who have been able to get treatment for the first time. New Hampshire has the second highest rate of overdose deaths from the heroin and opioid epidemic. Having treatment available through the expanded Medicaid Program has made a difference for thousands of people in New Hampshire and their families. Hundreds of thousands of Granite Staters with preexisting conditions no longer face discrimination resulting in denial or sky-high premiums. These are important achievements, and this legislation will allow us to continue down that road to make sure people have healthcare coverage they can afford.

For people across New Hampshire and across this country, healthcare coverage is often a matter of life or death. It is about being able to take a sick family member to a doctor. It is about knowing that a serious illness will not leave a mountain of debt.

I am very pleased to be able to join in the bipartisan efforts led by Senators ALEXANDER and MURRAY to strengthen the parts of the healthcare law that are working and to fix what is not working. The other provisions in this legislation will allow States more flexibility through the 1332 waiver process. The Alexander-Murray agreement expedites waiver approval so States can implement smart fixes to stabilize their marketplaces, for instance, by establishing a State-based reinsurance program. The agreement also includes a restoration of funding for open enrollment outreach in educational activities, and it protects four protections related to insurance affordability, coverage, and plan comprehensiveness. All of these changes are positive steps forward, steps that I hope will set us on a bipartisan path, strengthening elements of the Affordable Care Act that are working well and fixing elements that need to be changed.

I am hopeful the Alexander-Murray agreement can gain the bipartisan support it needs to pass in Congress, that it can gain the President's signature, and I am encouraged by Senator ALEXANDER's comments about the Presi-

dent's comments yesterday because we need to restore certainty and stability to the marketplaces. Instead of partisan efforts to undermine the law and take health insurance away from people, we should embrace the spirit of the Alexander-Murray agreement. Let's work together in a good-faith, bipartisan effort to build a healthcare system that leaves no American behind.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### SAFER ACT

Mr. CORNYN. Mr. President, I know people watching and perhaps reading the newspaper, watching cable TV, and listening to talk radio think nothing ever happens here in Washington, DC, and they would be wrong. Certainly, we can always do better, and I am disappointed we haven't been more successful, but there are some measures we can make in the right direction in important pieces of legislation that make a very profound difference in people's lives.

Today I want to talk about a problem that, thanks to a bill passed by the Senate on Monday, we are helping to solve. This has to do with the untested rape kit backlog in our country.

Years ago, thanks to a courageous woman named Debbie Smith, I became a lot better informed about the nature of this problem: rape kits, the forensic evidence that is taken in sexual assault cases but which remained in evidence lockers in police stations untested or was sent to laboratories and never processed. At one point, it was estimated that there were as many as 400,000 untested rape kits in our country.

As the Presiding Officer knows, this is powerful evidence because of DNA testing. We can literally almost say with certainty whether there is a match between the DNA of a suspect and that in a rape kit. This forensic evidence is collected following a sexual assault. Similarly, we can decide and determine whether there is no match whatsoever and, frankly, exclude somebody who is a potential suspect from being the guilty party by using this same powerful forensic evidence.

It is also important not just to solve the crime at hand but also to get sexual predators off the streets because we know this type of offender is likely to strike time and time and time again. The experts tell us that when opportunities don't provide themselves for sexual offenders to go after adults, frequently they will even go after children. So this is very important evidence.

As we know, there is typically a statute of limitations that after a period of time a case cannot be prosecuted, but it is really important, as I mentioned, to continue to test as many rape kits as we possibly can to get serial offenders off the streets and to determine whether somebody has been charged or suspected of a crime and is in fact innocent.

Thanks to courageous people like Debbie Smith, for whom we have named the Debbie Smith Act, as well as great bipartisan cooperation in the Senate, we have provided funding for the testing of rape kits at the State and local level, which has been supplemented by the Texas Legislature and other State legislatures.

In Houston a few years ago, our mayor felt so strongly about this that they took this on as a citywide project, with incredible results. They found a number of hits of previously unsolved crimes, and they were able to bring peace of mind to a lot of people who had been living under a cloud of unsolved crime when they processed these unprocessed rape kits.

Nationally, the problem is still big, with as many as 175,000 rape kits that still haven't been analyzed, and this is something we need to continue to attack. It is down from 400,000 at one point, was the estimate, down to 175,000, but that is still unacceptable.

Victims of sexual assault, scarred by painful memories and physical trauma, can't afford to wait for funding that is easier to come by. They need their stories to be heard, the evidence to be tested, and the results expedited. Federal, State, and local officials owe them those things. If we dawdle, those cases go cold, and they are the ones who bear the scars and the pain of these unresolved crimes.

That is why the Sexual Assault Forensic Evidence Reporting Act, called the SAFER Act, is so important. That is the bill I mentioned a moment ago that we passed in the Senate on Monday. It reauthorizes a program created in 2013 that has helped law enforcement reduce the national rape kit backlog. I thank my friend and colleague, Representative TED POE over in the House, for sponsoring the House version.

The original legislation increased the amount of funds spent on untested kits by 35 percent and allowed 5 to 7 percent of them to be used on audits of existing law enforcement programs. These audits, in turn, uncovered tens of thousands of untested kits across the country, each with evidence that could be used to bring an offender to justice. The new bill passed by the Senate this week goes further. It ensures that pediatric forensic nurses are available for training so that, once they complete it, they are better equipped to respond promptly and appropriately to children suffering from abuse.

Finally, the bill extends the sunset provision of the SAFER Program, which will ensure the longevity of a program with a proven history of success.

I am grateful to have a wide range of bipartisan support, including the senior Senator from Minnesota, as well as the senior Senators from Nevada and Colorado, who are original cosponsors. This is a good example of legislation that is bipartisan and that makes progress toward solving a very real problem in our country. But, as so

often we find the case, there is not much reporting on it, much attention paid, but it is worth noting here on the Senate floor that bipartisan progress on important legislation that helps people's lives become better is being done here in the Senate.

#### CORRECTIONS ACT

Mr. President, I also want to bring up another important piece of legislation I reintroduced this last week, the Corrections Oversight, Recidivism Reduction, and Eliminating Cost to Taxpayers in Our National System Act. Let me call it the CORRECTIONS Act for short because that is a mouthful. I am grateful to my Democratic cosponsor, the junior Senator from Rhode Island, Mr. WHITEHOUSE, for joining me on what is, like the SAFER Act, significant bipartisan legislation.

My home State of Texas has a well-deserved reputation for being tough on crime, but we have also learned over time that it is important to be smart on crime too. We successfully implemented statewide criminal justice reforms that help low-risk offenders become productive members of society once they reenter civil society from prison, and the State is focused on the important role rehabilitation can play.

I am not naive enough to think that every person who is imprisoned behind bars, having been convicted of a criminal offense, is going to take advantage of the opportunity to right their path and to get on with their life, but some will, and given the proper assessments and incentives, we have found that this sort of approach works.

The CORRECTIONS Act that Senator WHITEHOUSE and I have introduced builds off of the State models that have worked in Rhode Island, Georgia, Texas, Louisiana, and elsewhere, and it requires the Bureau of Prisons to provide programs that partner with faith-based and community-based organizations to better prepare these men and women to become law-abiding and active members of society. I hope the Senate can follow Texas's lead and implement these commonsense, bipartisan reforms.

This bill achieves a number of objectives, which I will mention briefly.

First, it requires the Department of Justice to develop risk-assessment tools to evaluate the recidivism potential of all eligible offenders.

Second, it refocuses resources on those offenders most likely to commit future crimes and allows lower risk inmates to serve their sentences under less restrictive conditions, thus reducing prison costs, so the taxpayer wins too.

Third, the bill expands programming—such as substance abuse treatment and vocational training—that has been proven to reduce recidivism.

Fourth, it requires the Bureau of Prisons to foster partnerships with faith-based and nonprofit and community-based organizations in order to deliver a broad spectrum of programming to prisoners.

Next, it allows inmates who successfully complete recidivism-reduction programs to earn credit toward time in prerelease custody, while eliminating eligibility for inmates convicted of serious crimes.

Additionally, the bill requires the Department of Justice to implement inmate reentry pilot projects across the country and to study their effects so that we can gain a better understanding of what works and what doesn't work when it comes to offenders' reintegration into society.

Finally, the CORRECTIONS Act creates a national commission to review every aspect of our criminal justice system. The last review of this type was done in 1965. And while I think Congress—certainly this is within our wheelhouse, but we probably don't have the bandwidth to do this, which is why this national commission is so important to be able to report back to Congress and make recommendations to us.

We know one thing for sure: that when people serve their sentence and they are released from prison, they are going to reenter society. Why wouldn't we want to make sure those who are willing to deal with their addiction, to learn a skill, to get a GED, and to otherwise improve their lives—why wouldn't we want to make sure they are better prepared when they reenter civil society? Otherwise, they are left with this turnstile of crime where they go from prison, to the community, to committing another crime, to another conviction, and back to prison again.

Our focus should be on helping individuals find a productive path as contributing members of society, and that involves making sure returning to prison doesn't happen because there is no alternative. By implementing job training, drug rehabilitation, and mental health treatment, we can focus and save taxpayer dollars, lower crime and incarceration rates, decrease recidivism, and most importantly, we can help people change their own lives for the better.

Joining State and local officials at the forefront of this are groups like Prison Fellowship and the Texas Public Policy Foundation, which create programs for inmates, such as the Prison Entrepreneurship Program—or PEP for short—which teaches prisoners how to start and manage their own businesses when they begin life on the outside. You would be amazed by individuals who started their own businesses through the PEP program and turned their lives around in the process through the mentorship and fellowship that these programs provide.

I hope we can learn from the laboratories of democracy, known as the States, where we implemented successful criminal justice reform programs—this time, in our prison system—where we will all benefit. Taxpayers benefit because we will have to incarcerate fewer people because they won't continue this cycle of release, offend, and

reincarceration—at least a certain percentage of them won't. We can help people whose lives are in a tailspin because of drug or alcohol addiction or who feel as though they are on a dead-end street because they simply don't have the job skills or the education in order to compete in the economy.

I hope we can follow the lead of successful experiments in our States, such as Texas, and implement these commonsense, bipartisan reforms in our Federal prison system.

Mr. President, let me say in conclusion that I know the administration is very interested in engaging on criminal justice reform. Last year, we worked on a sentencing and prison reform bill that unfortunately seems to not be going anywhere. While the prison reform component of it seems to have a consensus of support here in the Congress and I think could pass and be signed into law, the sentencing reform piece is a little more controversial and I know divides even the Republican conference, and I am not sure what it does with the Democratic conference. But I believe we ought to start on a step-by-step basis, get what we can get done, and get it to the President for his signature, while providing these tools to inmates who are incarcerated through the Bureau of Prisons, and then keep working on the other parts on which we perhaps have not yet been able to build consensus.

I hope our colleagues will work with us on this important piece of legislation as we work to reform our criminal justice system in ways that make sense and that save taxpayer dollars.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### TAX REFORM

Mr. BLUNT. Mr. President, yesterday in the middle of the day, the Presiding Officer and I and the Senator from Texas and others had a chance to meet with the President and talk about tax relief. It seemed to me very clear that the President and those of us who are advocating tax cuts right now are on the same wavelength, which is, let's have tax cuts for hard-working families, and let's do the other things we need to do in the Tax Code to ensure that those very same families have better jobs.

As I said on the floor of the Senate last week, there are two ways to increase take-home pay. One is to start taking less out of the paychecks people are getting now, and another one is to give them an even better paycheck in the future. We need to look at both of those ways to increase the opportunity for working families and working individuals.

We are now into the eighth year of almost no economic growth. If there is no economic growth, there is very little incentive for your job to be a better paying job than it was the previous year no matter what has happened to your other costs, and we clearly see that happening.

We are into the first year of this new administration. We are looking at 3 percent annual growth after 8 years in which growth didn't exceed 2 percent. Anytime you begin to talk like an economist, people begin to wonder: Well, what does that have to do with me? Let me just say that for taxpayers generally, for working families generally, the more growth you have, one, the more revenue that comes in that takes care of problems like the deficit. The way you take care of those problems—the best way—is to grow the economy. Two, people are much more focused on keeping the workforce they have, getting the best of the workforce that is coming on board as their workforce moves on for retirement or relocates or does other things.

Three percent economic growth is not good enough. The post-World War II average—that is more than seven decades now of average—is, I think, almost 3½ percent. There are very few economic problems in our country that wouldn't be made substantially better, including our own Federal deficit, if we see growth exceed or even get to the 70-year average. There is no reason to believe that can't happen.

Yesterday, the President was talking about the two ways to immediately relieve pressures on families. One is more take-home pay, and two is a better job that also increases take-home pay. But the first step we can achieve immediately by the kind of tax relief we need.

There have been 8 years of stagnant wages. Half of the families in the country are living paycheck to paycheck. Very few families can face an emergency that is even \$500 without having to restructure what they are doing and how they are doing it. We can do a better job at this. We need more jobs. We need higher wages. And the two principal goals of this tax bill should be to do exactly that—create more wages now, more take-home pay now, and create an environment in which we are going to be more competitive. Simplifying the Tax Code is one way to meet that first impact, having a tax code that people understand better, that they think is fairer.

A tax code where people think they are being treated fairly is much more likely to be complied with than a tax code where people see that somebody else who makes the same amount of money as they make is paying a lot less taxes than they are paying. The American tax system is probably the greatest voluntary compliance. Sure, there are laws that require people to comply, but most people are never impacted by those laws. They know they could be, but the American people have shown a willingness to pay their fair share if they know that their fair share is, in fact, their fair share. A simpler tax system, a more easily understood tax system, a system that has fewer than the seven different tax brackets that people pay today are things we can and should achieve.

Doubling the standard deduction helps a lot when people look at the \$12,000 deduction they have now. For a couple, as they look at that deduction and realize that deduction, that standard deduction, has doubled, suddenly, if you are a couple filing jointly, you are not paying any taxes on the first \$24,000 you earn. If you are a single individual, you are not paying any taxes on the first \$12,000 you earn. Keeping enough of the family-benefiting exemptions helps make the family do what the family would like to do. What if they would like to give to their church and charity? There is no discussion saying we wouldn't keep the standard charitable deduction as a deduction. There is no discussion that we wouldn't keep home mortgage as a deduction so we are encouraging homeownership or looking at how to make the child tax credit bigger rather than smaller.

Many of the early analyses of what this Tax Code would do say that for a family of four, they would pay more than they are paying now up to certain income level. Generally, that will turn out not to be the case—certainly, at the middle-income levels and below if you factor in the child tax credit, which hasn't been determined yet.

Our tax-writing committee will be looking at that child tax credit as an important addition to the individual exemptions because it costs money to raise kids. The Congress surely should understand that, appreciate that, and factor that into the deductions. Just like we are doubling the deduction for individual earners, we also have to look at what that child tax credit should look like.

Tax policies that benefit homeownership, tax policies that encourage contributing to charities and community activities and church and synagogue and mosque—your religious activities—all would continue to be a part of this Tax Code.

Also, when talking about sending kids to school, one way to not have student debt is to encourage families to have ways to better prepare for what they, in most cases, would hope would be a goal or an expenditure their family would make. We can do things like expanding the Pell grants for poor families, but for families who don't qualify for that, we can do things that allow the deduction early on for putting money in a fund that prepares people to go to school.

Keeping well-paying jobs at home and encouraging more jobs to come here is also an important part of the goal. You can't have the highest corporate rate in the world and expect that you are going to be as competitive as you would be with other countries. A corporate rate of 35 percent, in 1986, was fairly near the middle when that rate was arrived at with President Reagan and others working on it the last time we did a tax rewrite, and right in the middle is about where we should be. However, now the situation is we see that right in the middle is no

longer 35 percent; it is about 20 percent. Ireland just revised its 15 percent rate to 8 percent. Great Britain is reducing their rate to a little less than 20 percent. They have been, I think, a little more than 20 percent. We need to be sure the products we make here and the jobs that are created here—that there is a competitive ability to sell that same product anywhere in the world, with the advantage, obviously, of being made by our great workforce but also an advantage where our tax system doesn't work us out of the marketplace, doesn't make us less competitive.

A territorial tax system will be one of the things we are going to hear talked about a lot. For most of us, that doesn't seem to have any impact. We earn our money here, we pay our taxes here, but we also want to be sure that if American companies sell products somewhere else and earn money there, that they can, should, and would bring that money back to the United States to reinvest it in the kinds of things that create jobs here.

I think this doesn't have to be all that complicated. We need to understand what the core principles are. We need to get to those core principles. We need to get this done this year so people are planning, in the first months of next year, on how to take advantage of a new, simpler, fairer, and more competitive Tax Code. This needs to be job one of this Congress for the next few weeks. We need to get that done so job one for the country, beginning at the end of this debate, is what we can do to create more and better jobs and create more take-home pay for hard-working families.

I am joined by some of my colleagues who are going to talk about this same topic, I hope, and others. We need to be focused. I can tell, with the President's comments yesterday, he is focused on this. We are focused on this. This is a job we need to get done.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Alaska.

MR. SULLIVAN. Madam President, I wanted to reinforce and underscore some of the comments made by my colleague from Oklahoma, Senator LANKFORD, on what is happening in the Senate right now. It is actually really important for the American people to understand what is going on. Maybe we would finally get the press, who sit up there above your chair, Madam President, to write about this topic.

Right now, we are debating a very well-qualified district court judge nominee—a Federal district court judge nominee from Oklahoma. Senator LANKFORD was down here, and he obviously knows the nominee, Scott Palk. He is so qualified that the vote for cloture to move forward on this nominee—who, by the way, was nominated by President Trump for a Federal district court position but was previously nominated by President Obama with fairly bipartisan support—was 79

to 18. That is really strong bipartisan support. It just happened about an hour ago on the Senate floor.

So what are we doing? Well, we are still going to be debating for 30 hours. We are not really debating the nominee because he is well qualified. That is what we are doing in the Senate, supposedly. Anyone watching, you know we are not debating him because he is very well qualified, but we are still going to burn 30 hours. Why is this? Well, this raises a much broader issue of the tactics that are happening on the Senate floor right now. The minority leader and his colleagues will not come down and explain what they are up to.

I gave a speech on this a couple of weeks ago, and I just asked: Come on down. Let the American people understand why we are spending all this time on nominees who are very well qualified and have enormous bipartisan support. Why are we being required to go an additional 30 hours? Those are the rules, but normally there would be unanimous consent to move forward. What is happening now hasn't been explained, but it definitely hurts the American people, whether you are a Democrat or Republican. What is happening now is, every single nominee from the Trump administration, whether Federal judge or Assistant Secretary for Health and Human Services, is being delayed. Here are the numbers. Eight years ago, President Obama had about 66 percent of his nominees confirmed at this period in the fall of his first term. People were working through them. If you didn't like the nominee, you would just vote against them, but you wouldn't say we are going to burn half the week of the Senate to debate somebody who is not even controversial. This judge, when we finally get through the 30 hours, is going to pass with 80 Senate votes, but we are burning through it anyway. President Obama, 8 years ago, had 66 percent confirmed. The number for President Trump 8 years later is 33 percent. Imagine our friends in the media—the New York Times—if Republicans were doing this to President Obama during his first few months in office. There would be front-page stories every day. The Republican Party is trying to undermine the new President—delaying, delaying, delaying. You don't hear a peep from our national press. They don't write about it.

It is a problem because we have work to do in this country. I have asked the minority leader to just come down and tell the American people why you are doing this. We have had numerous judges, very noncontroversial, very bipartisan, where we essentially spent the whole week “debating” them. We are not debating this judge, but we are going to spend 30 hours on him.

Why are they doing that? And why are my colleagues on the other side of the aisle agreeing to it? I asked them to come on down and explain it to the American people, the people watching

on TV or in the Gallery. Why are you doing this? Does it help the country? Whether you are a Democrat or Republican, it doesn't help the country. That is the whole point, but nobody wants to come down and explain their delay tactics. The press will not write about it because some of them like it, I think.

Here is the truth. When we are spending all this time all week on this judge who will get voted on—and he will pass because he is very well qualified. Senator LANKFORD laid out his resume. He was previously nominated by President Obama. We are going to vote for him after this 30-hour period, and he will pass with a strong bipartisan vote. What is the challenge? What happens to the other issues we need to address in this country—in this body? We can't get to them, if we wanted to turn to other issues to start moving them.

My colleague from New Hampshire was just on the floor. She talked about all the things we have to do. I agree with her 100 percent: tax reform, healthcare, budget—we never do the budget here anymore—National Defense Authorization Act, growing the economy, as my friend from Missouri talked about, infrastructure, immigration, and the Dreamer issue. We have so much to do, let alone getting Trump administration officials confirmed and judges confirmed. That is a big list, but because we are spending 30 hours on a debate, which really isn't a debate on the judge, and we can't get consent from the other side to actually work on these other issues, this is what we are doing. We are just burning time.

The minority leader will not come down and explain it. I don't know if he can explain it, but that is what we are doing. Again, if the shoe were on the other foot, the press would be going crazy. Right now, they just let it happen. My view is, it would be great if one of my colleagues from the other side of the aisle would come down and say: Here is why we are wasting all of this time. Just let us know.

As Senator LANKFORD mentioned, this judge was nominated by the President in May. Now we are going to spend most of the week “debating” him, when that is not what is going on. It is just a delay tactic. My view is, we should just say: OK. You want to play ball like that? We will stay here 24/7 and keep the Senate open 7 days a week. Let's get to work. Let's stay here until Christmas. See if the minority leader and his team keep doing that, keep delaying. I think we should call their bluff.

Right now, the delay tactics—which nobody on the other side wants to explain—in my view, are not defensible, and they are not helping the country. Whether you are a Democrat or Republican, you want to seat the government. You want to get good people working for the American people. Right now, that is not happening.

I just wish the other side would either explain it or stop doing it. Let's get to work for this Nation.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, I fully associate myself with the comments just made by the Senator from the great State of Alaska. We have to get to work here.

#### TAX REFORM

Mr. President, I am here to talk about one of the most pressing issues we have to deal with. Yesterday, we had lunch where the President spoke about why tax reform was so critical for healing the economy and really having our Nation rise to its full capabilities in terms of economic performance and global competitiveness. You read the headlines. The headlines read like: Republicans are for the big guy, for the corporations, not for the little guy.

You will hear them talk about policies that will have us drowning in red ink. You will hear them talk about unsustainable economic policies. I saw all of those headlines before, about 6 years ago, in the North Carolina statehouse when we inherited a disaster for an economy. It was after the 2008 crisis. We had a State that was drowning in red ink, with a \$2.5 billion structural deficit. We had a tax code that was absolutely out of sync with our competition, and we set about to fix it.

This is what we ended up doing. All of the headlines looked exactly the way the headlines looked today, but we had members on both sides of the aisle, Democrats and Republicans, who recognized that North Carolina should be one of the fastest growing, most competitive States in the Nation. So we went about trying to figure out how to make that happen. We determined, for one thing, that there was an undue burden on individuals and working families. So we had to simplify the tax code, and we had to reduce the tax burden on the individuals. We also recognized that our corporate tax rate was preventing us from getting the job expansion opportunities. The States like South Carolina, Tennessee, Alabama, and Virginia were winning time after time after time.

By the time I came in as the speaker of the house, there had been a long time before we had any major economic development opportunity in North Carolina. So we were able to put together a corporate tax cut, an individual income tax cut, and, in our case, even a sales tax cut, which all of the pundits said was going to be a disaster. It ended up engineering and serving as the basis for one of the most significant economic turnarounds of any State for over the past 30 or 40 years. It went from a zero rainy day fund to a \$2 billion rainy day fund, putting more money into education, putting more money into Medicaid, and creating the resources that would allow us to do the other things we wanted to do.

When I was speaker, I had to go look to see what Texas was doing—I see the

Senator from Texas is here—and say: What could we do to be more competitive with Texas? We looked at Iowa. What could we do as a matter of tax policy that would make us more competitive with Iowa on, let's say, agriculture? Those were our peer competitors. As a State leader, I am looking at my peer competitors in their States.

For our corporate tax policy, we look at China, at Russia, at Europe, and we look at our competitors and make it very clear that we are out of step. As Senator BLUNT said, years ago we weren't out of step, but we are today. We are not competitive with people with whom we should be cleaning their clock in terms of economic expansion. You only get that done if you lower the corporate tax rate. If you actually get people who will invest that capital and hire more people, provide more opportunities for working families, and create more demand for jobs so that wages go up, that is how you ultimately get this economy moving to a point where we create the resources to also ultimately pay down the debt. I still consider that to be the single greatest threat to our national security.

Along the way, the reason I know our tax policy was about right where it needed to be was that virtually every lobbyist in Raleigh was mad at me—and I mean all of them.

If you look at 1986, the last time we did meaningful tax reform, virtually every lobbyist on Capitol Hill was mad at the folks who voted for the bill, and that was on a bipartisan basis. So we have to have Members who are willing to go big, who are willing to actually reduce the corporate tax rate, to work on the tax burden for working families, and to recognize that it is on us.

We are in a historic opportunity to turn this economy around and to take advantage of the fact that other countries are not heeding the call. They are heaping more regulations on their businesses. They are adding more taxes in some cases. This is a historic opportunity for us to just blow past the competition and ultimately create the resources to retire our debt and provide the critical resources we need for so many other things that we need to get here, like strengthening our international defense, making sure our homeland is safe, and securing the border. All of these kinds of things can be done, but they can only be done if we have the courage to move forward with tax cuts and tax reform.

I hope that all of my Members, before Thanksgiving, are in this Chamber and have an opportunity to vote for a bold reform package but, more importantly, for the fulfillment of a promise that we made to the American people if we had majorities in the Senate, in the House, and in the White House. We have it, and it is time for us to act.

I don't care what the headlines read because I have seen those headlines before. I don't care what the special interests want in terms of exemptions and exceptions because I have had

those meetings in my office before. At the end of the day, every single one of those folks who wanted to pick apart one exception or an exemption have come back into my office and said: You know what; you have protected us from ourselves, because if you had listened to us, you would have done far less than you were capable of doing.

There is nobody who follows State politics that would question what was done in North Carolina. It has been an extraordinary turnaround. Now it is time to do the same thing for this great Nation.

I hope that all of my colleagues would set aside the distractions, mute the voices of the special interests that will want their special exemption or exception and fulfill the promise that we made to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I rise today at a time of extraordinary opportunity. The American people have entrusted us with something that, historically, is quite rare: a Republican President, Republican control of every executive agency, and Republican majorities in both Houses of Congress. Now it is incumbent on us to stand up and lead, to deliver on the promises we made to do what we told the American people we would do.

We have before us right now an opportunity for historic tax cuts. Just last week, this body voted out a budget resolution that is the vehicle for adopting tax cuts. I urge every Member of this body to come together in support of a strong, bold tax plan that cuts taxes on every working man and woman and that brings back jobs and economic growth.

Growth is really fundamental to every other challenge we have in this country. If you look historically, since World War II, our economy has grown on average about 3.3 percent a year. Yet, from 2008 to today, we have grown only 1.2 percent a year—about a third of the historic rate of growth.

If we don't turn that around, none of our other problems are solvable. If you care about the national debt, if you care about the deficit, if you care about rebuilding and strengthening our military, if you care about strengthening and improving Social Security and Medicare so that they are there for the next generations, we have to have growth. With economic growth, every one of those is possible. Without growth—if we stay mired in the stagnant Obama 1- and 2-percent GDP growth, none of those problems are solvable.

Growth is foundational. I would like to lay out three principles and then seven key elements that I think should guide this body in tax reform. No. 1 is growth. When we are adopting tax cuts, we should focus directly on jobs and economic growth and focus on the reforms that produce jobs, that expand

economic growth, that grow our economy, that create more opportunity, and that raise wages.

Working men and women in this country are hurting. We need wages going up. We need more jobs. We need young people coming out of school with two, three, four, or five job opportunities. That is what tax cuts are all about. No. 1, we start with growth.

I will point out that we can do this. From 2008 to 2012, the economy grew 0.9 percent a year—less than 1 percent a year on average. If you look back in history to the previous 4-year period when growth averaged less than 1 percent a year, it was 1978 to 1982. It was coming out of the Jimmy Carter administration. It was the same failed economic policies—high taxes, high regulation, high spending, and high debt.

In 1981 Ronald Reagan came into the White House. The Reagan Presidency focused front and center on tax cuts, with major tax cuts in 1981, and then following it up in 1986 with major tax reform.

And what happened? When Reagan came in 1981 with across-the-board tax cuts and tax cuts for everybody, Democrats screamed, the media screamed, and yet the economy took off.

The fourth year of the Reagan Presidency, GDP growth wasn't 3 percent. It wasn't 4 percent. It wasn't 5 percent. It wasn't even 6 percent. It was 7.2 percent in 1984—7.2 percent, those are numbers you hear in the developing world. Those are numbers you hear in China and India.

All of our learned economists who are so world weary and all of our media reporters who are so world weary tell us: No, no, no, that kind of growth is not possible in America anymore. Accept the new normal of 1 and 2 percent of stagnancy, of young people buried in student loans, of people hurting. Accept that as the new normal.

That is nonsense. If we want to see Reagan-style growth, we need a Reagan-style tax cut—an unapologetic, unabashed tax cut that focuses on jobs.

The second big principle is simplicity. There is an old rule, KISS, or "keep it simple, stupid," which is particularly powerful when it comes to tax reform. Bold simplicity has enormous power and, in particular, allowing every American to fill out their taxes on a postcard. I believe that should be an integral element of what we pass. It is what I have been pressing for many years, and what I would continue to urge my colleagues here in the Senate and in the House to do, which is to simplify the Tax Code so that we don't spend millions and millions of hours and paperwork wasted on compliance. Make it a postcard. Make it simple.

Then the third objective is fairness. We want a tax system that is fair, that isn't arbitrary, that isn't Washington picking winners and losers and deciding: OK, this industry we like; so you can do OK. This industry we don't like; so you are going to hurt. We are going to pick between them.

We need to cut everybody's taxes.

Last week, I debated BERNIE SANDERS on CNN on tax reform. BERNIE, to his credit, was very candid. He said he wanted to raise your taxes. If you are a taxpayer, your taxes are going up under BERNIE and the Democrats' vision.

My vision is every bit as simple on the other side. If you are a taxpayer, I want to cut your taxes. That is what we need to do—to cut taxes fairly, across the board for every American, to reduce the burden from Washington, and to create jobs and economic opportunity.

I would note that, in that debate with BERNIE, there was one exchange that I thought was particularly notable. BERNIE, as you know, when he ran in Vermont did not run as a Democrat. Rather, he ran telling the voters he was a socialist. I asked a simple question: What is the difference between a socialist and a Democrat on taxes?

He sat there for several seconds in silence and said: I don't know the answer to that.

My response was: Neither do I.

One side of this Chamber wants to raise your taxes if you are a taxpayer. The other side of this Chamber wants to cut your taxes if you are a taxpayer. That is a simple choice for the American people.

What are the elements that should reflect those principles? There are seven critical elements: No. 1, I believe we should create a simple, low, flat rate. Currently, there are seven individual rates with the top rate at nearly 40 percent. Ideally, what I believe we should have is one simple, low, flat tax.

When I was campaigning for President, I campaigned on a simple, flat tax of 10 percent for every individual and every family in this country, 16 percent as a business flat tax, and to abolish every other Federal tax, to abolish the corporate income tax, to abolish the death tax, to abolish the alternative minimum tax, and to abolish the payroll tax. Everyone pays a simple, flat 10 percent for individuals and 16 percent for businesses. Simplicity has power.

It may be the case that we don't have the votes to go to a simple, flat tax today. If that is where we are, if we don't have the votes to do it today, then the closer we get to that the better. If we can't get to a simple, flat tax, then going from seven brackets to three is an improvement, and going from three to two is even better, and going from two to one would be even better than that. We need to press consistently for a low, simple, flat rate that is fair for everyone.

The second element, which we talked about just a minute ago, is filing your taxes on a postcard. Let me tell you the most wonderful aspect of that simplicity. It is not the billions of hours, it is not the billions of dollars that are saved. The best aspects of filing your taxes on a postcard are actually the physical dimensions of the postcard. It

means that Congress can't add a bunch of new things. Even if we tried to put it in four-point font, eventually you will run out of space on the postcard. The reason a postcard is so important is it imposes a discipline on the Federal Government that it can't carve out a special loophole for every favored or disfavored group because it is simple and flat and fair for everybody.

No. 3, allow immediate expensing. What does expensing mean? It means that if a business makes a capital expenditure, right now, they physically have to amortize it over a number of years. Instead, what we should do is allow full and immediate expensing.

If a farmer in the Presiding Officer's home State of Iowa buys a new tractor, that farmer should be able to expense it immediately, that year. If a steel factory buys new equipment and hires new workers to operate that equipment, that steel factory should be able to expense that new equipment immediately. If a diner buys new kitchen equipment and hires new cooks and waiters and waitresses, the owner of that small business should be able to expense that capital expenditure. And why is that? The reason is the first principle I started with—growth.

If you care about jobs and economic growth, expensing is a powerful engine for jobs and economic growth. It creates millions of new jobs because that capital has to be spent in the United States. It has to be spent here. That tractor is in the United States; that steel equipment is in the United States; that diner with the cooking equipment is in the United States, which means those jobs are in the United States.

I would note, by the way, the people who particularly benefit from immediate expensing are the working men and women of this country—the men and women with callouses on their hands, the men and women, frankly, who gave Donald Trump the victory in November of 2016 or the union workers whom, sadly, the Democratic Party has abandoned.

There was a time when the Democratic Party styled themselves as the party of the working man and woman. That time has been long since forgotten. The Democratic Party now listens to California environmentalist billionaires and ignores the plight of steelworkers, oilfield workers, farmers, ranchers, taxicab drivers, truckdrivers, waiters, and waitresses—the men and women who are working hard for their families. That is who the Republican Party should be fighting for—the working men and women of this country. Immediate expensing impacts working men and women, particularly in heavy manufacturing.

The fourth element is a lower corporate rate. We are seeing, and we have seen over the last 8 years, companies leaving America and moving their headquarters, moving their legal domicile to other countries. Why is that? Because the United States has the



highest corporate tax rate of any developed country in the world. We have created a tax environment that tells American businesses: If you simply get the heck out of Dodge, if you simply move somewhere other than America, immediately your profitability will jump because our corporate tax rate is higher and, in some instances, more than twice as high as our competitors.

Look at Ireland. Ireland used to have high corporate taxes. They cut their corporate tax rate. Then they cut it again, and they are seeing businesses flood into Ireland because of the low corporate tax rate, and they bring with them jobs.

Our focus should be jobs. If we cut the corporate rate so that it is low—so that it is at least as low as our competitors and ideally even lower—we will create an environment where more businesses want to do business in America where there are more jobs.

I am reminded of Hillary Clinton, who said during the Presidential campaign season: Don't let anybody tell you that corporations or businesses create jobs. Even in the world of politics, that was a particularly asinine statement. The last time I checked, you get a job from going to work for a business—unless you start your own business. You either start your own business or you go to work for another business. That is what gives you jobs. We need to create that environment.

In recent years, we have talked about corporate inversions, companies fleeing America. Our friends on the Democratic side of the aisle have all these ideas to punish the companies that flee America. Their approach is: We are going to tax you so high that you can't do business in this country, and then, when you try to survive, we are going to punish you on top of that with fines and penalties. It is actually reminiscent of their approach to ObamaCare, where they fine people who can't afford insurance after driving premiums through the roof.

It is a much better idea to cut our corporate tax rate. Let's create a tax and regulatory environment in America so that businesses want to be here and create jobs. It is my hope that 3, 5, 10 years from now, other countries—European countries and Asian countries—are complaining about corporate inversions because their companies are fleeing their countries and coming to America, because there is no place on Earth better to do business than America, because we will have honored our commitment on tax reform and cut taxes and created an environment where businesses can thrive.

No. 5, encourage repatriation. Right now, Federal tax law subjects American businesses to punitive double taxation at the highest rates in the developed world if they bring capital back here from overseas. U.S. companies have roughly \$2.7 trillion in capital overseas, and our tax system inextricably incentivizes them to keep the money overseas, which means—what do

they do with the money overseas? It means they build factories in China, in Mexico, in India, and countries overseas that aren't America, and then they hire people overseas. Why? Because if they bring the capital back here and hire Americans, our tax punishes them. That doesn't make any sense.

I want to see that \$2.7 trillion come back to America. I want to see that money back in this country. I want to see new factories, I want to see new stores, I want to see new businesses, and I want to see new jobs. We need to encourage repatriation, not put a punitive tax on the money coming back. Do you want to talk about patriotism? There is a reason it is called repatriation. It is patriotic to use that money to hire Americans.

Our Democratic friends just want to yell and scream and insult them. That is not the right answer. People are going to respond to rational incentives. If you punish companies for bringing money back to America, they are going to respond rationally by not doing that. Let's change our tax system so we don't punish them for bringing jobs back to America.

The sixth element, end the death tax. The death tax is one of the most unfair aspects of the Federal tax system. The death tax also happens to be the very favorite tax our friends on the Democratic side of the aisle love to demagogue. I have heard over past weeks attack after attack after attack on the death tax—that it is about the superrich.

Here is a secret that the Democrats will never tell you. The superrich don't pay the death tax. By and large, they manage to avoid the tax with remarkable success rates. They hire armies of accountants and lawyers. Do you think George Soros will pay the death tax? Hold your breath, and let me know how that works out. It doesn't impact the superrich.

The death tax actually generates very little revenue for the Federal Government. Who gets hit by the death tax? It is the farmers, it is the ranchers, and it is the small business owners. In the debate last week with BERNIE SANDERS, BERNIE said that this doesn't affect farmers at all.

The Presiding Officer and I have both spoken with an awful lot of farmers in Iowa and in Texas. I have heard farmer after farmer after farmer lament the death tax because of what happens when the patriarch, when the farmer, passes away and passes the farm on to the next generation. Over and over again, the next generation is forced to sell the farm just to pay Uncle Sam. They have already paid taxes once; they pay taxes when they earn their money. The death tax says that for having the temerity to die, we are going to tax you again at a punitive rate. Death should not be a taxable event. That is not fair. It shouldn't be the case that when you die, the two people you get to see are the undertaker and the taxman.

We see farms that are sold, that are broken up; we see ranches that are sold, that are broken up; we see small businesses that are sold, that are broken up because the next generation that wants to run the small business, wants to keep the jobs, suddenly has a massive Federal tax bill. They don't have the fancy lawyers and accountants who, like the superrich, help them avoid the tax. So they get hit with the full force of the death tax.

If you care about jobs and economic growth, why do you want a small business owner to be forced to sell the factory just to pay the tax bill? This means the employees all get laid off; they lose their jobs. It is much better to have those small businesses growing, to have those farmers prospering, and to have those ranchers prospering.

The final element is that we need to end the alternative minimum tax. The AMT is a totally second set of taxation. Every year, it is growing the number of people who are hit by it, and it just adds complexity to the code.

We should focus on growth, simplicity, and fairness. If we do that, if we focus on bringing back jobs, we have the ability to have a tremendous impact on our country.

Finally, I want to make a plea to the Members of our conference, to the Republicans. We may get some Democrats to support us on tax reform. It is possible. We may get one or two. Sadly, we are in a different world than we used to be. In 1981 and 1986, Democrats actually used to be willing to work with Republicans on taxes.

Tip O'Neill, a Democrat, was Speaker of the House when Reagan passed massive tax cuts. Bill Bradley in this body, a liberal New Jersey Democrat, helped lead the effort for tax reform. There are no Tip O'Neills or Bill Bradleys left. There is not a single Democrat leading the fight for tax reform—not a one.

You may get one or two Democrats at the end of the day who cast a vote after everything is done because they are afraid of the electoral consequences in November. But I will make a prediction right now that if we don't have 50 votes on this side of the aisle, not a single Democrat will provide the 50th vote. They might be the 52nd or 53rd vote, but we ain't getting vote No. 50 from that side of the aisle, which means that for tax reform to happen, our conference has to get our act together. We have 52 Republicans, and we have to get 50 on the same page.

Listen, we are at a time when we are seeing personality battles, and we are seeing nastiness. This is a strange time in politics. Any three Republicans can torpedo tax reform. I am making a plea to all 52: Don't be selfish and petulant. Don't put personal animosities above the good of the country.

We were elected by the voters to do a job. Let's do the job. Let's honor the promises we made. Let's cut taxes, bring back jobs, bring back economic growth, and demonstrate to the voters

there is a reason they elected Republican majorities.

If we don't, if we can't get our act together, then I fear the consequences will be catastrophic, both as a policy matter and a political matter.

I urge my colleagues: Let's do what we said we would do. Let's cut taxes. Let's bring back jobs.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Connecticut.

PUERTO RICO

**Mr. MURPHY.** Madam President, I rise today to talk about the dire humanitarian situation in Puerto Rico and to challenge this country to end a century of discrimination against the Puerto Rican people.

While the fleeting media attention may have waned, the desperation of the people of Puerto Rico has not. The lackluster response from the Trump administration is an outrage. It has been more than a month since the hurricane, and 80 percent of the island's electricity is still out. Roads and bridges have collapsed. Homes have been destroyed. Of the 67 hospitals that are open, less than half of them are operating with electricity. Families are searching far and wide for clean drinking water, and some have been drinking water from wells at a Superfund site.

This kind of inhumane response would never ever be permitted in a U.S. State. But one doesn't even have to look at other States to evaluate this response; we can look abroad. Within 2 weeks of the earthquake in Haiti, there were 17,000 U.S. military personnel on the ground in that country. Two weeks after Hurricane Maria made landfall in the United States, the United States had deployed only 10,000 troops to respond to the disaster in both Puerto Rico and the U.S. Virgin Islands.

News broke yesterday that the state-owned electric company on the island, PREPA, refused to operationalize mutual aid agreements with electric companies on the U.S. mainland. That is a standard step in normal disaster response. Fault lies with PREPA, but how on Earth did FEMA and the Trump administration allow that to happen, leaving millions of Puerto Ricans in the dark and in danger for almost a month? It is beyond comprehension, and it speaks to the failure of the U.S. Government's response.

The truth is that Hurricane Maria exposed far more than just immediate physical damage; the hurricane also laid bare a very simple truth that is plain to every resident of the island and every Puerto Rican living in my State. The truth is this: The United States has been screwing Puerto Rico for over 100 years, and this is just the latest, most disgusting chapter.

There is an undercurrent in the discourse about Puerto Rico that is as pernicious as it is ahistorical. You will hear people, like President Trump, say that Puerto Ricans are wholly responsible for the financial mess they find

themselves in and that Puerto Rico should just pull itself up by its bootstraps. The rewriting of history ignores the fact that the Federal Government and Congress have had our hands tightly wrapped around those very bootstraps since 1898.

The United States acquired Puerto Rico from Spain through the Treaty of Paris in 1898, when the United States defeated Spain in the Spanish American War. Puerto Ricans didn't ask to be part of the United States; we acquired the island. A century ago, Congress extended U.S. citizenship to Puerto Ricans. In 1950, Congress recognized the island's limited authority over internal governance, and Puerto Rico became formally known as the Commonwealth of Puerto Rico.

Being a commonwealth or a territory is permanent second-class status. Without access to the same healthcare reimbursement, the same infrastructure funding, the same education dollars as other States, Puerto Rico starts every single race 50 feet behind the rest of America. These built-in disadvantages are designed to hold Puerto Rico back. They have been in place for 100 years to keep Puerto Rico from being a true economic competitor with the mainland.

Believe me, the Puerto Rican people have done everything they can to overcome this discriminatory treatment. There is an entrepreneurial, never-say-die spirit in Puerto Rico. I know this because no State has a greater percentage of residents with Puerto Rican roots than Connecticut. But despite the strength of the Puerto Rican people, they are stuck because Washington has tied their hands behind their backs by taking away the right to vote in Federal elections, virtually guaranteeing that Puerto Rico's economic disadvantage will never ever be remedied. It is a black hole from which Puerto Rico and the other four U.S. territories can never escape.

Puerto Ricans are U.S. citizens—despite the fact that recent polling suggests that half of Americans don't know this—but they can't vote for President. They have no voting representation in Congress. Think about it this way: Americans with a mainland address can vote if they move to Mongolia or Sierra Leone, but if they temporarily take up residence in a U.S. territory like Puerto Rico, they miraculously lose their right to vote.

There are real, practical consequences to this lack of representation. We are watching the most egregious example right now. Do you really think that if Puerto Rico had two U.S. Senators, 80 percent of the island would still be without power a month after the hurricane? By the way, Puerto Rico has more citizens than 21 States that have a total of 42 Senators in this body. Do you think a President would denigrate and insult Puerto Rico the way President Trump has if it had electoral votes?

The botched response to Maria is just the latest attack on the island, perpet-

uated by a Congress that can afford to ignore a big part of the United States that has no voice in Congress to object.

For over six decades, the U.S. Navy pummeled the island of Vieques, just off Puerto Rico's coast, with ordnance, using it as a bombing range for military exercises. Those weapons allegedly contained uranium, napalm, and Agent Orange. Today, people who live on Vieques are eight times more likely to have cardiovascular disease and seven times more likely to die of diabetes than others in Puerto Rico. Cancer rates on Vieques are much higher.

If you want to know why Puerto Rico has been in a decade-long recession, look no further than Congress. More than 50 years ago, the U.S. Government launched several initiatives to help spur economic growth on the island. It was a good thing. Ironically enough, the initiatives were collectively called Operation Bootstrap. One of the tools that were used to spur economic growth was a tax break to allow U.S. manufacturing companies to avoid corporate income taxes on profits that were made in Puerto Rico. Manufacturers descended on the island in droves, and the entire economy in Puerto Rico became oriented around those companies. But what Congress gives, Congress can take away, especially if the entity you are taking from has no meaningful representation in Congress. In 1996, Congress phased out the tax breaks. Guess what. It sucked the island's tax base away, cratering Puerto Rico's economy for the next two decades.

It is worth noting that Puerto Rico is not blameless for the financial situation that it is in. There definitely has been a fair share of mismanagement on the island. Bad decisions have been made. Saying that Puerto Rico is only a victim of schemes of the mainland is not true. But the same can be said of fiscal mismanagement and bad decisions in other U.S. States. But a century of underinvestment in Puerto Rico has been a big part of the story as to how they arrived at this situation. And unlike all those other U.S. States, Puerto Rico has no way of rectifying the past misdeeds because its toolbox to reckon with its past is limited to what Congress sticks in the toolbox, and that toolbox doesn't provide access to the Bankruptcy Code.

As a result, Congress passed PROMESA, which created this financial oversight board on the island. Puerto Rican bondholders on Wall Street, who bought the bonds for pennies on the dollar, are now challenging the current oversight board's legitimacy, with the hope of being paid before the island gets relief. These practices of the bondholders, who have been circling the island for years, are made more menacing because they are spending boatloads of money lobbying Congress. Just watch TV at night in Washington, DC, to see their ads. They know that the people of Puerto Rico have no voice here, have no votes here.

Now it looks as though other predators are circling. News came out this week that a small, two-person company in Whitefish, MT, somehow, some way, got a no-bid \$300 million contract to restore power in Puerto Rico from the island's power authority—the same power authority that refused the help of experienced electric companies that actually know how to turn the power back on. How does something like this happen? It turns out that the little town in Montana is the home of the new Secretary of the Interior.

Get ready, because this is just the start. President Trump and his billionaire cronies are going to use this disaster to enrich themselves. The Whitefish power contract given to a friend of the Secretary of Interior—with two people employed at that company—is just a scratch on the surface of what is to come.

Puerto Rico has been getting screwed for decades. None of this is new. None of this is unpredictable. If you think this is just one century-long string of rough luck, you are ignoring the last critical aspect of Puerto Rican history.

Back in 1901, when the U.S. Supreme Court decided that even though residents of the territories lived in the United States, they shouldn't be able to enjoy full constitutional protections, the Supreme Court was pretty explicit about why these citizens in places like Puerto Rico deserved this second-class treatment. Justice Henry Brown, who authored the separate but equal doctrine, held that Puerto Rico and the other territories didn't need to be afforded full rights under the Constitution because the islands were "inhabited by alien races, differing from us in religion, customs, laws, methods of taxation, and modes of thought." That, my friends, is racism defined. And it is both past and present when it comes to the rationale for the historical and continued mistreatment of the people of Puerto Rico.

It is time for that mistreatment to change—not just by doing right by Puerto Rico at this moment, at their hour of need. Yes, it is time for President Trump to command that FEMA and the U.S. military and the powers that be in Puerto Rico turn the lights back on right now. Congress should give Puerto Rico every cent they need.

I am glad that we came together this week to approve the latest round of emergency aid, but it is long past time that we addressed the second-class treatment we have given the people of Puerto Rico for decades. Even that racist 1901 Supreme Court decision contemplated that the territories' unequal status could only be justified temporarily. It is time to untie the hands of the Puerto Rican people and ensure that they have full economic and political rights.

I hope my colleagues will join me in this conversation in the coming months. It is just as important as the one we are having on emergency response because if anything good can

come from the disaster of Hurricane Maria, maybe it is that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

#### HEALTHCARE

Mr. UDALL. Madam President, Republicans have spent months trying to repeal the Affordable Care Act. They knew that tens of millions of Americans would lose their care, they knew it would betray our Federal trust responsibility to Native Americans, and they knew it would throw one-fifth of our economy into chaos. TrumpCare failed because the American people opposed it. Americans spoke out against it in record numbers. TrumpCare failed to pass four times. We hope that now we have put that to bed and we can move on.

But rather than listening to millions of Americans, President Trump has responded by sabotaging the Affordable Care Act. His reckless behavior is already causing chaos in the marketplace. His actions have hyped up the cost of premiums. He has sent out-of-pocket costs through the roof. Instead of helping Americans get better healthcare, he has put it out of reach for millions.

I commend my colleagues Senator ALEXANDER and Senator MURRAY. They have found a bipartisan solution to this new healthcare crisis caused by our President. I urge Leader MCCONNELL to put it onto the floor.

The Affordable Care Act isn't the only healthcare program at risk. The President and Republicans are letting funds run dry for other critical health programs. Last month, the Children's Health Insurance Program expired. CHIP insures almost 9 million children across the country, including over 11,000 kids in my home State of New Mexico. The Community Health Centers Program also expired last month.

Republicans failed to extend the Maternal, Infant, and Early Childhood Home Visiting Services. That is one of the most effective health programs that we have. Without it, more than 1,000 New Mexico parents could miss out on home visits. They will not get crucial information about how to nurse their newborns, recognize healthy behavior in infants, and teach basic skills to their children. The Special Diabetes Program for Indians is also set to expire in December.

I urge Republicans to work with us to reauthorize these critical healthcare programs. We need to act urgently. We can get this done by Thanksgiving or earlier if we work together.

Madam President, I want to talk about CHIP first.

CHIP provides comprehensive health insurance for kids whose families do not quite qualify for Medicaid but who cannot afford private insurance. CHIP covers basic medical care, like immunizations, prescriptions, routine check-ups and dental visits. Thanks to CHIP, the rate of uninsured kids in America has dropped from 14 percent to 4.5 percent.

CHIP has been a lifesaver for some families. This is Colton. He is from the small town of Anthony, NM. Colton was 8 years old when he was diagnosed with cancer. Fortunately, the cancer was treatable, and he was insured by CHIP. So the cost of his treatment and medications were covered. Without CHIP, Colton's family would have had to have paid hundreds of dollars a month for his treatment, which is the cost of a month's rent.

Families should not have to choose between lifesaving care for their children and a roof over their heads.

Colton's father wrote to the Santa Fe New Mexican, and it read:

Watching my son battle for his life was almost more than I could bear. I couldn't imagine dealing with the stress of scraping together everything we had to cover the medical bills if we didn't have coverage. Having [CHIP] allowed us to focus on what was truly important—Colton's future and being there for my family as we went through this life-changing experience.

But, now, States are looking at contingency plans. New Mexico has reserves but only until next spring. Some States will be forced to cover all of the cost in just a few months, and others are preparing to send notices to families that their coverage will end. No parent who is already in crisis because of a sick child should have to go through that. CHIP was a bipartisan success story. I hope that we can get back to working together on this.

The 50-year-old Community Health Centers Program delivers comprehensive healthcare services to some of our Nation's most vulnerable individuals—schoolchildren, people experiencing homelessness, agricultural workers, and our veterans. In New Mexico, 17 of these clinics serve 333,000 patients in 90 underserved and rural communities.

The Community Health Centers are also important to the economy in rural communities. In New Mexico, they employ almost 3,000 people across the State. These clinics cannot sustain a 70-percent funding cut if Federal support is canceled. Many would be forced to shut their doors.

I recently visited one of these clinics—the De Baca Family Practice Clinic in Fort Sumner, NM. It provides high-quality medical services to over 3,000 patients. Over one-fifth of its patients are children, and another one-fifth are seniors, but if funding runs out, the De Baca Family Practice Clinic will be forced to start laying off essential medical staff and to reduce its hours.

Clinic director Lisa Walraven told me: "You simply cannot reduce funding by 70 percent from a small frontier healthcare facility and expect anything other than a significant loss of access to care."

Both CHIP and community health centers provide preventive care to underserved communities throughout New Mexico. They are supporting our healthcare system to ensure that we don't let any families fall through the cracks.

Indian Country also depends on these programs and others like them to provide vital care to their communities. The Federal Government has a trust and treaty obligation to provide healthcare to Native Americans. Yet the Indian Health Service is severely underfunded. CHIP and similar programs help to supplement care that the Indian Health Service cannot provide. CHIP currently covers more than 1,400 Native American children in New Mexico. Allowing these programs to expire would betray our treaty obligations.

Another program cited that is critical to Indian Country is the Special Diabetes Program for Indians. It provides grants to Native communities for diabetes treatment and prevention. Without proper treatment, diabetes can lead to limb amputation and kidney failure. The disproportionate impact on Native Americans is a public health problem that we cannot ignore.

This program is making real progress. It helps to fund over 300 Native health programs in 35 States, including 29 programs in New Mexico. They help educate communities about how to prevent diabetes and provide care so that Native patients can manage their diabetes more effectively.

It is one of the most effective public health initiatives ever undertaken by the Federal Government. Diabetes-related kidney failure has dropped 54 percent among Native Americans. In some States, like Alaska, leg amputations among Native people with diabetes have decreased more than 68 percent. This program literally saves life and limb.

Program directors across Indian Country tell me that without this funding they will have to start laying off staff and limiting their diabetes programming. We need to provide funding to Tribal communities so that they can invest in projects that will be more effective in preventing diabetes over time.

Congress must act to allow this successful program to reach its full potential. We cannot allow diabetes to become a death sentence in Indian Country once again.

The failure to fund CHIP, the failure to fund the community health centers, home visiting health services, and the Special Diabetes Program will force families into another health crisis. Every day that we neglect these programs, more people will suffer. These programs have years—sometimes decades—of proven success.

The American people want Congress to work together to come up with bipartisan solutions. Most of these programs were created through bipartisan cooperation. Let's get back to that spirit and work together for the American people again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Mr. President, President Trump has been in office now for more than 9 months. For this entire time, Senate Democrats have been trying to obstruct him from doing the very job that he was elected by the American people to do. The President has laid out his agenda to create jobs, to grow the economy, and to help hard-working American taxpayers. Yet Democrats will do everything they can to stop the President from putting his team in place to accomplish these goals.

They have tried to stop the President's legislative agenda because they know that his policies will actually work. When Republican policies become law, Democrats know that the people will see how successful these Republican policies are. I think Democrats are worried that they may never win another election again once we get these policies into place. That is why we have seen a record number of delays and obstructions by the Democrats in the Senate. They have done it on legislation, and they have even blocked the President from filling some of the most basic jobs within his administration.

It started on day one. Normally, on Inauguration Day, the President gets a substantial number of people confirmed to his Cabinet. The idea is to let the President get his team in place so that it can hit the ground running. President Obama had six of his Cabinet Secretaries confirmed on Inauguration Day, and President Bush had seven Secretaries confirmed on Inauguration Day. These confirmations were by voice vote, but that was not the case with President Trump—just two with rollcall votes on Inauguration Day.

Republicans in the Senate did not do anything to try to block the Cabinet Secretaries for President Obama, for we understood that it was best to give a new President a chance and for all of us to work together when we could. With George W. Bush, it was seven. That is how it usually works, but not anymore—no, not with this group of Democrats in the Senate. They really were never interested in giving President Trump a chance. They really do not seem to be working together. Last January, President Trump had two people confirmed to the Cabinet on Inauguration Day—the Secretary of Defense and the Secretary of Homeland Security. They were the only two jobs that the Democrats allowed the President to fill.

In President Trump's first 9 months in office, Democrats have continued to block the way. They have allowed just 185 of his nominees to take their jobs. That is how ridiculous the Democrats have been in trying to keep President Trump from putting his team in place. By this far into the administration at the same time, President Obama had

364 nominees in place. The Democrats have blocked judges, Cabinet Secretaries, and other high-ranking officials.

Now, it is interesting because you have seen this. Many of these nominees even have Democrat support, and they are not controversial at all, but Democrats are doing everything they can to slow down the process. During President Obama's first 9 months, he had 364 confirmed. So President Obama had gotten 2 for every 1 that President Trump has gotten confirmed.

There are 81 of President Trump's nominees who have gone through the committees and another some number today. They are 81 people who have been nominated by the President for positions in the government who are just waiting right now for a vote on the Senate floor. Many of these people got through the nomination process in June but are still waiting and being blocked by Democrats in the Senate. It is outrageous.

Do Democrats really think that these are not important jobs—that they do not need people in those jobs to do the important work that they have been assigned to do?

I believe that we should confirm as many of them as possible today. There are 13 judges waiting for confirmation. There are 8 U.S. attorneys waiting, including the U.S. attorney from my home State of Wyoming. These are important jobs.

We all understand that there is a process that we need to go through to fill these positions—to make sure the people are vetted and to make sure they are the right people for the jobs. All of these people have followed the process. They have been doing everything they have been asked to do in that they have filled out the paperwork, filled out the disclosures, and have gone through the committees. Now it is time for the Senate to get its work done. I would say let's do it today.

Interestingly enough, in August, the Democrats finally allowed a significant number of people to be confirmed. More than 60 people were confirmed by voice vote on one day. That is the kind of thing that used to be very routine in the Senate—letting a large number of noncontroversial nominees be approved all at once. It is now time to do it again. There is a significant backlog. So I want to get these folks confirmed now. It is time to clear the deck and let these people get to work who have been nominated and vetted, who have gone through the committees and been approved.

We need to move these nominations because we have more nominations on the way. We are going to have to deal with the nominations of two Cabinet Secretaries for positions that are currently vacant. President Trump has nominated Kirstjen Nielsen to be Secretary of Homeland Security. It is an important job, and she is very qualified for it.

Do the Democrats plan to block her confirmation to be Secretary of Homeland Security? Do the Democrats plan to obstruct this qualified woman from doing the important job she has been nominated by President Trump to do?

The President deserves to have his team in place. The Senate has an obligation to get that work done. The Department of Homeland Security deserves to have a Secretary in place to keep us safe. That is how it has worked in the past and how it should be working now.

These people manage major Departments of the government. They manage many career workers. We know that the Washington bureaucracy has grown tremendously over the years and that it is very difficult to eliminate people who aren't doing their jobs properly. We have seen it in the scandals over the years. Remember the Gold King Mine disaster? President Obama's EPA—the group who is supposed to protect the environment—actually dumped 3 million gallons of toxic wastewater in a river in Colorado. Remember the scandals involving bureaucrats in the Department of Veterans Affairs, the IRS, and the General Services Administration during the Obama administration? We need Presidential appointees in place overseeing these Federal workers to make sure that the government of the people is accountable to the American people.

The Senate needs to be involved in providing oversight through our power of advice and consent. Democrats don't want that to happen. They have been keeping the Senate from providing that oversight, dragging out the process, making sure that the bureaucrats whom they seem to have more faith in are accountable to the American people rather than those whom the American people voted for on election day.

These are important jobs, and we have qualified people ready to do the work. Democrats have delayed for 9 months. It is time to break that logjam today.

I thank the Presiding Officer.

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

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

#### WESTERN WILDFIRES

Mr. MERKLEY. Mr. President, I am coming to the floor to talk about the challenge we have with forest fires that have been raging in the West, in Montana and Idaho and Washington and Oregon and California, and periodically we have devastating fires in Colorado, New Mexico, and Nevada.

We have to figure out how we do a better job in a multitude of ways. First, it is very important that we quit treating terrible fire years, enormous

fires, as if they are some ordinary event because there is currently no FEMA-style reaction to terrible forest fires.

We respond with FEMA for tornadoes and for floods and for tidal waves and for hurricanes and for earthquakes but not forest fires. Well, the result is, the Forest Service runs out of funds to fight the fires in a bad year, and then they have to drain all the other programs they are working on, including the programs to prepare for future timber cuts, the programs to thin the forests, the programs to repair the infrastructure in the Federal forests, all these other efforts, and then they can't resume those efforts until we have restored their funding, which can come often far later.

This fire borrowing has to end. That is why we absolutely need to support the bill Senator WYDEN, Senator CRAPO, and others have been working on to say: Let's create a FEMA-like structure for these worst fires so we end this fire-borrowing devastation of the fire accounts. That absolutely needs to happen.

Right now, there are three funding issues we need to address. First, we need to help out the communities that have been impacted economically by these devastating fires. Some have been scorched directly, others have been profoundly affected by the smoke in the community, others have been affected by highways being shut down, and others have been impacted by tourism dropping dramatically. So it is very important that we send a message to the Department of Agriculture, the Small Business Administration, and the Department of Housing and Urban Development to say: Use your emergency programs to assist these communities. We really should make sure they are at the front of the line, along with those who have suffered the disasters in Texas, Florida, and Puerto Rico, for emergency loans and assistance from the Small Business Administration and for an augmented share of community development block grants to assist them in a very flexible fashion.

I had the chance to meet this weekend with leaders in the Rogue Valley to talk about how smoke had affected them, and company after company after company had been dramatically impacted. Some you would say was obvious. If you have a zip line company and tourists aren't coming because the smoke is very thick, you are going to be impacted, but others are a little less obvious; for example, the production of wine and the potential impact of the smoke and the fires directly on the harvest but then also on perhaps tainting the flavor of the wine, which will have an impact down the road.

So we need to make sure we do all we can to assist these communities just as we are assisting the communities that have been devastated by Hurricanes Harvey, Maria, and Irma.

The second thing we need to do is, we need to include \$200 million in the next

package, the third tranche of assistance for the disasters this year. We need \$200 million to fund the repair and replacement of infrastructure and trail infrastructure damaged—the buildings and the trails that were damaged by these forest fires. Now, that \$200 million, that goes half to trails and infrastructure that were damaged by the hurricanes and half to those impacted by the fires. Essentially, the damage was roughly equally split. Without this type of funding, the Forest Service will be forced to postpone or cancel projects in fiscal year 2018 to accommodate the recovery. It will compromise the work to remove hazardous trees for public safety, road and trail maintenance, restoring vegetation in watersheds, and rehabilitating wildlife and fish habitat.

The third thing we have to do is seize the moment and invest in fire resilience. Every single time we have a fire season like this—and this season we spent almost twice as much, on average, to fight the fires—people ask: Why don't we do more on the front end to reduce the risk of these fires?

Well, that is such logical thinking to do more on the front end. What do they mean by that? We have millions of acres of second-growth forests. We clearcut them. Some of them regrew naturally. Others were replanted. We replant virtually everything now. After 10 or 20 years, the trees are very close together. The branches are very close to the ground. This is prime territory for fires. Fires love this. Disease loves this. So it becomes a real problem unless you go in and thin the trees enormously—take out a lot of those trees—and proceed to get rid of the hazardous fuels of branches that accumulate on the ground and so forth. But if you do those two things, those forests become much more resistant to fire.

When you are doing this on a stand that is a bit older—20 or 30 years older—you also get a significant supply of sawlogs for the mills. So this is a real win-win situation. You get a forest that is better in resisting fire, you get a forest that is better in resisting disease, you get a forest that is better for timber stands, and you get a forest that is better in terms of being an ecosystem. With all that winning, we need to do more to make it actually happen.

In my State of Oregon, there are 1.6 million acres that have already gone through the environmental process. They are ready to be thinned and have the hazardous fuels removed. In Washington State, it is at least 400,000 acres. There are probably hundreds of thousands of acres in every State from Montana and Idaho to California, Nevada, and New Mexico.

This picture shows the difference. This road right here had a stand on the left that had not been thinned. If you can make out the colors, these trees are dead. They are all brown—dead trees because of the heat of the fire when it swept through. This side of the road had been treated. The trees had been thinned. The brush had been

taken out from below. They often call that mowing. It has had prescriptive fire in it, which means after you have thinned it, you may go 10 or 15 years, and then let fire burn up the shrubs at the base. Therefore, on this side of the road, the forest is undamaged.

In fact, I went out to this area outside of Sisters, OR, this last weekend. It is just remarkable how the area that had been thinned and treated with mowing and prescription fire became very resistant to the fire that was sweeping toward Sisters. It really helped the Forest Service fight the fire because they could easily maneuver through the area that had been thinned, much more than the area that hadn't been thinned. So that Milli fire was stopped before it got to Sisters, thankfully. In other places where the forest hadn't been thinned, the outcome might have been very different.

Let's invest now in this win-win. Let's not succumb to the traditional timber wars of the past. After fires like this, there are those folks who come along and say: We just need to clearcut everything. Let's do a 10,000-square-foot timber sale with no environmental review and allow everything to be cut. That was the 1950s. In fact, we have a bill in this Chamber that says: Do exactly that, and you can take out the old growth and the big trees. The irony of that is those are the trees that are actually fire resistant. Those are the trees you want to leave.

This is a solution that brings the environmental world and the timber world together and provides a supply of sawlogs for our mills. Let's make that type of vision happen. But to do that, we have to fund the effort. We have to have the funds to be able to go in and do that thinning and mowing and fire prescription. That is why we are asking for about \$600 million to help thin the forests of Montana, Idaho, Washington, Oregon, California, Nevada, New Mexico, and wherever else there is a forest that has gone through that environmental review. It is ready for action. Let's put Americans to work in those forests in this win-win strategy.

Three things we need to do: Help our communities that are scorched, proceed to invest in emergency repair of the damaged infrastructure on our forest lands, and invest a significant \$500 to \$600 million in thinning the forests that have already gone through environmental review.

Thank you.

The PRESIDING OFFICER. The Senator from Indiana.

#### HEALTHCARE

Mr. DONNELLY. Mr. President, for years, I have been calling on Democrats and Republicans to work together to improve the healthcare law. There are some, like me, who recognize the benefits of the existing healthcare law, as well as the areas that need fixing, and I have proposed that we partner together to strengthen our healthcare system.

For the first time, we have legislation in the Senate that has broad bi-

partisan support and would improve issues with our healthcare system by stabilizing the individual marketplace and lowering premiums for Americans. This is what I have long pushed for. Today, it is more important than ever that we act to pass this bipartisan legislation. I would like to take a few minutes to explain why.

Beginning next week, on November 1, millions of Americans, including Hoosiers, can sign up for healthcare coverage through the individual marketplace. Unfortunately, as consumers prepare to shop for health insurance plans, there is uncertainty and instability in the marketplace and confusion and higher prices for consumers. That wasn't the case earlier this year, as both public and private analyses showed that individual marketplaces were relatively stable and improving.

For the last 10 months, though, the administration has worked to make it harder for Americans to access affordable healthcare and destabilized the markets. For many months, the administration refused to commit to continuing important cost-sharing reduction payments that reduce costs for consumers and, even worse, played politics with these payments. This culminated with the administration's announcement earlier this month that it would discontinue cost-sharing reduction payments. This decision came only weeks before open enrollment.

There is no disputing a simple fact: The administration's actions created uncertainty for insurers, causing some to significantly raise rates and others to leave the market altogether. As a result, many Americans will be forced to pay more for healthcare plans through the individual marketplace.

For example, CareSource, an insurance company that offers insurance to Hoosiers through the individual marketplace, told me earlier this year that rates would rise 2.2 percent if the Federal Government committed to continuing cost-sharing reduction payments. Because the administration refused to do so, rates for CareSource plans are on average now 20 percent higher for Hoosiers than last year.

Centene, the other insurer offering coverage in the marketplace, will have average rate increases of nearly 36 percent. In addition to higher rates, it will be harder for Hoosiers to find help enrolling in healthcare plans because the administration slashed 82 percent of Navigator Program funding for my home State of Indiana—the deepest cut of any State in the country.

Consumers also have a shorter period to enroll than in past years. The administration plans to do maintenance and shut down HealthCare.gov for 12 hours on all but one Sunday throughout the open enrollment period.

It does not have to be this way. As I have said for years, there is another path—a bipartisan path. We should work in a bipartisan manner to improve our healthcare system, all Americans working together. I have pressed

the administration to commit to providing stability for health insurance markets and to working together on bipartisan solutions that reduce healthcare costs and ensure access to quality medical care.

Over the past several months, I have engaged in bipartisan conversations in meetings with my colleagues to discuss ways we can partner together to stabilize our healthcare markets. We have talked to a range of healthcare experts. There has been a good-faith effort to find common ground on steps we can take to lower costs for families. That is what we should be doing.

After participating in this effort, I was pleased that Senators LAMAR ALEXANDER and PATTY MURRAY reached a bipartisan agreement last week. It makes improvements to our healthcare system and helps reduce costs for our families.

I am proud to cosponsor this legislation. It continues cost-sharing reduction payments that reduce consumers' deductibles. It also reduces copays for two years and restores funding to help Americans navigate signing up for health insurance. It enables more flexibility for States without undermining essential health benefits or harming people who have preexisting conditions.

If this legislation came to a vote today, I am confident it would receive more than the 60 votes needed to pass in the Senate. It has wide-ranging support from both Democrats and Republicans. It has bipartisan support, not only in the Senate but also from Republican and Democratic Governors all across the country. We have heard from groups, including the American Medical Association, the U.S. Chamber of Commerce, and AARP, urging Congress to move forward on this proposal because it is common sense. It benefits families. It helps stabilize the insurance markets.

It is our job to protect families from unnecessary increases in the cost of healthcare, particularly those within our control. We have an opportunity to do that with the bipartisan Alexander-Murray agreement that we achieved by working together.

The healthcare debate should not be a political game. The stakes are way too high for that because healthcare impacts the well-being and the economic security of millions of Americans.

I have said over and over that the American people expect us to work together to try and make life a little bit better. At the very least, we should do no harm. The Alexander-Murray agreement not only provides relief for families, it actually helps put them in a better place. There is no doubt we have more work to do, but this proposal is an important first step. Let's strengthen the healthcare system and make healthcare more affordable with this bipartisan solution.

I yield back.

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

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

#### ROHINGYA HUMANITARIAN CRISIS

Mr. MERKLEY. Mr. President, I thank my colleague from Indiana for joining me on the floor today to raise awareness of the ethnic cleansing that has been occurring on the other side of our planet, ethnic cleansing by the Burmese military against the Rohingya Muslim minority.

Just last week, together we sent a letter to U.N. Ambassador Nikki Haley. It was signed by 21 of our colleagues. It called for “tangible actions against the Burmese government to end the violence, to help the Burmese people and make clear that there will be consequences for those who commit such atrocities against civilians.”

I am pleased to partner with my colleague on this. I think he will share some remarks, and then I will follow up with some remarks of my own.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I thank my colleague for his leadership on this issue. It has been a pleasure to lead a subcommittee in the Foreign Relations Committee with Senator MERKLEY. We have always worked in a constructive fashion on some consequential issues and none more consequential than the one before us today.

With respect to the crisis in Burma, we recently met with the lead person on an international NGO who just returned from camps in Bangladesh. He briefed us on some of the horrible circumstances facing these individuals who have been forced out of Burma.

This last Friday, as Senator MERKLEY indicated, we also led a letter to Ambassador Haley regarding the Burma crisis. I would also note that we had an important hearing on this topic yesterday in the full Foreign Relations Committee. I commend our leadership for putting that together.

I want to share some of my thoughts about this crisis. Before I do, I would like to acknowledge folks back home in the State of Indiana. I happen to represent a significant number of Burmese Americans. These are patriotic fellow Hoosiers, who have played an instrumental role helping to educate me and members of my team on this crisis, and I am happy we can be responsive to their concerns.

It is important for all Americans to understand what is happening in America and everything outside our shores. Burma is a country that doesn't typically capture the imagination or attention of people in the United States, but, right now, in light of this humanitarian crisis, it requires all of our attention.

The Burmese military has conducted a deplorable campaign of violence against the Rohingya Muslim minority, including the systematic use of arson, murder, and rape. Our State Department tells us that nearly 300 villages have been either partially or completely destroyed by fire just since August 25 of this year by the Burmese military. That is more than half of the approximately 470 Muslim villages in northern Rakhine State.

Ambassador Haley has indicated that the Burmese military's actions constitute a sustained campaign to cleanse the country of an ethnic minority—ethnic cleansing. The U.N. High Commissioner for Human Rights has referred to this situation as a textbook example of ethnic cleansing.

We have seen more than 600,000, who are mostly of the Rohingya ethnic minority, flee the violence in the Rakhine State and seek refuge in Bangladesh. They travel on foot for days, carrying what they can of their belongings, carrying their young children. It is mostly women and children who make this trek. Upon arrival in Bangladesh, we have been briefed that many of them require immediate lifesaving assistance.

To put this severity in some measure of context, yesterday, our Department of State and U.S. Agency for International Development characterized the resulting population movement as “almost unprecedented”—almost unprecedented—amidst all of the other challenges we have seen in recent years, including the migrant crisis coming out of the Middle East and across the shores of the Mediterranean. Some research suggests the refugee flow from Burma has been swifter than the exodus from Rwanda in 1994.

Many Americans will say: You know, honestly, we have a lot of challenges in the world. Why should I care about this one? Well, here is why: In Burma, we see a group of people—the Rohingya—being systematically targeted because of their ethnicity. This, of course, runs afoul of our basic values, the principles upon which our country was founded. These principles inform the rules of the international order that has existed for some number of decades now. These rules are the mortar that holds the order together. We simply cannot allow certain rules of international behavior to be violated or that will encourage other bad actors, and they will continue to be undermined, thus, undermining our national interests.

Recent history demonstrates that the systematic violation of fundamental human rights sooner or later engenders security threats to Americans, to our allies, and to our collective interests—think of Tunisia, think of Syria, think of the countries of Yemen or Nigeria. There are almost countless examples just in recent history where we have seen or are seeing right now the deprivation of basic human rights. That, in turn, is undermining our values and our national interests.

Let me apply this observation about the linkage between our values and our interests—not just domestically but internationally—to the situation in Burma. We know the past and present Burmese Governments have systematically deprived the Rohingya population of their most fundamental human rights. Not surprisingly, this has compelled a small number to join the Arakan Rohingya Salvation Army, ARSA.

The most recent wave of ethnic cleansing began after ARSA conducted a coordinated attack on Burmese security outposts, and the Burmese military responded with disproportionate military actions and deplorable attacks on civilians.

Here is a point the Burmese Government and the Burmese military must understand. By refusing to treat the Rohingyas as full, equal citizens and by attacking their own people who just want to live in peace, the Burmese military is only going to increase the number of Rohingyas who will be radicalized, exacerbating the very problem the Burmese military says it is trying to address. So this is not in Burma's interest. I can't emphasize that enough.

Before the most recent iteration of this crisis, in December 2016, the International Crisis Group—an international nongovernmental organization—issued a report titled “Myanmar: A New Muslim Insurgency in Rakhine State.” The report said a number of things, among them that the “continued use of disproportionate force that has driven tens of thousands from their homes or across the border to Bangladesh . . . could create conditions for further radicalizing sections of the Rohingya population that transnational jihadists could exploit.”

As we saw in Syria—to choose just one comparative example—when the government fails to respect the basic human rights of their citizenry, then conflict ensues. It can lead to far wider radicalization. The conflict becomes a magnet, a magnet for international terrorists. It becomes a factory that creates more international terrorists.

In short, when governments commit systematic and large-scale violence, oppression, and injustice against its own people, it creates a fertile ground for Islamist terrorist recruitment and radicalization. This is contrary to the interests of everyone, including the Burmese Government.

Further, if left unaddressed, the humanitarian and security situation in Burma and Bangladesh will worsen and increasingly threaten regional stability and U.S. national security interests.

The United States must continue to lead. There has to be an international response in Burma. We need other partners to step up and participate in that response, but the United States must continue to lead. Part of leading comes down to clarity. What do we want of the Burmese Government? I see at

least four things the Burmese Government must do.

First, the Burmese Government and their military must immediately end its ethnic cleansing campaign against the Rohingyas. Second, the Burmese Government must address the root of this conflict by implementing the recommendations of a U.N. panel, the so-called Advisory Commission on Rakhine State. Third, the Burmese Government must permit safe access for journalists, for humanitarians, and for a United Nations fact-finding mission and all of their personnel so we can figure out precisely what is going on and who is responsible. Finally, the Burmese Government must facilitate the safe and voluntary return of all these individuals who have been displaced.

When I leave the Senate floor today, I am scheduled to immediately visit with Burma's Ambassador to the United States. The points I just mentioned are points I intend to reiterate directly to that Ambassador.

Moving forward, the United States should lead efforts to document atrocities in Burma however we can so the perpetrators can be held accountable. I also support the administration's announcement yesterday that it is exploring accountability mechanisms that are already available under U.S. law, including the so-called Global Magnitsky targeted sanctions.

I call on countries like China and Russia to support the suspension of all international weapons sales to the Burmese military. They should not be transferring weapons to this murderous regime.

In conclusion, as Senator MERKLEY and I stated in our letter on Friday to Ambassador Haley, now is the time. Now is the time to take bold and effective actions against the Burmese Government to end the violence, not just to help the Burmese people but to help stabilize the region and protect U.S. national security interests. Now is the time to uphold our fundamental values, the values, frankly, of civilized nations. Now is the time to work with this administration and colleagues on both sides of the aisle to make sure we can reach as peaceful and as positive a resolution to this horrible situation as possible.

I want to close by once again acknowledging the tremendous leadership of Senator MERKLEY. I thank him for his partnership in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the comments of my colleague and the opportunity for us to work together to help shine a light on this moment of great atrocities in the world. A great deal of what we are calling for is for America to do more to shine a light on it and for the world to work together, not just to shine a light on it but to end it and to proceed to have as much healing as can possibly take place.

I thank my colleague from Indiana for being deeply in this conversation. It is a real pleasure to work on the Foreign Relations Committee together.

We must address this situation. According to a report from the U.N. High Commissioner for Human Rights, "government forces and Buddhist extremists in Burma have carried out 'a well-organized, coordinated and systematic' campaign of human rights violations against the Muslim Rohingya in Myanmar's Rakhine State," with a strategy to "instill deep and widespread fear and trauma—physical, emotional and psychological—among the Rohingya population." This comes after the commissioner's statement that this "security operation," as they refer to it, in Burma was "a textbook example of ethnic cleansing."

As we ponder international relations, we see from time to time that one group, somewhere in the world, will respond to deep tribal impulses and prejudices and seek to wipe out another group. These are horrific moments in history, and we have seen this movie—this situation—occur time and again. After such atrocities, the world has said "never again"—"never again," meaning that we will respond when we see this happening. We will apply great pressure. We will coordinate with the world to make sure it stops, because such effort to wipe out another ethnic group is so unacceptable and it is such a crime against humanity.

But here we are, and it is happening right now in Burma. It is happening with a Buddhist nation.

We normally associate the Buddhist religion with a main emphasis on peaceful conduct. Yet this tribal impulse—these deep prejudices are so powerful that they overcome whatever peaceful impulse there is, and they have resulted in a massive effort to wipe out the Rohingya people. In the course, there have been a massive number of rapes. There have been children killed right in front of their mothers. There have been villages surrounded by soldiers and then the village huts set on fire, and then they have been shot as they flee. This is about as inhumane as it can get.

Something close to 300 villages have burned to the ground. By some estimates, 3,000 civilians have been killed. A few weeks ago, we were talking about 400,000 refugees pouring into Bangladesh. Now, the number is 600,000 Rohingya refugees.

Roughly half the Rohingyas live in Burma, and those refugees include 300,000 children. Think about the type of trauma those children have just experienced and the challenges they will have regaining a foundation to thrive. Then there are those who are internally displaced inside of Burma, who have been driven out of their villages but haven't been able to make their way to Bangladesh. This is the challenge we face.

There is an area of Bangladesh called Cox's Bazar. That is where these two

main refugee camps are. International aid groups are working to quickly get as many resources as they can into this area so that people do not starve and so that medical wounds can be addressed. But there is still a significant lack of food, a lack of clean water, and a lack of sanitary bath and toilet facilities. That condition is ripe for spreading disease—diseases like cholera.

When I was home in Oregon, I met with a group of Rohingya refugees who came and settled in Oregon. As we can imagine, they have a very personal connection to what is happening. Some of them have distant relatives still there. Some have immediate family members. They don't know exactly what has happened to everyone in the middle of this chaos.

We also heard about villages that didn't get burned down but where the military was blockading people from leaving the village to go to the fields to secure food and blocking them from leaving the fields and going back into the village, probably responding to international outrage over villages being burned and essentially resorting to a strategy of starving out the villages to drive people away. Imagine being trapped in one of those villages, knowing what is happening to village after village after village, knowing children have been slaughtered, women have been raped and often killed, and men have been shot. The desperation is enormous.

I heard firsthand accounts of conditions of refugees from Reza Uddin, who had just returned from a 2-week trip to visit them. He told powerful and moving stories about children who had been brutalized, children who had been separated from their parents, children who might possibly now be orphans because it is not clear if their parents are still alive or, if alive, where they are.

The world collectively has not done enough. The community of nations has not done enough to address this unspeakable brutality. Bangladesh should be complimented for accepting these refugees fleeing for their lives. They have been cooperative. It is a challenge for them, and we should acknowledge that. We should continue to ask them to do everything possible and to give the U.N. High Commissioner for Refugees and various aid organizations full opportunity, full access, and full authority to be in and assist those in these refugee camps.

The United States, the United Kingdom, and the United Nations have condemned the actions of the Burmese, and that is certainly appropriate, but we haven't done enough. We have not taken the steps to which my colleague referred to strengthen sanctions or coordinate international countries to all weigh in. The only thing that will make a real difference here is pressure on the Burmese military. They are in charge. We can criticize the civilian government in Burma, and many have, and they have been unable to stop what

is going on and sometimes often reflect the prejudices that contributed to this, but it is the military that makes the decisions.

We had testimony from the State Department yesterday, and one of the officials used the term “vigilantes” for what the vigilantes are doing in this oppression. That is not the right term to use. This is not uncoordinated action. This is action coordinated through the military decision-making process. You don’t surround camps, you don’t have significant planning that goes into it, and have it just be vigilantes. Vigilantes may be involved, but they are not the driving force. They might be assisting the soldiers in some cases, but this is a coordinated act of the military of Burma, and it is important that the community of nations convey to the military how unacceptable this is and that there will be significant consequences.

My colleague has referred to the fact that in this situation no military sales should be made to such a military. That is important, but that takes a conversation among nations, and the United States needs to be deeply engaged in this.

There is a lot of international fundraising going on. There was a donors conference held on Monday to assist the refugees. It raised about \$200 million or a little more in new funds. That is about \$400 per refugee. That is not nearly enough to provide for shelter or care in a situation with complete lack of access to fields or farming or support. It is going to take more than that. We should be involved in working with the United Nations, UNICEF, World Health, UNHCR, or the U.N. High Commissioner for Refugees, and the World Food Program to step up and assist. I certainly believe it would be very helpful to have President Trump take this issue on and speak from the heart of our Nation to this dark and evil deed that is happening—that we reject it and we will partner with the rest of the world to end it.

I do feel that there is a history in which we have helped lead nations in these situations. We haven’t always been there. I know that President Clinton said that the biggest regret of his administration is that he didn’t respond quickly in Central Africa when the Tutsis and Hutus went to battle against each other, slaughtering each other with machetes. This is a chance for us to really respond—to respond aggressively, to have that moral clarity, and to exercise that leadership in the world. I join my colleague in calling for such action for more assistance, with the aid to both Burma and Bangladesh, for the moral clarity to take action that pressures the Burmese military in a significant and compelling way and to provide assistance in the right of return—the ability of these individuals to be able to return to their villages.

Traditionally, this group has been denied citizenship. Early on, we heard

from the civilian government in Burma: We will let them come back if they show they are citizens. No. 1, they have never been granted citizenship. No. 2, after a horrific situation like this, if they did have papers, they wouldn’t have papers now. They would have been burned along with the villages. There needs to be a change in attitude, a change of heart among the Burmese civilian leadership, and certainly among the military, to lead an effort in the peaceful tradition, the Buddhist tradition, of embracing this diversity and returning these people to their land.

Former U.N. Secretary General Kofi Annan now serves as chairman of the Advisory Commission on Rakhine State. He and his team have laid out a report with very specific actions—actions that will help end the cycle of radicalization and the cycle of violence. We need to work to try to make sure those things are implemented, to show oppressive governments and the rest of the world that the world will not stand—that the world will respond, and respond aggressively, in a coordinated, forceful way when ethnic cleansing occurs. That is the best deterrent we could have for future atrocities.

Again, I thank my colleague for being in this dialogue and for his support to shine this light and to take a compelling more forceful action. Like him, I look forward to meeting with the Ambassador from Burma later today.

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.

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

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

#### REMEMBERING PAUL AND SHEILA WELLSTONE

Ms. KLOBUCHAR. Mr. President, I wish to speak this afternoon to honor the memory of Paul and Sheila Wellstone. Today marks 15 years since we lost Paul and Sheila, their daughter Marcia, and staff members Tom Lapic, Mary McEvoy, and Will McLaughlin. Because Paul was such a memorable and incredible person, it is hard to believe that it has been 15 years since we lost all of them.

For me, as for so many Minnesotans, it is impossible to forget the moment that we first heard about their plane going down. It is impossible to forget the wait to get the final news that there were no survivors. That is how much Paul and Sheila meant to the people of our State.

I get my own special reminders every day. First, I get a reminder from the employees at the Capitol who were around when Paul graced these hallways. They remember him because he treated everyone with dignity. Whether it was the tram operator, the elevator operator, or the police at the front

door, he treated them as though they were Senators. I also have the flags in my office from his Senate office. Every day, they are a reminder for me of Paul and all that he did for the people of our State.

Paul and Sheila were always on the move. They were full of joy. They were persistent in their fight against injustices, small and large. During his lifetime as an educator, as an activist, and as a U.S. Senator, Paul Wellstone touched the lives of people throughout Minnesota and across the country. That is because his philosophy was simple. A lot of people, he said, would have people paid to represent them in Washington, but he was going to represent the other people. As he said in one of his famous campaign ads, he wasn’t there to represent the Rockefellers; he was there to represent the “little fellers.”

If you go to any local mental health group, they remember Paul. If you go to any Somali event in our State, they remember Paul. If you go to any community on the Iron Range in Minnesota, they remember Paul—both the man and then what he did.

Paul was my friend and mentor. He told me that I should run for office, and, as he did with so many others, he taught me that politics should have a purpose.

He also taught me how to campaign on city buses. This is how he would do it. At Nicollet Mall—being from a nearby State, the Presiding Officer is aware of Nicollet Mall in the city of Minneapolis. We would get on a city bus at one end of the mall, and we would work it as though we had just got on the bus: Meet everyone on the bus, go to the end, get off, and then get on another bus going the other way and meet a whole group of people. I have no idea what the busdrivers thought after an hour of this, but that is what he did.

Paul Wellstone worked it bus by bus, block by block, precinct by precinct, and he made a lasting impression on people in a way that made them believe and know that getting involved in politics could make a real difference in their lives. He had an unending sense of optimism—optimism that maybe people he didn’t agree with in this Chamber would eventually change their views.

He made a lot of friends here, on both the Democratic and Republican sides of the aisle. That was the message Paul took to new citizens, new voters, and everyone looking to get involved. He told them that working in public service can make a difference, and he showed them through his actions.

He had many passions. He fought for everything from campaign finance reform to improving our rural economies. He fought against veteran homelessness, to protect the environment, and, of course, he fought for the rights of workers.

He truly believed, as he famously said, that “we all do better when we all do better” and that politics is simply about improving people’s lives.

Anyone who ever met or talked with Paul found out that he had a special passion for helping those struggling with mental illness. That was shaped by his own family. As a young child, Paul watched his brother Steven's traumatic descent into mental illness. In college, his brother suffered a severe mental breakdown and spent the next 2 years in hospitals. Eventually, he recovered and graduated from college with honors, but it took his immigrant parents years to pay off the hospital bills.

Paul would always talk about how, when he grew up, his house was dark because no one wanted to talk about mental illness back then because it had so much stigma. He wanted to get it out in the sunlight. He knew that there were far too many families going through the same experience, too many devastated by the physical and financial consequences of mental illness. He knew that we could and we should do better. For years as a Senator, he fought for funding for better care, better services, and better representation for the mentally ill, and he fought for mental health parity in health insurance coverage.

Even years after his death, Paul's voice was heard loud and clear. Congressman Ramstad from Minnesota, a Republican Congressman at the time, took up the cause in the House. I helped. Ted Kennedy led the way and, of course, Pete Domenici, who had paired up with Paul on this important bill.

Finally, in 2008, we passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. The bill requires insurance companies to treat mental health on an equal basis with physical illness. For Paul, this fight was always a matter of civil rights, of justice, and of basic human decency, and that landmark legislation is one fitting way we honor him.

Sheila, of course, also dedicated herself to helping others, especially survivors of violence. I had the opportunity to work closely with Sheila when I served for 8 years as Hennepin County Attorney. She focused on domestic violence and was instrumental in creating and getting the funding for the Hennepin County Domestic Abuse Center. That center is an international model for serving victims of domestic violence by bringing together a full range of services and resources in one central location. Victims of domestic violence don't have to go through the redtape that would be difficult even for a lawyer to figure out.

Of course, one of Paul's greatest legislative achievements was the work he did, along with Vice President Biden and others, to pass the original Violence Against Women Act. It was a team effort, and Sheila was right there on the frontlines with Paul.

Together, they accomplished so much. Their commitment to others never wavered, and neither did they.

It was just a few weeks before that tragic crash that I last saw Sheila and

Paul. Sheila and I had been asked to speak to a group of new citizens, immigrants from Russia. It was a very small group, and we were there to talk about our own immigrant experiences, our own relatives. I remember she talked about her relatives in Appalachia, and I talked about my relatives on the Iron Range coming over from Slovenia. The event was winding down. It was a small, small event in a synagogue with these new immigrants, and, all of a sudden, a big surprise—in walked Paul. He wasn't supposed to be there. It was just a few weeks, a month away, from one of the biggest elections he had ever faced in the U.S. Senate. But he had gotten on an early flight and had come home from Washington. There he was—he and a group of immigrants and us—with no press, no TVs, not even a big crowd, all just a few weeks before his election.

He came for two reasons. He loved Sheila, and he wanted to be there to support her. But he was also there because he loved the immigrant experience. He embraced it. His family, like so many Minnesota families, was an example of how you can come to America, succeed in America, and then, in turn, help America succeed.

That is my last memory of Paul as he stood before those immigrants, telling about his own story, embracing them. I will remember him in that way, but I will also remember the joy he felt for politics, how he would run around that green bus of his, with people running alongside him on the parade routes.

In the last year of his life, he told the public he had MS, and he couldn't run like that anymore. So he would stand in the back of the bus with Sheila and wave. What was so amazing about it was that he had energized so many people in those green Wellstone shirts to run around that bus that you didn't even notice he wasn't running. He had given them the energy and the hope to carry on his work, and they were doing it for him.

Now, 15 years after we lost Paul and Sheila, it is our job to carry on and run around that bus. That is organizing, that is politics, and that is the gift of joy in improving people's lives that Paul, Sheila, Marcia, and those other beloved staff members left for us.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. FRANKEN. 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.

PUERTO RICO AND U.S. VIRGIN ISLANDS  
RECOVERY EFFORT

Mr. FRANKEN. Mr. President, I rise to talk about the devastation in Puerto Rico and the U.S. Virgin Islands and the need to rebuild the electric grid in a more resilient and sustainable way.

Over the last few months, communities around the country have been devastated by natural disasters. We have had terrible hurricanes in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands, as well as tragic wildfires across the West. These communities need immediate help, and that is why the disaster supplemental appropriations bill we passed yesterday is so important. I am glad this bill provides nearly \$19 billion to replenish FEMA's emergency disaster accounts that help communities start to rebuild, but it is just a downpayment. As we know, it will take a lot more Federal assistance.

One thing we need to focus on is the electric grid. Hurricanes Harvey, Irma, and Maria demonstrated the risks the electric grid faces from extreme weather. The communities hardest hit in Texas and Florida underwent days—sometimes much longer—without any power, and when this happens, it is a serious risk to the safety and health of everyone in the area.

Now, American citizens in Puerto Rico and the U.S. Virgin Islands are facing a major humanitarian crisis, and the Federal Government needs to do everything it can to assist.

More than a month after Hurricane Maria hit, only 25 percent of Puerto Rico has access to electricity, and it will take many months to get power back to those communities. That is completely unacceptable. Without electricity, pumping stations can't supply drinking water to households. In fact, 25 percent of the island still lacks access to potable water. Without electricity, wastewater treatment facilities can't operate, which means raw sewage is contaminating rivers and streams. Without electricity, cell towers cease to function, making communication with first responders difficult. Without a stable electric grid, hospitals have to rely on backup power to keep lifesaving equipment working. That backup power is often diesel generators that require fuel, which is in short supply.

Given the dire situation, it is no surprise that we have already seen tens of thousands of Puerto Ricans leave the island, with nearly 60,000 arriving in Florida alone.

The majority of the transmission and distribution lines were destroyed in Puerto Rico and the U.S. Virgin Islands. We need to rebuild them, and I think we can all agree they should be rebuilt to withstand the next disaster. So let's rebuild the electric grid in a more resilient and sustainable way that reduces future threats and future costs. I have been talking with my Republican colleagues and members of the administration, and everyone agrees this is a good idea. That is why I want to work with my colleagues on both sides of the aisle to include language in the next supplemental disaster aid package that does exactly this.

I am talking about investing in a more modern and more decentralized

grid so that not everyone is relying on a handful of powerplants that can go down. Decentralized energy resources operating in microgrids are more likely to remain functioning during and after storms. There are many instances of distributed energy keeping important facilities online after natural disasters, including the Texas Medical Center, which is the largest medical complex in the world, which has a combined heat and power plant that kept running during Hurricane Harvey. That is because during extreme weather, these technologies can go into island mode or operate independent of the grid.

Puerto Rico and the Virgin Islands have some of the highest electricity prices in the United States, and that is because they rely on oil, coal, and gas that must be shipped from the mainland. While these islands do not have fossil fuels, do you know what they do have? Lots of Sun. And the rapidly declining costs of distributed clean energy technologies such as solar, wind, energy efficiency, and battery storage, in many instances make them more affordable than existing power generation, which means these clean energy technologies could help reduce prices.

These investments will also save money in the long run. In 2005, the National Institute of Building Sciences completed a study for FEMA that found that every dollar invested in disaster preparedness and resilience saves \$4 in future avoided losses. We know we are going to see more hurricanes and extreme weather events, so let's rebuild in such a way that impacts are not as severe the next time around. Let's protect people and save taxpayer money.

That is my message: Let's protect people, and let's all save taxpayer money and do the thing that makes sense.

Thank you.

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

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, it is nice to see the distinguished Senator in the chair presiding. I am not sure, in my 183 "Time to Wake Up" speeches, I have yet had the pleasure of speaking while the Senator was presiding.

I am here to once again call for us to wake up to the corporate capture of Congress and this administration—the capture of governance by the fossil fuel industry that keeps us from honestly addressing climate change. There is a saying that "personnel is policy." Well, the Trump personnel for positions at the Environmental Protection Agency reflect a policy to undo the public welfare mission of the Agency and align it

with the special interests of the fossil fuel industry.

There is a word for that. It is called corruption, at least as the Founding Fathers knew the meaning of that term. It starts at the top. Trump named Scott Pruitt head of the EPA. Pruitt has a long record of dark money fundraising and long, cozy relationships with Big Energy industry political donors. In effect, he is a tentacle of the fossil fuel climate denial operation, wiggling and wriggling in the Administrator's chair, near his new \$25,000 "cone of silence" secret communications booth that he built so no one would hear him checking in with his masters.

Results are as expected. The New York Times has reported: "How Rollbacks at Scott Pruitt's EPA are a Boon to Oil and Gas." No surprise. In the 4 months that followed his appointment, Pruitt moved to undo, delay, or otherwise block more than 30 environmental rules benefiting his fossil fuel friends. This regulatory rollback, larger in scope than any over so short a time in the Agency's near-half century history, went straight into the pockets of the fossil fuel industry.

Longtime Pruitt benefactor Devon Energy is cashing in dividends on its investment in Scott Pruitt's political career, as Pruitt is working to eliminate rules on the leaking and flaring of methane, and has rescinded requirements for reporting methane emissions. Devon, as you may recall, is that company whose letter to the EPA Pruitt put on his own Oklahoma attorney general letterhead to mask Devon's hand and submit their work as his own official work as attorney general of his State.

So this hand-in-glove relationship between Devon as the hand and Pruitt as the glove goes back a long way. The EPA has career scientists and legal experts who bring decades of experience in environmental law and science to the EPA who are all being cut out as the Administrator takes drastic steps to undo environmental protections. Just this week, EPA scientists were yanked from a conference in Rhode Island where they were going to talk about climate change. The matter of climate change on Narragansett Bay in Rhode Island is pretty significant. This is the day's Providence Journal, our leading newspaper in Rhode Island. Headline: "Will climate change negate Bay cleanup?" It has a big map of Narragansett Bay with all the facilities at risk of being flooded and overwhelmed. It is front page news.

It is a matter of extreme importance in Rhode Island, and EPA yanked out its scientists. They weren't allowed to come down and talk at an event where they were going to talk about climate change. It is not just yanking the scientists. Here is a New York Times article by Lisa Friedman from October 20. Headline: "EPA scrubs a climate website of 'climate change.'" An EPA website has been scrubbed of scores of

links. "About 15 mentions of the words climate change have been removed from the main page alone. . . ."

It is not just at EPA. Here is today's exclusive headline: "The Interior Department scrubs climate change from its strategic plan." I mean, they act as if this is the Soviet Union and the government is allowed to tell scientists what they can say and not say and put phony propaganda onto official websites and keep scientists from going to meetings because they might actually tell the truth about climate change.

I am the son and grandson of Foreign Service officers. I grew up serving in countries that did that, where the government could tell the scientist: No, you don't say that. No, you don't go there. No, this is the party line. I never thought that would happen in the United States of America—and here we are.

To aid Pruitt in his fossil fuel industry crusade, our President has nominated a parade of fossil fuel lackeys, lobbyists, and operatives whose main qualification seems to be allegiance to their corporate clients and benefactors. It is not just the fossil fuel industry that gets their hacks planted in government offices.

Do you remember in the "Cat in the Hat," where they had Thing One and Thing Two running around? Let's look at Hack One and Hack Two, who just cleared committee today in the Pruitt "EPA for Sale" roster.

Hack One is a toxicologist who consults for major chemical corporations and has spent the better part of his professional life fighting regulation of potentially toxic compounds in consumer goods. His name is Michael Dourson. President Trump nominated him to run the EPA Office of Chemical Safety and Pollution Prevention. A lobbying group for sellers of pesticides, fungicides, and rodenticides called Dourson "a perfect fit" for the job—the perfect industry hack for that job, more like.

Hack Two is William Wehrum, nominated to run the EPA Office of Air and Radiation. Wehrum is a lobbyist who has represented a host of major industrial and energy corporations, and the Rubber Manufacturers Association, the American Forest and Paper Association, and the American Petroleum Institute. President George W. Bush actually nominated this guy to the same post in 2006, but the White House withdrew his nomination because it was so controversial.

Well, that was 2006. That was before Citizens United. That was before that decision amped up industry power to the point where it can now ram through conflicted and objectionable candidates with—as happened this morning—unanimous Republican support. Not one Republican Senator on the committee would voice an objection.

When Senators asked questions for the record in the Environment and

Public Works Committee nomination hearing on Wehrum and Dourson, these captured nominees played dumb about the central issues and programs they will oversee if confirmed.

For instance, I asked Dourson if he agreed that “the tobacco industry manipulated and obfuscated scientific research into the dangers of smoking for decades.” Dourson, who conducted scientific studies designed, reviewed, and paid for by the tobacco industry and whose name is all over, in hundreds of places, the discovery records of the tobacco industry’s denial operation, replied: “I do not have firsthand knowledge to comment.”

I “do not have firsthand knowledge to comment”? This is the President’s selection to run the office that protects Americans from dangerous chemicals who doesn’t know the tobacco industry’s history of falsifying science? Please. He worked for them. He was part of it.

Remember that the tobacco industry was taken to court by the U.S. Department of Justice—back when the Department of Justice would take an industry to court—and the Department of Justice won a judgment declaring that tobacco had engaged in a fraud conspiracy to deny tobacco’s harms. Dourson sees no evil. He knows nothing.

I asked him whether he believes that hydrofluorocarbons are greenhouse gases and about the global warming potential of methane. His response: I am not sufficiently familiar with the definition of greenhouse gases and do not have the expertise to answer these questions.

He is not familiar with the definition of greenhouse gases? This is basic high school science. Every one of us has a home State university that teaches this stuff. This has been science for more than 100 years.

On to Hack Two, Bill Wehrum. When I asked Wehrum about carbon dioxide’s role in the observable effects of climate change, he replied: “The degree to which manmade greenhouse gas emissions are contributing to climate change has not been conclusively determined.” This claim just doesn’t match the scientific record.

The EPA—the very Agency to which Mr. Wehrum is nominated, along with NOAA—states that “carbon dioxide is the primary greenhouse gas that is contributing to recent climate change.” This consensus is held by published climate scientists, by scientific agencies and societies, by all of our National Laboratories, and by universities in America and around the globe.

As I said, every one of us in this room—I haven’t found an exception yet, and I have looked, but I expect every Senator has a home State university that doesn’t just know this to be true, but it teaches it in its curriculum. But Hack Two sees no evil. He knows nothing.

Wehrum’s disregard for well-established science provides a grim preview

of what we can expect from him if confirmed. His predictable dodging falls in lockstep with Administrator Pruitt, who has stated he does “not agree that [carbon dioxide] is a primary contributor to the global warming that we see.” That puts him in a very small circle of people, every one of whom I think is connected by money to the fossil fuel industry.

I asked Mr. Wehrum what he believes is a healthy standard for ozone. Now, bear in mind that one of the goals of the Clean Air Act is to set national ambient air quality standards for ozone, that the office to which he is nominated oversees this ozone standard, and that the EPA has had ozone standards in place since 1971, more than 45 years.

In response to my question, Wehrum answered: “I am not familiar with the current science on the health effects of ozone, so I cannot comment on your question as to the appropriate level of the standard.” Really?

I asked Wehrum whether he agreed with EPA’s 2009 finding that the current and projected concentrations of greenhouse gases in the atmosphere threaten the public health and welfare of current and future generations. I asked if he would commit not to narrow or weaken the EPA’s endangerment finding. Wehrum wrote back that he had not read the endangerment finding or the record prepared in support of the finding; therefore, he said: “I currently do not have a view.” I currently do not have a view? That is funny.

I bet he had a view when he was being paid by the Rubber Manufacturers Association, the American Forest & Paper Association, and the American Petroleum Institute. I guess it was the miraculous, evaporating view.

Maybe these “see no evil” nominees, Dourson and Wehrum, don’t know the basics of the problems they would confront. Maybe they just don’t know, but let’s not be fooled here. Polluters have paid these nominees well for their services over the years. They were expert enough to be hired by industry groups as lobbyists and consultants. We know where their allegiances lie. We know who has been paying them. We know whom they will serve.

A preview of coming attractions, coming up before the EPW soon is Andrew Wheeler, Trump’s nominee for the EPA’s second in command. Wheeler was a top lobbyist for the coal mining behemoth, Murray Energy. Not only did this company support Trump’s campaign and provide \$300,000 to help pay for his inauguration, Murray Energy has also donated to Pruitt-affiliated political action committees to the tune of hundreds of thousands of dollars. I can’t wait to hear his answers on the role of coal in climate change, childhood asthma, and mercury poisoning.

The sad part of all of this is, the polluting interests that own these nominees also throw their weight around in

Congress. So good luck getting an honest look at this mess through congressional oversight.

Over and over, appalling nominees get through confirmation with no Republican dissent, more “see no evil.” It is just wrong.

For now, the American public will pay the price of dismantling these regulatory safeguards. They will pay the price in poisonings and carcinogenic exposures, in rising seas and raging wildfires, in childhood asthma and northbound tropical diseases. Mark my words, one day there will be a reckoning for all of this.

When captured EPA officials put payback to their donors first and clean air and public health a way distant second, it stinks. It is crooked by any reasonable definition of the term. It is corrupt in exactly the way the Founding Fathers understood corruption.

The fossil fuel industry will one day be held to account for this binge of corruption and manipulation. ExxonMobil, Koch Industries, Arch Coal, Murray Coal, Peabody Coal, you own this just as the Republican Party does.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### HEALTHCARE

Mr. GARDNER. Mr. President, I come to the floor this afternoon to talk about the Healthcare Tax Relief Act, legislation I introduced to delay the health insurance tax that was created by the Affordable Care Act.

This tax is often referred to as the HIT tax. The HIT tax imposes fees on health insurance coverage to consumers. It is a pretty simple business concept that this HIT tax results in. If a fee increases on an insurance policy and the fee goes up—there is a fee charged to the company that issues this insurance policy—then that fee gets passed on to the consumer. It is the consumer, then, who pays the fee in the form of higher health insurance costs.

As is the case with most excise taxes, whether it is an excise tax on food or beverage or any other item of personal good, if this health insurance tax takes effect, costs will be passed on to consumers directly in the form of higher premiums. That is confirmed by the Congressional Budget Office.

This is one of the cost drivers that was built into the Affordable Care Act. This health insurance tax would directly increase the premiums of the consumer’s insurance product. This tax was supposed to begin a few years back in 2014. It was going to start at \$8 billion, and by 2018 the tax would reach \$14.3 billion. However, Congress recognized that this tax was going to have a significant impact on the price of coverage and, as a result, suspended the tax from taking effect in 2017. Without congressional action to delay or stop or prevent this ObamaCare tax from taking place again, this tax will take effect in 2018.

According to nonpartisan actuarial analysis conducted by Oliver Wyman,



an estimated 157 million Americans will be affected by this massive tax. Even more middle-income earners across this country, 157 million Americans and working Americans, are expected to shoulder the weight of this tax.

Oliver Wyman estimated that premiums will rise by 3 percent in each year; 2018, 2019, and 2020. That is 3 percent each year. That is 9 percent over 3 years.

To put this in simple perspective, in Colorado alone, premiums in the individual market rose by 34 percent from plan year 2017 to plan year 2018. Adding an additional 3 percent every year for those 3 years would leave those on the individual market paying nearly 43.3 percent, on average, more year to year if combined with the 2018 increases at the end of that 3-year, 9-percent increase run.

What is more, according to the Department of Health and Human Services, the average individual market premiums have increased by 105 percent from 2013 to 2017. Think about that. When the Affordable Care Act passed, when ObamaCare was passed, a promise was made that the average family would see a decrease in their healthcare costs of \$2,500 per family, but, instead, from 2013 to 2017, they saw a 105-percent increase in costs. If the health insurance tax takes effect, as planned by ObamaCare, then we would see another 9-percent increase over the next several years on top of that.

Without congressional action to delay this tax, estimates show that costs will rise between \$200 and \$300 annually for individuals and \$500 annually for families. That is a \$200 to \$300 increase for individuals and a \$500 increase annually for families.

To put that into some perspective, 25 percent of Americans don't have access—emergency access—to \$100. In an emergency, 25 percent of Americans don't have immediate access to \$100. Yet here we are talking about a mandated law—you have to have insurance coverage under the Affordable Care Act—but this law would then increase costs \$200 to \$300 on an individual and \$500 annually for families.

Statistics from the Federal Reserve show how much of a hardship this would create. The Federal Reserve found that 46 percent of Americans did not have enough money to cover a \$400 emergency expense. Yet the ObamaCare HIT tax would increase family insurance costs by \$500. Forty-six percent of Americans don't have access to \$400 in an emergency. Yet the ObamaCare HIT tax would increase it by \$500.

This tax has the potential to push over half of Americans into financial ruin, and it would be negligent for Congress to allow this tax to take effect. The financial threat this tax imposes on hard-working families is a far cry from that bold promise that was made to reduce costs by \$2,500 per family—one of the biggest Pinocchios, so to

speak, of the Affordable Care Act. At a time when we know that almost half of Americans could not shoulder a \$400 emergency expense, it would simply be irresponsible to allow this ObamaCare HIT tax to take effect.

Furthermore, the impacts of this tax touch our seniors who have earned their benefits as well. For seniors enrolled in Medicare Advantage plans—and Medicare Advantage is one of the most popular aspects of Medicare—premiums are expected to rise by roughly \$370 a year per enrollee if Congress doesn't find a resolution. In many cases, these are fixed-income individuals who would see their premiums increase \$370 a year because of the ObamaCare HIT tax.

In addition, seniors enrolled in Medicare Part D prescription drug plans can expect their premiums to increase as well. Hit them on their Medicare plans and hit them on the prescription drug plans—higher costs due to this ObamaCare HIT tax.

Even more, the impacts of the health insurance tax have large-scale consequences in the workplace as well. A study by the National Federation of Independent Business found that allowing the HIT tax to take effect could result in job losses for as many as 283,000 people by 2023. This tax could have the impact of costing 286,000 jobs by 2023. Research and analysis from our most respected actuaries continue to validate the negative consequences of the health insurance tax.

On behalf of all hard-working Americans, I call upon my colleagues in the Senate to join me in cosponsoring this commonsense piece of legislation, the Healthcare Tax Relief Act. Healthcare plans are being finalized right now for the 2018 rate year, and it is urgent for Congress to take action so that consumers are not saddled with yet one more cost that they can't afford.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### RECOGNIZING THE UNIVERSITY OF MICHIGAN'S BICENTENNIAL

Mr. PETERS. Mr. President, I rise today to recognize the bicentennial of the University of Michigan. The university has adopted the motto "Always Leading, Forever Valiant" for its bicentennial year—a motto that captures its 200 years at the forefront of American academic excellence.

The genesis of the University of Michigan predates the founding of my home State of Michigan.

On August 26, 1817, Lewis Cass, Governor of the Michigan territory, enacted a charter to create the University of Michigania, aligned with territory judge Augustus Woodward's envisioned System of Universal Science.

In 1852, the university's first president, Henry Philip Tappan, pioneered a model of higher education in which scholars do not settle for existing knowledge but actively pursue new knowledge through rigorous science. This approach solidified the univer-

sity's enduring legacy as a center for scientific research and discovery.

The university has paved the way for future innovation with many firsts throughout the 19th and 20th centuries. It was the first university with a chemical laboratory, the first to own and operate a hospital, the first to teach aeronautical engineering, the first public university with dental and pharmacy schools, and the first with a program in human genetics. Perhaps the most game-changing first—it was the first large State university to open its doors to both men and women.

Today, faculty and students continue to reach new firsts by answering important research questions that will affect future generations. Take, for instance, how the university has laid the groundwork for breakthroughs in American mobility.

In 2015, Mcity, a public-private partnership led by the University of Michigan, became the world's first controlled environment designed to test connected and automated vehicle technologies. The 32-acre simulated urban and suburban landscape is designed to support rigorous, repeatable testing of self-driving car technologies before they are tested on public roads and highways. This hub of innovation reflects our State's legacy as the heart of the American auto industry and will help lead our country into the next era of transportation.

A similar nexus between our past and future is true across nearly every discipline that U of M's research touches—engineering, medicine, social sciences, humanities, and more. Students and faculty are developing new cancer treatments, creating energy-efficient batteries, engaging in cutting-edge environmental science to protect the Great Lakes, and building prototypes of engines to take us to Mars. That is just to name a few.

Tied with the University of Michigan's drive to pursue knowledge is its drive to put that knowledge into action for the greater good. At its core, the university's mission is to serve society. This has been demonstrated by its history of activism and civic engagement.

The university commemorates one such event that occurred on October 14, 1960. Senator John F. Kennedy, whose former desk is just a few feet in front of me here today, delivered an unplanned speech on the steps of the Michigan Union at 2 a.m. He challenged University of Michigan students to work abroad in developing nations in an effort to promote peace. These remarks laid the blueprint for the U.S. Peace Corps, which was established in 1961.

The University of Michigan continues to have a truly global reach. It provides a world-class education to a diverse student body of 63,000 students on its Ann Arbor, Dearborn, and Flint campuses, educating in-state, out-of-state, and international students alike. They are drawn to the university's unfaltering endeavor to expand our

base of knowledge and empower individuals to leave a lasting and positive impact on the world around them.

With more than 572,000 living alumni—including my daughter Madeline, who just graduated this past May—the University of Michigan has one of the largest alumni networks, full of artists, astronauts, business and government leaders, entrepreneurs, and humanitarians, as well as Nobel laureates in economics, medicine, and science.

The University of Michigan's many illustrious alumni include U.S. President Gerald R. Ford, Swedish diplomat and humanitarian Raoul Wallenberg, Pulitzer Prize-winning playwright Arthur Miller, actor James Earl Jones, civil rights leader Mary Frances Berry, Google cofounder Larry Page, and author and scholar Robin Wright. Many more alumni will follow in these footsteps. They share a drive to make what is affectionately known as the Michigan Difference and, of course, cheer for the Maize and Blue.

I would like to congratulate the University of Michigan on its bicentennial as we look forward to a future driven by Michigan innovation.

With that, I will close with something very simple: "Go Blue!"

Mr. President, 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. (Mr. GARDNER). Without objection, it is so ordered.

#### OPIOID EPIDEMIC

Ms. HASSAN. Mr. President, I rise today to discuss an issue that is devastating families and communities in my home State of New Hampshire and across the United States: the fentanyl, heroin, and opioid crisis. This crisis is the most pressing public and safety challenge that New Hampshire faces. It does not discriminate. It affects people in every community and from every walk of life.

In 2016 alone, 485 people in New Hampshire lost their lives as a result of this epidemic. The rising use of synthetic drugs like fentanyl is making matters worse, killing people faster with smaller amounts. Last year, 72 percent of drug-related deaths in New Hampshire involved fentanyl. Behind those numbers are real people—moms and dads, sons and daughters who are dying. Their loss reverberates in pain and suffering for the family and friends whom they have left behind.

The people of my State have a long-standing tradition of sharing their stories and their priorities with their elected officials who represent them. Everywhere I go, I hear stories from those families and friends of people who have been affected by this crisis. Granite Staters are stepping forward and explaining what they have gone

through, all in an attempt to break down the stigma of addiction, push for solutions, and hope that they can help others by making their voices heard.

Earlier this year, Greg and Linda of Derry, NH, reached out to my office to share the story of their son, who was also named Greg. They wrote to say:

If you were to put a name and face to this disease, it would be that of the devil. Let's change that. Let's put a face of hope and humanity to the disease of addiction. If by doing so, even if just one life is saved, it is worth it.

I would like to share some of Greg's story today. Greg was born on November 16, 1985. He and his younger brother Neil were raised in a caring and loving home, where their parents did their best to teach them right from wrong, stressing the importance of being considerate, polite, and kind.

When Greg was 15, his parents moved to Derry, where he attended Pinkerton Academy and graduated with honors in 2004. During his senior year, like so many other students his age, he applied for college, eventually deciding on Keene State College, pursuing a major in biochemistry. He had a dream of becoming a physician.

He excelled academically, but his mom Linda said that during his transition between his freshman and sophomore year, something began to appear off. She wrote:

I saw firsthand that something was off about him. He was very quiet and withdrawn. He was showing obvious signs of depression which runs in both sides of the family.

Even as his depression progressed, Greg battled through. He graduated cum laude with a bachelor's degree in biochemistry. After graduating and moving back home, his parents urged him to seek help, but Greg held back. During this time, he had an outpatient surgery, after which he was prescribed an opioid-based painkiller. His mom said that after he was prescribed that opioid, he went from bad to worse.

Eventually Greg sought help. He saw a physician and was prescribed an antidepressant. His mom said he seemed to be coming back around; he seemed happier. He took steps to advance his career, hoping to find a job with his biochemistry degree that would offer him a reimbursement on tuition so that he could continue to pursue a career in medicine. Though the job market was tough, his mom said:

Hands down, I have to say that one of the happiest days of my life was when he finally got a decent job. . . . The dark cloud was lifted—temporarily.

Unfortunately, Greg eventually lost that job, and then things spiraled out of control. His mom wrote:

The years following were a nightmare to remember. Just imagine a loved one slowly losing all sense of themselves. Legal trouble, bouncing from one job to the next, losing his license more than once while we drove him back and forth from jobs—some an hour away.

A restraining order here, a night in jail there. Debts that weren't getting paid. Fits of rage, fights, a lack of interest in family, friends, and basic hygiene.

She said:

By the time our worst fears were confirmed, he was using heroin, we basically lost the soul of our son.

Greg's last few years were filled with back-and-forths. He had overdosed, his brother finding him in the bathroom of their home. Tired of being dependent on heroin, he sought help, signing up for a methadone clinic, entering rehab, and giving his parents hope that he would make progress.

Unfortunately, he started to use again but was getting ready to enter a drug court program. After joining his family on a vacation to visit an ailing relative, he decided to clean up his act, going to the gym and eating right.

Tragically, though, his mom wrote:

This was short lived however, as the demon snuck into his room and stole him from us. All he left for us was a lifeless body on the floor behind a locked door.

Greg's death and his heartbreaking story is the story of far too many people in New Hampshire and across the country, of people with dreams, hopes, and aspirations, whose lives are cut short as a result of this illness. Greg wanted to be a doctor. He wanted to be a husband and a father. He loved dogs and video games, and he loved to watch Patriots games on Sunday with his mom, his dad, and his brother. As his mom put it:

Brilliant and head strong, he was to be reckoned with, and as his parents, we will never stop trying, on his behalf, to see that there is an end to this epidemic.

His parents wanted to make clear that his substance use disorder really grew as a result of the opioid he was prescribed following surgery, a painkiller that was originally manufactured for terminally ill patients. They believe that pharmaceutical companies marketed this drug at the expense of their son, saying: "Given to ease pain and suffering, ironically, it has caused irreparable pain, suffering, and death."

We can never thank families who have lost loved ones enough for speaking out about this issue and for working tirelessly and courageously to try to prevent others from suffering as they have. Nor can we forget to thank law enforcement and first responders who are on the frontlines of this epidemic.

I want to make a special mention of Greg's father, Greg senior, who is a firefighter in Nashua, witnessing as a first responder every day the havoc that this crisis wreaks on other families and living with the reality of his own family's loss too.

Greg's mom said that at the moment of his death, she vowed that she would ensure that his life would not be in vain. His family reached out because they wanted to make a difference. I am grateful for their efforts to do this because they do, in fact, have the ability to make change.

Speaking up helps break down the stigma that prevents too many from seeking help and prevents too many others from offering it. It provides a

voice to the voiceless, making those who have died more than just a statistic. It gives us a perspective from which we can learn, and it pushes us to take action.

While thanking these families for their bravery is appropriate, it is simply not enough. Their bravery and their struggle must be marked by constant vigilance and urgent action. We must continue to focus on an “all hands on deck” approach at all levels of government and with those on the frontlines in order to make progress, save lives, and end this epidemic.

I am going to continue fighting and working with Members of both parties to combat this crisis, and I will continue sharing the stories of the people of my State. It is up to all of us to stop this from happening to more families.

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

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

#### HEALTHCARE

Ms. WARREN. Mr. President, on September 30, the Children's Health Insurance Program expired. It has now been 25 days since the Congress has put our children's health and well-being on the back burner. My colleagues and I do not think that children's health belongs on the back burner. So we have come to the floor of the Senate to spend the afternoon speaking up for kids.

Thank you to everyone who joins me today to say that we should not wait any longer to make sure that children, community health centers, and new mothers have access to the healthcare programs that they need.

Republicans control Congress. It is up to them what we vote on and when we do it. So what was more important to the Republican leadership than the health of little kids? Republican leaders blew through the days before the children's healthcare deadline by trying to repeal healthcare for millions of Americans.

Once the Children's Health Insurance Program had already expired, Republican leaders burned through more time by holding a series of votes on a budget with giant tax cuts for billionaires and giant corporations that would also gut Medicare, Medicaid, and a bunch of programs that help working families. Republicans jammed through their terrible budget without a single Democratic vote last week, 19 days after blowing past the deadline to fund healthcare for kids.

Last night, 24 days past the deadline to make sure the kids had healthcare coverage, what were Republican leaders doing? Republican leaders stayed up late into the night holding a vote to make it easier for financial institutions to cheat people.

The days continue to tick by—24, 25. Tomorrow Members of Congress will leave for the weekend, 26 days past the deadline, and still there will be no vote to fund this critical program.

Senator Ted Kennedy and Senator ORRIN HATCH, a Democrat and Republican, wrote this legislation together back in the late 1990s. The Children's Health Insurance Program, also called CHIP, provides health insurance to low-income children and to pregnant women. Senator Kennedy and Senator HATCH created this program because they knew that providing healthcare coverage for children would make them healthier as children and healthier even after they grew up. They knew that some children were slipping through the cracks, and this was their solution. The children covered by CHIP didn't qualify for Medicaid, they weren't covered by employers, and they couldn't afford to buy private insurance.

In 1997, 15 percent of all the children in this country lacked any form of health insurance coverage. Today, because of the CHIP program and the Affordable Care Act, that number has shrunk to 5 percent of children. CHIP works with Medicaid to provide health insurance for one out of every three kids in this country.

States choose whether or not they want a CHIP program. Here is the deal. Every single State has chosen one because every single State recognizes the value of providing their children with healthcare coverage. In Massachusetts, the percentage of children with healthcare coverage is even higher than the national average. It is at 99 percent. We are doing something right here.

The original program was set for 10 years, and since then, every few years, Congress has had to act to reauthorize the program so that children can continue to get healthcare coverage. The CHIP program has been reauthorized four times since 1997, and not one of those times has Congress missed the deadline—not one—until now. In fact, in past years, Congress has made sure to reauthorize the program many months ahead of its expiration in order to give States the time they need to plan their budget. It sounds like a pretty sensible thing to do—but not this year. We are 25 days past the deadline for reauthorizing CHIP—25 days and counting. This isn't fair to States, to kids, or to their families.

So what actually happens now?

Well, the money runs out. Eleven States are set to run out of their CHIP funding by the end of 2017, and the others, soon after. Our Republican Governor in Massachusetts sent me a letter on day 3 past the CHIP deadline, and he wrote:

Parents are already afraid that their children's insurance may be lost in the near future. With each passing week, their fears continue to grow.

My Governor is right. States have to start making tough decisions. They

may have to decrease enrollment, turning away sick little kids who qualify for coverage but don't make it through the door on time. They could start kicking kids off of their insurance saying: Sorry, we just can't help anymore. Or they could be forced to make tough calls on benefits: We can't cover the wheelchair you need to get around. There is no physical therapy or no prenatal care until the funding comes through again.

That is just flat out immoral. Tax cuts for billionaires shouldn't come before making sure that a sick kid gets the help he or she needs. Mothers are lying awake at night. Fathers are tossing and turning, worrying about their healthcare coverage. What is the Republican leadership doing? Tomorrow they will be heading home for the weekend without lifting a finger to fund a bipartisan program that has been reauthorized four times over the past 20 years.

If that isn't bad enough, September 30 wasn't just the deadline for Congress to reauthorize CHIP. We also blew past the deadline on several other healthcare programs to help children, to help pregnant women, to help older Americans, and to help the chronically ill. We blew past the deadline to reauthorize the Community Health Center Fund and the National Health Service Corps, which funds health centers and supports healthcare workers that provide children with high-quality primary care. We blew past the deadline to reauthorize the Maternal, Infant, and Early Childhood Home Visiting Program, which funds home visits to new and expectant parents to give them help keeping a new baby healthy and safe. We blew past the deadline to reauthorize the Special Diabetes Program, which funds diabetes research that could offer hope to many children living with diabetes.

When a kid is sick, moms and dads move Heaven and Earth to get them the care they need. They don't wait 25 days to go to the doctor and check to see if something is wrong. They stay up all night to make sure their little ones are all right. They wait outside the hospital room, pacing until they get an answer, but Republican leaders in Congress just don't seem to care. They don't seem to care if these families have the health insurance coverage they need so they can get an x ray or pay for an antibiotic or run some tests.

Twenty-five days, 26 days, 27 days—it just doesn't seem to matter to Republican leaders, but it sure matters to moms and dads and kids in Massachusetts and all over this country.

Senator Kennedy used to say: “The test of greatness for a nation is how it cares for its children.” Right now Republican leaders in Congress are failing that test. My colleagues have come to the floor today to say that time is up. We are here to fight for kids.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise in support of my colleagues who have come to the floor to urge the Senate to quickly pass funding for the Children's Health Insurance Program, known as CHIP.

CHIP provides comprehensive health insurance to 9 million low-income children who don't qualify for Medicaid, including 18,000 children in my home State of Delaware. Lots of other States would say that 18,000 children is a small number, but in Delaware that is a significant population. Bluntly, whether it is 1 or 100 or 1,000 or 18,000, how can we allow inaction in this Chamber to put at risk the healthcare of millions of children across our country?

It has now been more than 3 weeks since funding for CHIP expired. While some States have enough money in their accounts to carry them through to the end of the year or just beyond, the uncertainty about when or if CHIP funds will be reauthorized is causing chaos, concern, and anxiety across the country. Some States will have to start issuing notices to households that they will face the loss of CHIP coverage. Imagine the unnecessary fear this will bring to parents and families and struggling households across the country as they are facing other challenges in their life.

This is totally unnecessary. We can stop this uncertainty right now and bring needed stability for parents, children, and States and show some kind of leadership from our Federal Government. I am a proud cosponsor of the bipartisan KIDS Act, S. 1827, being led by Senator ORRIN HATCH of Utah and Senator RON WYDEN of Oregon. This KIDS Act would extend funding for CHIP for 5 years. I urge the Senate to do right by America's children and America's working families and swiftly take up and pass this bill.

While we are on the topic of programs desperately in need of reauthorization, I also want to draw attention to the expiration of the Community Health Center Fund, which ensures access to cost-effective primary and preventive care for 26 million patients across the country. In my home State of Delaware, about 50,000 Delawareans benefit from several community health centers that are widely respected, well run, and provide affordable, accessible, and preventive healthcare in communities up and down my State. Funding for this critical program also lapsed more than 3 weeks ago, and now, sadly, community health centers across my State and across the country are struggling to make key decisions—decisions like signing new leases or signing on new medical personnel to positions. Without certainty that the Federal Government will authorize their funding, how can we expect health centers to plan, to provide services, and to provide preventive healthcare that improves health and strengthens our community?

We should do everything we can to swiftly pass a 5-year reauthorization

for funding for community health centers, such as the bipartisan bill that Senator BLUNT of Missouri and Senator STABENOW of Michigan have introduced, the Community Health Investment, Modernization, and Excellence Act of 2017, S. 1899, which I am proud to support.

Folks, I urge that we work together in a bipartisan way. We should not be using children's access to healthcare as a bargaining chip. We should be taking up these two bills to provide reauthorization, funding, and certainty immediately for both CHC and CHIP funding now and without hesitation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, as you know, the Children's Health Insurance Program expired on September 30, in large part because we spent much of this year and the days leading up to that date debating the repeal of the Affordable Care Act, instead of focusing on bipartisan priorities like the Children's Health Insurance Program. As a result, the program known as CHIP expired and the health of 9 million children, including some 340,000 Pennsylvania children, are now at risk.

CHIP is not just a bipartisan program but a successful program with a Pennsylvania history. It was modeled after a State program in Pennsylvania that was signed into law by my father when he served as Governor in the early 1990s. The program provides affordable health insurance to children whose family incomes mean they don't qualify for Medicaid but still struggle to find affordable health insurance options. It is a program that working families rely upon and that provides peace of mind to parents.

Many families turn to CHIP during times of economic hardship, such as when a parent loses his or her job. At such a stressful time, I have heard from parents over and over how they have peace of mind knowing that their children will get the healthcare they need.

Some parents who rely upon CHIP for their children are, in fact, students, working and going to school so they can make that leap into stable, middle-class life. They may not have a job with health insurance or they may not be able to afford the insurance, but they know their children will get the healthcare they need.

Regardless of what drives families to the CHIP program, it is thanks in large part to CHIP that the United States of America has the highest rate of insured children in our Nation's history. According to the Census Bureau, 95.5 percent of children had health insurance in 2016. CHIP is also a popular program, as repeated studies have demonstrated. Parents think CHIP is a valuable program, and they are satisfied with the coverage and with the care their children receive.

Unless the Senate acts and acts very soon, we will have betrayed all of those

children and all of those families. There is no reason for CHIP to have expired and no reason why we shouldn't pass the bill right now, if not in the next couple of days—certainly, in the next 2 or 3 weeks—to ensure that not one single child loses his or her health insurance.

We have taken important steps to extend the program. The Finance Committee marked up the bipartisan Keep Kids' Insurance Dependable and Secure Act of 2017, known by the acronym K-I-D-S, or KIDS. The KIDS Act came out of the Finance Committee, which reauthorizes CHIP for 5 years, and that happened some 3 weeks ago. I am proud to be a cosponsor of that bill.

So it is time to act. We have a commonsense, bipartisan, successful bill in the Senate that is ready to go. It is out of the Finance Committee. So I would urge my colleagues to join me and to join others who have come to the floor today and on earlier days to take swift action to pass the KIDS Act.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, healthcare for our Nation's children is something we ought to be able to all come together on, but this Congress, which has not done much of anything, is always able to find a way to help Wall Street. Think about the middle-of-the-night vote last night, where the Vice President of the United States came to the rescue of Equifax and the rescue of Wells Fargo and the rescue of Wall Street overall. Think of the celebrations last night on Wall Street because of that tie vote, which stripped consumers of their days in court. It stripped consumers of their consumer rights.

This Congress, when it came to the Children's Health Insurance Program, allowed it to expire at the end of last month. It left millions of families afraid they will lose healthcare for their kids. Think about what this uncertainty means for parents. Trying to make sure your children are safe and healthy is enough to worry about.

Families shouldn't have to fear losing coverage for their kids because of some politicians in Washington. All of us have taxpayer-funded health insurance. Some politicians in Washington don't seem to care much about these kids.

In my State, more than 200,000-plus children have insurance under CHIP. So even if something happens to their parents—even if they lose their job or their insurance—those 200,000-plus children in Ohio have insurance because of CHIP. But it expired on September 30.

Governor Kasich is a Republican. I am a Democrat. We stand together on

this, as we stand together protecting Medicaid and as we stand together protecting the Affordable Care Act. He tells us that there is still a little bit of money left over in Ohio to get us through these next few weeks until Congress does its job. But that doesn't mean parents don't worry about their children possibly losing their health insurance.

Kids on CHIP are a little more likely to have asthma or a little bit more likely to have an illness, in part because they are low-income kids and they may live near a bus line and the air they breathe may not quite be so good. Or they live in Appalachia, where they might not be able to get to the doctor quickly. Those kids are more at risk, and those parents are worried, even though Governor Kasich assures them and I assure them we are going to do this.

Congress worked into the middle of the night last night and debated for hours on a giveaway to Wall Street. They debated for hours on helping Equifax, which abused the public trust of 145 million people—5 million in my State. They bailed out Wells Fargo, which fraudulently attacked, for want of a better term, 3.5 million customers. Congress can bail them out, but it can't pass the Children's Health Insurance Program?

Because of CHIP, 209,000—I said more than 200,000 before; more precisely, 209,000 Ohio children have access to affordable healthcare today—healthcare they may not have received otherwise. That is the importance of this program. It used to be bipartisan until this Congress, always in its rush to help Wall Street, forgot about these children.

This program provides peace of mind for parents. Regardless of income, when a parent knows that a daughter or a son has health insurance, it provides peace of mind. They know if their child has a sore throat or earache, they don't have to wait until the child is so sick they take her to the emergency room. They won't have to hesitate or wonder if they can afford the doctor visit or antibiotic. They get the care their kids need.

Most of us in this body are parents. Most of us in this body have insurance provided by taxpayers. Wouldn't you think that this would be important enough to Leader McCONNELL and the leaders of this body and to President Trump and to Speaker RYAN? Wouldn't you think it would be important enough?

We all talk about loving our kids. We talk about grandchildren. Most of us are at the age where many of us have grandchildren. We don't care enough about these children as we get insurance from taxpayers. We don't care enough about these kids to do this?

It has already been 3 weeks now since CHIP expired. CHIP means a child in Cincinnati or Dayton or Portsmouth or Akron or Youngstown or Mansfield can see a family doctor when they need it,

preventing a costly ambulance ride and emergency room visit. CHIP means getting vaccines and shots. It means having dental coverage. We know what happens to low-income kids who don't get good dental care.

The State of Ohio probably has enough money to help protect CHIP kids through the end of the year, but Congress needs to act now.

I have met with CHIP families across Ohio. Let me tell you some stories. Josh, whom I met in Cleveland—his children were covered by CHIP when he was laid off from his job. He said, "The ability to take health insurance out of the equation, feeling confident that my family will continue to get the same quality of care they had while I was working, was a huge weight lifted." Think about that.

This father, knowing that he has insurance—he had plenty of things to worry about. He lost his job. Who knows what that means about their home and their lifestyle and their family? But at least he knew he could rely on insurance—until now. Look what this Congress has failed to do.

Think about Noble from Columbus, who came to my office earlier this year with his mom to talk about how important CHIP is. Noble relies on CHIP for coverage for the five pediatric specialists he sees at one of America's great hospitals, Nationwide Children's Hospital in Columbus.

My colleagues need to think about Josh and his kids in Cleveland and Noble and his mom in Columbus. We need to think about the mother of a son with diabetes, worrying about whether her son will be able to see the same doctor next year or about a father with a daughter with asthma, praying she doesn't lose her inhaler on the playground because in a few months they might not have insurance to pay for that inhaler.

My wife has asthma, and I know what that means. She had a father who had health insurance through his union plan with the Illuminating Company in Northeast Ohio. He worked maintenance. It was a good blue-collar job. It didn't pay enough to send her to college, but it did pay enough with good insurance that it gave them a decent lifestyle. They didn't have CHIP back then. More people had union plans. More people were protected.

We used to have CHIP until September 30, when this Congress didn't care enough to provide it. We should not be playing politics with families' lives.

Two years ago, I led the fight in this body to protect CHIP. Because of that work, with the support of advocates all across Ohio—and there are so many of them across the country—we extended funding for CHIP for 2 years. Again, this was with bipartisan support, back when Congress operated that way.

We have already come a long way this year. We passed a 5-year extension of CHIP out of the Senate Finance Committee. It had every vote in that

Committee, with the exception of one. I thank Senator HATCH and Senator WYDEN and my colleague from Ohio, Senator PORTMAN, and so many of our colleagues for their help with that.

But this process is taking too long. Josh and Noble and the 209,000 Ohioans and 9 million children across the country are in a situation in which their parents are unsure of whether they will have insurance through the end of the year and next year and the year after.

It is time for us to come together to ensure that the families we work for have the healthcare they need for their children.

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.

Ms. HIRONO. 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. HIRONO. Mr. President, Donald Trump and the Republican Congress have spent most of the past year pushing their misplaced priorities, no matter the direct and collateral damage it causes for millions of Americans across the country.

There are many examples to choose from to illustrate this point. Just last night, the Vice President had to come in and break a tie to protect huge corporations from the victims of the frauds they perpetuated. Now they are putting together a huge tax cut for the wealthiest people in our country, and they are trying to sell it as a raise for the middle class. In Hawaii, we call this shibai—or B.S.

But there is perhaps no issue in which Donald Trump's dangerous agenda has caused more harm than his quest to deprive millions of Americans the healthcare and the health insurance they need. His first attempt at repealing the Affordable Care Act would have thrown as many as 30 million people off of their health insurance. Thanks to the combined efforts of so many people—active people, engaged people across the country—we defeated this proposal.

A few months later, continuing the assault on healthcare, Donald Trump renewed his attack on our healthcare system under the so-called Graham-Cassidy bill. But once again, the combined outrage of millions kept the bill from coming to the floor.

In the time they spent on their single-minded, unrelenting quest to repeal the Affordable Care Act, Donald Trump and Republicans in Congress have allowed authorization for the Children's Health Insurance Program, or CHIP, to lapse. Nearly 30,000 children in Hawaii and more than 9 million across the country depend on CHIP for their healthcare. You heard just now my colleague from Ohio tell you stories about the children in Ohio—children with asthma. In Hawaii, we have children with asthma, children with diabetes.

Nearly 30,000 children in Hawaii who rely on CHIP for their healthcare are being affected by our inaction. Primarily covering children from low-income families who earn too much to qualify for Medicaid, CHIP provides critical and much needed care for children with complex medical conditions.

Although existing funding has allowed States to stretch budgets to keep the program in place, money is quickly running out. If we don't take action soon, as many as 4 million children could lose their health insurance entirely—4 million children.

Congress cannot and should not be complicit in what I would call gross negligence. It is not negligence; it is gross negligence.

CHIP has traditionally enjoyed bipartisan support. In fact, it emerged from the committee with bipartisan support. I am glad Senators Wyden and Hatch have come together to create the KIDS Act, which I have cosponsored. This bill would extend CHIP's authorization and funding through 2022 and provide much needed certainty to millions of families across the country.

If we brought this bill to the floor right now, it would pass. It would clearly have the votes to pass. The only question is, Why don't we do it? Why don't we provide healthcare to millions of children in our country, for Heaven's sake?

I cannot believe that my colleagues on the other side of the aisle are afraid to risk incurring the wrath of a vengeful President. I cannot believe that is what is keeping them from doing the right thing.

I encourage the majority leader to bring this bill to the floor for a vote as soon as possible.

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

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

Mr. MARKEY. Mr. President, this summer the Children's Health Insurance Program, or CHIP, turned 20 years old.

I served on the House committee that created this bill and was proud to support providing the affordable comprehensive health insurance to low-income children and pregnant women. It is a bipartisan program, and it is an effective program. Last year alone, CHIP covered nearly 9 million children throughout the country. In Massachusetts, CHIP has been instrumental in achieving near-universal coverage for our children in the Bay State.

Yet, instead of celebrating CHIP's successes over the last two decades, congressional Republicans have placed CHIP in programmatic purgatory. That is because they allowed CHIP to expire at the end of September. Instead of fo-

cusing on reauthorizing this critical healthcare lifeline, Republican leadership chose to waste months of time trying to repeal the Affordable Care Act. They let just one of these successful programs lapse while they tried unsuccessfully to end another. They were more interested in ripping healthcare coverage away from millions of Americans and taking a machete to Medicaid rather than protecting our Nation's children.

We should not forget that CHIP stands on Medicaid's shoulders. Any fundamental changes to how Medicaid operates—whether it is block-granting or capping the program—will hamstring CHIP's ability to serve children as effectively and efficiently as it was intended to do, but instead of immediately returning attention to ensuring that this lapsed deadline is not effective, House Republicans have further delayed action by inserting partisan policies to pay for the program. This has not only caused an unnecessary delay in passing a bill to reauthorize CHIP, but it has dragged CHIP onto the political game board, turning it and our children into pawns in their ruthless game of partisan chess.

CHIP has historically been and should be above such games because CHIP is not just an insurance program, it is a reassurance program. It reassures States that they can provide comprehensive healthcare coverage to some of their most vulnerable, it reassures doctors that their patients will be able to access care and treatment, it reassures teachers that their students can be healthy enough to learn, and it reassures Mom and Dad that their children can still get well in the face of financial hardship.

Continued inaction on CHIP is dangerous and damaging. Every day we delay reauthorizing CHIP is another day parents across the United States live in fear that their children may soon lose their health insurance. They panic at the thought of leaving their child's asthma untreated, skipping a trip to the dentist, or delaying a doctor's visit because they can't afford to pay for the treatment or medication that may be prescribed. If we don't act soon, this fear may become a terrible reality for families. In Massachusetts, CHIP funding will expire early next year. This could impact coverage for 160,000 children in the Commonwealth, potentially delaying access to treatment and services that could have ramifications into adulthood.

In Congress, we are celebrating the 20th birthday of a successful children's insurance program by effectively threatening to end it. That is what Congress is now doing to the State of Massachusetts. That is what they are saying to the State of Massachusetts; that they are going to effectively try to shut down a program that for 20 years has served the children in our State. That makes no sense.

I urge my Republican colleagues to put their partisan games aside to pro-

vide certainty and stability to States, to providers, and to reassure families by reauthorizing CHIP. When President Trump says he wants to make the healthcare system in America better, when President Trump says he wants to make sure families are able to take care of their children, we have a program that does that already. It is successful, and families and the States love it. All we need is Republicans in the Senate to work together in order to make sure that program continues for the health of all children in our country.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, the Senate is currently considering the nomination of Scott Palk to a lifetime appointment as a Federal district court judge on the Western District of Oklahoma. I voted against Mr. Palk's nomination in the Judiciary Committee, and I will oppose his nomination on the floor.

While his nomination was pending for a lifetime appointment to be a Federal judge, Mr. Palk changed his membership with the National Rifle Association to take out a life membership in the organization. When I asked Mr. Palk about this change, he asserted he expects to maintain this "lifetime member" status, even if he is confirmed, and he refused to commit to recuse himself from any cases where the National Rifle Association has taken a legal position.

What I find disconcerting about this is Federal judges must be impartial. Federal judges must not have any appearance of conflicts of interest. When individuals come before a court, they need to trust that their case will be heard fairly and on the merits.

Every American must believe that they will get a fair, unbiased hearing no matter who their judge is. Federal judges must follow applicable laws and regulations that severely limit the kinds of organizations they can participate in.

For example, the code of conduct for Federal Judges says, "[A] judge should not participate in extrajudicial activities that detract from the dignity of the judge's office, interfere with the performance of the judge's official duties, reflect adversely on the judge's impartiality, lead to frequent disqualification, or violate the limitations set forth below."

That is why members of the Senate Judiciary Committee often ask judicial nominees at their hearings what steps they will take to prepare for the bench. It is the committee's duty to determine whether a nominee is prepared to leave their former roles and personal beliefs at the door and instead serve in an impartial arbiter.

In fact, when nominated for lifetime appointments, most nominees try to rid themselves of conflicts and limit their affiliations, especially with advocacy organizations. However, Mr. Palk not only chose to maintain his membership with the NRA, he chose to extend his membership for life.



The fact that we are considering this nominee, given this issue with his background, just 3 weeks after the Las Vegas shooting, should really give us all a reason to pause. Las Vegas is now the deadliest mass shooting committed by an individual in the United States. It has only been a year since the Pulse Nightclub massacre in Orlando, which was previously the deadliest mass shooting in our Nation's history. It has been only 5 years since 20 6-year-olds and 6 adults were murdered at Sandy Hook Elementary School in Newtown, CT. What happened after each of those shootings?

After Sandy Hook, the NRA opposed any legislation that would have restricted high-capacity magazines or military-style assault rifles.

After the Pulse Nightclub shooting, the NRA opposed any legislation to expand background checks on gun buyers or to prevent gun sales to people on terrorist watch lists.

After the Las Vegas shooting, the NRA, despite initial statements to the contrary, has come out opposed to any legislation to ban "bump-fire stocks," even though such devices allow guns to function as machineguns, which are already banned under the law.

The NRA has never supported any commonsense gun legislation. The NRA's views on gun control issues could not be clearer, which is why it is so problematic that a judicial nominee chose to double-down on his NRA membership while his nomination was pending, rather than extricate himself from his prior commitments and then refuse to commit to recusing himself on cases where the NRA has made its views abundantly clear. This should trouble all of us.

Our job in evaluating judicial nominees is to ensure our Federal courts are an independent part of our system of checks and balances. To do that, we need confidence that judicial nominees will safeguard their own impartiality. I think all of my colleagues feel that way.

That is not what Mr. Palk has done. Instead of taking steps to separate himself from strong political views, he has proactively taken steps to increase his commitment to specific views of the law.

I will vote against Mr. Palk's nomination and urge my colleagues to do the same.

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

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

AFRICOM, CENTCOM, AND OUR MILITARY

Mr. INHOFE. Mr. President, I came back just a week ago from visiting our troops stationed all around the world, in all the commands—AFRICOM,

EUCOM, CENTCOM—and talked to them about the threats in all these regions.

At a time when I hear colleagues across the aisle and political pundits ask the question, Why do we have troops in various places like Africa, it is important to remember the strategic importance of Africa.

I remember 10 years ago we didn't have a command for Africa. It was part of three commands: Pacific Command, Central Command, and European Command. Now we have AFRICOM. It is its own command. It seemed a little unreasonable that we were treating Africa as somewhat of a stepchild when that is the breeding ground out there for a lot of the things happening in terms of terrorism.

Despite our military's reach and influence, our Nation's shrinking defense budget has put AFRICOM at risk during a time when commanders are saying we face the most dangerous world we have ever faced, and we have.

I have often said that I look wistfully back at the days of the Cold War, when we had two superpowers and they were predictable. We knew what they had. They knew what we had. You have people from all over the world who are putting together equipment that we never dreamed they would have.

We have just gone through 8 years of another administration. I don't say this critically of him, but one thing about President Obama was that he was a committed, sincere liberal. Liberals generally don't pay a lot of attention to the military. Now we find ourselves in a situation where we are hurting. A lot of people assume that we don't have any problems militarily.

Sometimes I remind people that up until about 1962, we spent more than half—52 percent in 1962—of all of our revenues on defending America. What is it today? It is 15 percent. When I tell people that, they are in shock that we are in the situation we are in. We have terrorist groups in Africa—such as ISIS, al-Shabaab, and Boko Haram—and they are all growing in capability and have expanded their areas throughout Africa. This year we have seen horrific events occurring at the hands of these extremists. On October 14, a truck bombing killed 300 people in Somalia's capital. In Niger—it just happened—we had four of our U.S. soldiers who were killed in action on October 4 by an ISIS group.

We know that we have serious problems. I think it is a great disservice for people to say that we must have known that we had the threat that was out there in Niger, when in fact we didn't know it. They even compare it sometimes with Benghazi. I remember Benghazi. I was there at the time. I remember Chris Stevens. Chris Stevens was the Ambassador who went there. He was in my office right before he left, talking about the threats that were there, talking about the Taliban, his training there, and talking about organized terrorist activity.

I have to remind people that the persons who are responsible for advising the Secretary of State, who at that time was Hillary Clinton, and the President, who was President Obama at that time, are the DNI—that was James Clapper at that time—the Secretary of Defense and Chairman of the Joint Chiefs of Staff. When the Benghazi event happened, the annex was blown up. They all said at that time—they advised us, the President, and the Secretary of State—that they were forewarned by more than a month that on the anniversary of 9/11 things would blow up, and it was going to be an organized attack.

Right now there is an investigation going on to determine whether or not there is any way that we could have anticipated that in Niger this would be happening, and so far, that hasn't come up.

Despite the best of intentions, many of our partners in the region lack the capacity and the effectiveness to adequately defend themselves. People say: What do we have to gain there? This is exactly the same situation that we saw in Afghanistan prior to the war there. The terrorists have to have a safe harbor to train in, and that is what has happened.

During my travel, I had the opportunity to meet Prime Minister Benjamin Netanyahu. I have to say this about him. I have never seen him so ecstatic. A lot of us were looking back at what they were trying to do during the Obama administration. It was disheartening to think that they put together this Iran deal, and our Secretary of State at that time, John Kerry, talked about how great it was and all of these concessions that were made when, in fact, that wasn't the case. Nonetheless, when our President came out and said that he was not going to recertify the Iran deal, that was kind of neat because people don't realize that it takes a recertification every 30 days by the President in order to keep the Iran deal together. He has not done that.

Shortly after that, I happened to be talking to Prime Minister Netanyahu. It was an incredible relief to him that we were going to be looking at this. Still today, I think we all understand that Iran is the one that is financing terrorism all around the world. We discussed the shortcomings and looked forward to working with my colleagues in the future so that Iran does not become a nuclear nation, not now or ever.

What is perhaps the most encouraging is the message that this approach sends to the rest of the world, specifically to North Korea. President Trump's approach shows me—and, more importantly, shows Kim Jong Un—that an America-first foreign policy means that we refuse to take a single-minded approach to global threats.

I recall the changes taking place 8 years ago when our new President, President Obama, started his appeasing tour by going over and talking about

how America hadn't been doing the right thing. Now, all of a sudden, we have changed that around. That is what is taking place now. At that time we didn't have the threats that are out there today.

We look at North Korea. North Korea is run by a questionable person, totally unpredictable, according to our own military leaders. He is rapidly getting the capability not just of an ICBM—he has already proven he has an ICBM—but with a range not just of Alaska and some of those areas but of the entire continental United States.

On July 4 he launched his first successful ICBM. If that were fired on a standard trajectory, that missile could have reached Alaska. Some experts think it could have reached even further, into the continental United States. In light of that test, the Defense Intelligence Agency updated their assessment of the timeline by which North Korea would have the capability of hitting an American city. Instead of being 2 years out and 3 years out, it is now down to 1 year out. Some people say they have it right now. We have that threat that is out there. It is the greatest threat, in my opinion, that we are facing now or that we have ever faced.

Following this, on September 3, North Korea tested what is believed to be a hydrogen bomb. That would be seven times the power of what was dropped on Hiroshima. Even if delivered by a relatively inaccurate ICBM, there would be horrible damage imposed on our continent.

It is important to remember that all of this power is being wielded by an erratic despot, Kim Jong Un. North Korean officials have stated that they are not interested in diplomacy until they have an ICBM capable of reaching the east coast of the United States.

What does that tell you? It tells you that they are on their way. This stresses the need for the United States to enhance and accelerate our ballistic missile defense systems and to continue to put pressure on North Korea through every other means we can, diplomatic and otherwise.

My recent travels enforced again what I have been saying for some time; that is, that this is the most dangerous situation we have had, certainly in my lifetime. We have an opportunity to counter that threat right now. We are in the midst of our NDAA. One thing about the National Defense Authorization Act is that this act is going to pass. It has passed for 55 consecutive years so we know it is going to pass now. But we need to go ahead and get it done. It is important because the primary constitutional responsibility that we have is to provide for the common defense of our great Nation.

We have serious readiness issues that are going to have to be addressed, and they are being addressed in this bill. I am the chairman of the Readiness Subcommittee, and we have fought hard to ensure that this year's NDAA takes

care of these shortfalls we have had. Our forces are smaller now. We actually had a Readiness Subcommittee hearing, and we had the Vice Chiefs of all of the services there. They came in and said that right now we are in the same situation we were in when we had the hollow force following the Carter administration in the 1970s.

In January of this year, the Vice Chief of Staff of the Army, General Daniel Allyn, said: What it comes down to is that we are going to be too late. Our soldiers arrived too late. Our soldiers required too much time to close the manning, the training, and the equipment we have, and the end result is extensive casualties to civilians and to our forces.

We are talking about death. That is what is at stake right here. Just last week, I met with the Secretary of the Air Force, Heather Wilson, to discuss aviation readiness. Right now we are 1,500 pilots short, and 1,300 of those are fighter pilots. Only 50 percent of the Air Force's squadrons are actually trained and ready to conduct all of their assigned missions. One-third of our ground brigades don't work. They are not ready for combat. As to the aviation brigades, it is the same thing.

Right now, as we know, the Marines use our fleet of F-18s. Sixty-two percent of them don't work. They don't have the parts for combat. We have this situation. That is going to have to be direct. This year's bill will increase the troop levels. We will do what is necessary to correct these problems. We need to get moving on that and make people aware that help is on the way.

By the way, here is one of my concerns in this bill. A lot of people are interested in the BRAC process. We do prohibit base realignment closings to take place for another year. The reason for that is not that there may be excess capacity right now or excess resources out there, but when we are in a rebuilding mode, we would rather be able to use those resources that aren't being used now rather than build new ones. One thing is true about a BRAC; it always loses money the first 3 years. Right now we can't afford to lose any of the money that goes to defending America.

Anyway, of the additional funding, there is going to be \$8.5 billion for the missile defense that has been suffering, and we are going to be doing some good things. As we continue the conference process, which started today—we had our first conference meeting today—we need to focus on where we are.

Again, I repeat, the threat is there. We understand that. We know what is happening in Africa. By the way, the number of troops we have over there—you have to quit using this number of about 6,000—is really 1,300 troops for the entire continent who are not committed or working in some of the Embassies. We need to get busy on that.

ENVIRONMENTAL PROTECTION AGENCY

Mr. President, I have another issue I wish to visit. A lot of people are crit-

ical of what is happening right now in the Environmental Protection Agency. I feel I have to talk about this because, first of all, I was chairman of the committee that had jurisdiction over the Environmental Protection Agency for about 8 years. I see the things that are happening now, improvements that are being made.

One is by a guy named Scott Pruitt. Scott Pruitt happens to be from Oklahoma. He is doing things now, and I don't know of anyone who has ever been abused during a confirmation process like he was. Poor Scott sat there. As a general rule, after a committee gets through with that process, they have questions for the record. Normally, they are somewhere between 15 and 20 questions for the record. Do you know how many questions Scott Pruitt got? He got 675 questions for the record. Anyway, he sustained that. He is now doing great things.

Over the last 8 years, I have had little, if any, chance to praise the work of the EPA, but I can do it now. After 8 years of being relentlessly targeted by the Obama administration to shut out our farmers, ranchers, manufacturers, and energy industries, we have an administration that will listen to them and work with them. This is what jobs are all about.

There is a lot of talk about the visit that was made to our conference by President Trump yesterday. What he talked about most of the time was jobs. We are in the position to correct it.

What have we done to do that? A lot of the overregulations have been eliminated. There is the caricature of businesses referred to as greedy, loony boogeymen. But in reality, businesses are run by people who want what is best for America, for their families, and for the stockholders.

Now, like any sector of society, you are going to find a few bad actors, but we have laws and remedies in place to make sure we go after those individuals. The last administration treated those they regulated as the enemy, not as partners in ensuring that the environment was taken care of, which led to very harmful, unworkable regulations.

All of that is changing right now with President Trump and his administration. The administration realizes that working with those they regulate will produce better outcomes than only listening to those who wish to drive the industry into the ground. Administrator Pruitt has been meeting with farmers, ranchers, energy producers, and other industries to listen to and learn about how regulations affect them and how a worthwhile regulation might be implemented in a way that is producing an unintended harm.

I really cannot see why this is a bad thing, as the goal of the EPA is not to put companies or farmers out of business; it is to put forward policies that protect the environment and do not have a heavy cost, but just meeting with those who have been shut out of

the process in the past has extremists on the left seeing red. I guess they are just upset that they have lost their monopoly and their ability to write rules for the EPA.

Pruitt and the EPA are also moving forward to repeal the unlawful waters of the United States. This is one of the things, if you talk to the farmers throughout not just Oklahoma but throughout America, they will say, of all of the rules and regulations, this is the most harmful. This is No. 1. That is what they say. In fact, Tom Buchanan is the head of the Farm Bureau in the State of Oklahoma, and he says that is the problem.

People are not aware. In my State of Oklahoma, when you get out into Western Oklahoma, it is dry out there. I mean, it is about as arid as any part of the United States. Yet we know, if they were to move that jurisdiction of water away from the States and to the Federal Government, as was proposed in a rule that was promulgated by the previous administration, that area in Western Oklahoma would be considered a wetland before it is over. Anyway, that is probably, singularly, the best of the rules that he changed.

By the way, if anyone wants to see the rules—a lot of people say the President has not been doing anything. Most of these rules and regulations—there are up to 48 now—that have been costing jobs and putting people out of business have now been addressed by this administration, by the Trump administration, and very successfully. Right now, we are in the process of getting some of these things done.

The waters rule is going to take a while to get done because that is going to take some hearings and so forth. Another of the rules the EPA is working on repealing is the Clean Power Plan. Now, this is the thing that came from the Paris show. In fact, I have done this before. I have talked about the history of these things that have been put forth for 21 consecutive years now by the U.N., which is that they have these meetings. They get 196 countries together, and they try to see what they can do to get them to reduce CO<sub>2</sub> emissions, when, in fact, they have not been able to do this.

Besides that, 87 percent of the power that is developed to run our country is either from fossil fuels or it is nuclear. If you extract those, as they tried to do, how do you run the machine called America? The answer is, you can't.

Anyway, as far as the Clean Power Plan, that was put together by President Obama, and it was something you could talk about as long as you wanted to, but the fact is, it was not good for the country. The rule was so unpopular that 27 States, 37 rural electric co-ops, and 3 labor unions challenged it in court. The cost of the rule was estimated to be \$292 billion, but I have seen estimates that are well in excess of \$400 billion.

The plan would raise electricity prices in 47 States; 40 of those States

would see double-digit increases, and these increases would be shouldered by American families, many of whom already have to choose between making rent payments and paying their power bills or choosing between putting food on their tables or paying their power bills. The plan would also see the closure of 66 powerplants and eliminate over 125,000 jobs in the coal industry—an industry that has already been struggling in recent years.

The goal of this rule was to effectively end the use of coal-fired powerplants, which is a cheap and bountiful energy. What benefit would we get out of this? It would be more expensive energy.

By the way, the whole idea of the Paris thing was not just the Clean Power Plan put forth by our President; it was also what other countries were forced to do. For example, in signing on to this deal in Paris, which everyone was so upset about, China committed, for the next 10 years, to continue to increase, every 10 days, an additional coal-fired powerplant. Then they would try to reduce them after that.

What kind of a deal is that? They look back at the United States and think they know what is going to happen to our manufacturing base. They would go to China if we had to do this thing.

The most ridiculous thing about this is, the President's commitment under the Clean Power Plan was to reduce our CO<sub>2</sub> emissions by somewhere between 26 and 28 percent by 2025. The problem with that is, it cannot be done. We even called in the EPA so they may tell us how this could be done, and they agreed it could not be done.

Anyway, that is something that is behind us now. I commend Scott Pruitt for realizing the legal footing of this rule and seeing that the costs the American people will bear under this rule is not going to happen.

Just last week, the EPA announced that it will end its controversial policy known as sue and settle. This is a good one. It is a policy that has cost the taxpayers an estimated \$67 billion in new regulations that stemmed from this practice. How this works is that some extremist group will come in and sue the EPA for not doing something, and so they go into a settlement agreement with the EPA, and the EPA is in concert with them to come up with the very thing they were not able to get through legislatively. It is called sue and settle. You have heard the President talk about ending that practice. It is one that needs to be ended, and it is going to be. This practice circumvented the Administrative Procedure Act and usually ended up in settlements that were extremely beneficial to extremist groups and got them exactly what they wanted all the time.

My State of Oklahoma was a victim of this practice. In 2011, the EPA used consent agreements that stemmed

from court cases in other States, not in Oklahoma, as Oklahoma was not even part of it or aware of it. They do that to overrule the State's Regional Haze Plan to impose EPA's own costly plan on Oklahoma electricity ratepayers. Now, the plan the EPA has pushed on this State costs an estimated \$282 million each year. That is just in our State of Oklahoma, and it is something we would have to pay for.

The regional haze problem has nothing to do with health. It is all visibility. So this was ruining the theme of the Obama EPA. Never mind that regional haze is entirely a visibility issue and not a health issue, never mind that Congress specifically gave States the authority to regulate regional haze under the Clean Air Act in the amendments I strongly supported when they went through because it is a visibility issue and not a health issue. Yet because an environmentalist group did not like how Oklahoma was handling its own business, it sued the EPA in court outside of Oklahoma and did not include Oklahoma as a party in the case. The EPA capitulated and entered into an agreement with some of the extremists that conveniently required the EPA to impose its own expensive plan on my State of Oklahoma.

So I am glad Administrator Pruitt has announced an end to this policy, and I urge my colleagues to take up S. 119. It is the Sunshine for Regulatory Decrees and Settlements Act, of which I am an original cosponsor, to ensure that this practice is ended across the government and cannot be implemented by future administrations.

Finally, I would like to encourage the EPA to move ahead with a hinted-at, pending directive that would restrict scientists who receive EPA grants from serving on the Agency's scientific advisory committees. I have previously expressed concerns over the composition of the Agency's advisory committees for many reasons, including highlighting the fact that many science advisers under the Obama EPA, including a majority of those on the Clean Air Scientific Advisory Committee—that is called CASAC—have received considerable financial support from the EPA. They are calling into question their independence and the overall integrity of panels on which the advisers sit.

The National Academy of Sciences and the EPA's own "Peer Review Handbook" state that grants can constitute a conflict or a lack of impartiality. We are not talking about small grants either; we are talking about millions of dollars in grants. During the last year of the Obama administration, CASAC had six of seven members receiving these. Keep in mind, six of the seven members received a total of \$119 million in grants—in EPA research grants—and three of the members received in excess of \$25 million each. These are the scientists who are making the decisions. There were 22 of the 26 members of the CASAC Subcommittee on Particulate Matter who

received more than \$330 million in EPA grants.

The scientists who receive vast sums of money from the very agencies they are advising certainly constitute a conflict of interest and, at a minimum, give an appearance of a lack of impartiality. As such, I welcome the news that Administrator Pruitt will be seeking to limit this worrisome practice.

I have laid out only a few of the many great things the EPA is doing right now and what Administrator Pruitt is doing. I got to know him a long time ago. In fact, I flew him around the State in my airplane back when he ran for the first statewide office. He is a guy who is a tiger and who is doing the right thing. I am very proud of what they are doing.

After this morning, the EPA is now advancing five EPA nominees for the EPA general counsel and for the Offices of Enforcement and Compliance Assurance, Air and Radiation, Water, and Chemical Safety and Pollution Prevention. Each of these nominees is needed for the issues I have talked about and for the many others that are on the Agency's plate.

Scott Pruitt has been working on so much of the President's conservative agenda alone, and he needs help to run these policies. I call on my colleagues and the leadership to prioritize these nominations. You cannot get this stuff done unless you have help. We have never seen a time when we have gotten this far into an administration and have had this large of a number of people who have not been confirmed.

Mr. President, I do want to mention one other thing because, for some reason, the Democrats have decided they are going to run out the whole 30 hours on the confirmation of a guy named Scott Palk. I have to say, Scott Palk has been doing a great job. In fact, on the vote that just took place on him, he received 79 votes in the U.S. Senate. Yet, just to be obstructionists, they are still demanding 30 hours.

Scott Palk is an experienced prosecutor with a decade of service. He was the assistant district attorney for Cleveland County in my State of Oklahoma and spent 9 years as an assistant U.S. attorney in the criminal division of the Western District of Oklahoma. He has a reputation for honesty, integrity, and a commitment to fairly applying the law. Mr. Palk will serve Oklahoma with distinction as a principled jurist who will uphold the Constitution.

He is going to be confirmed. We know he is going to be confirmed because he already received 79 votes. There is no reason to delay it, other than to hold people here and be obstructionists. I would urge my friends on the other side of the aisle to go ahead and confirm the guy. He is going to do a great job.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I have remarks that I wish to make, but I will yield at this time in order for the Republican leader to be recognized after which I will seek recognition.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I thank my friend from Illinois.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

### VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 250, on the motion to invoke cloture on Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma. Had I been present, I would have voted nay. •

### CONGRESSIONAL REVIEW ACT RESOLUTION

Ms. KLOBUCHAR. Mr. President, today I wish to discuss the vote in the Senate last night to overturn the Consumer Financial Protection Bureau's rule regarding forced arbitration that would protect consumers and make sure they get their day in court when financial institutions violate the law. The floor schedule did not allow me to give these remarks before the vote, so I am giving them today. This rule would have restored the ability of servicemembers, veterans, and other consumers to join together and seek relief through class action lawsuits. I opposed this rule repeal.

In 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act included a provision instructing the CFPB to study mandatory arbitration and write a rule based on what they found. After several years of careful study, the CFPB released a 728-page report in 2015. This year, the CFPB finalized its arbitration rule mandating that consumer financial product contracts no longer include language barring class actions.

This rule was an important step forward in protecting consumers from the fine print arbitration clauses included in all sorts of contracts, including con-

tracts for credit cards, debit cards, prepaid bank cards, payday loans, and even cell phones. The 2015 CFPB report found that 93 percent of consumers whose credit cards included forced arbitration clauses did not know that they could not sue their credit card companies.

The CFPB rule enhanced protections for consumers in the military. That is why the American Legion, the Nation's largest wartime veterans service organization, which represents 2 million veterans, and the Military Coalition, which represents 5.5 million current and former servicemembers and their families, supported the protections provided under this rule.

I have cosponsored the Military Consumer Protection Act led by Senator REED, which would put the enforcement of the Servicemember Civil Relief Act under the CFPB so that the agency responsible for protecting servicemembers and their families is also able to enforce those protections.

Our servicemembers and veterans face challenges that are different from civilian consumers, especially during deployment. We need to make sure that they have all the protections they earn through their service. That is why I voted against H.J. Res. 111, the resolution of disapproval with respect to the CFPB arbitration rule, and I will continue to fight for our servicemembers, veterans, and consumers to get the protections they deserve.

### TRIBUTE TO RICHARD LINCOLN

Ms. COLLINS. Mr. President, throughout our Nation's history, young Americans have left the comfort and security of home in order to preserve our freedom and to extend the blessings of freedom to others. We set aside Veterans Day to express our gratitude.

One such veteran is Mr. Richard Lincoln of Wayne, ME. Although the story of his service in Italy during World War II is extraordinary, the virtues of courage, sacrifice, and devotion to duty it demonstrates describe the character of American patriots in all places and at all times.

Now 91 years of age, Mr. Lincoln entered the U.S. Army in 1943 when he was just 17. He served with the legendary 88th Infantry Division, the first all-draftee division to serve in combat during the war. The 88th, known as the Fighting Blue Devils, proved that with rigorous training, able leadership, and unflagging determination, peace-loving Americans could stand up to a battle-hardened, militaristic enemy.

The 88th played a key role at the Battle of Anzio, the long, costly, and critically important amphibious landing on the Italian coast in January of 1944 that eventually led to the liberation of Rome. Mr. Lincoln served as a first scout, an extremely dangerous assignment in a forward position under constant fire, to locate enemy artillery positions. When the Allies liberated Rome on June 4, 1944, the all-draftee

88th was the first division to enter the city. It was Mr. Lincoln's 18th birthday. He later was awarded the Bronze Star for his heroism during that grueling campaign.

Victory came at a steep price. Between the Battle of Anzio and the German surrender in May of 1945, the Fighting Blue Devils spent 344 days in combat, with nearly 3,000 killed and more than 9,200 wounded.

After returning home, Mr. Lincoln raised a family, served his community, and never forgot his comrades. Until he suffered a stroke that hampered his mobility, he marched in 58 consecutive Memorial Day parades in his hometown. He never rode in a ceremonial car; he always marched.

In a speech to the Association of the U.S. Army on October 9, Defense Secretary James Mattis discussed the serious current threats to peace and security facing our Nation and the world. He told the story of Richard Lincoln to underscore his point that Americans are always willing and able to meet any challenge.

On October 14, family and friends gathered around Mr. Lincoln at the Maine Veterans' Home in Augusta, where he was presented with a personal letter from Secretary Mattis and a book on the Battle of Anzio, inscribed by both Secretary Mattis and former Defense Secretary William Cohen, Maine's former Senator.

Secretary Mattis's handwritten note to Mr. Lincoln includes these words: "You have the respect and affection of today's military. You and your brothers-in-arms are the pride of our country." I am honored to join Secretary Mattis and all grateful Americans in thanking Mr. Richard Lincoln and all of the men and women who serve our country.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MASTER SERGEANT OWEN LAWLER

• Mrs. ERNST. Mr. President, today I wish to honor a living example of an American hero. MSG Owen Lawler has spent a lifetime in service, committing nearly three decades to defending U.S. national security at home and abroad.

Owen began his military service as an infantryman with the Iowa National Guard in 1990 and attended basic training at Fort Benning in Georgia. He entered Active service in 1993 and served in the 2nd Infantry Division in Korea, among other roles. In 1999, Owen was selected for special forces training, and in 2001 he was assigned 5th Special Forces Group at Fort Campbell in Kentucky. Shortly after the 9/11 attacks, Owen participated in the invasion of Afghanistan and went on to serve four more tours in Iraq. In 2009, Owen was assigned to the 3rd Special Forces Group at Fort Bragg, where he served as a team sergeant for a special forces A-team. During his assignment as the

senior sergeant on a special forces detachment, Owen led his team on three tours to Afghanistan until being seriously wounded. In 2013, Owen was selected to serve as first sergeant for the headquarters company of the advanced skills training battalion at Fort Bragg. After an extremely admirable career serving his country, Owen will retire on October 30, 2017.

Owen received multiple awards during his 27 years with the Armed Forces, including the Bronze Star Medal, Meritorious Service Medal, Purple Heart, Army Commendation Medal, Armed Forces Expeditionary Medal, Good Conduct Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, and Korea Service Medal.

I ask my colleagues to join me as I proudly recognize the service and the sacrifice of MSG Owen Lawler, a dear friend, patriot, and American hero.●

##### REMEMBERING MARJORIE "MARGE" COUNSILMAN

• Mr. YOUNG. Mr. President, I am saddened to report the recent passing of Marjorie Councilman, a treasured member of the Bloomington and Indiana University community. Mrs. Councilman passed away on August 17, 2017, at the age of 93. I join her family and friends in mourning the passing of a beloved Hoosier, who was a dedicated mother and mentor to countless Indiana swimmers.

Mrs. Councilman, or "Marge," as she was affectionately known by her colleagues, friends, and family, helped lead IU's swim team to a string of national and Big Ten titles. Marge was the wife of the late IU swimming coach, James "Doc" Councilman, who led the Hoosiers to six consecutive NCAA championship victories, 23 Big Ten titles, 52 broken world records, 154 American records, and 106 individual NCAA records. In 2013, Marge and Doc were inaugurated into the Monroe County Sports Hall of Fame. Trophies aside, Marge was best known for her compassion towards her fellow coaches, customers at her family-owned restaurant in Bloomington, and the countless young swimmers she encountered over her decades of service. Her impression on the sport stretches well beyond the swimming lanes of Indiana. In 2004, she was honored by the International Swimming Hall of Fame as a "Grande Dame" for her leadership and influence.

In 2012, Mrs. Councilman received the Bill Orwig Award, which recognizes exceptional contributions made by non-alumnus to IU's athletic program. Marge was constantly hosting team dinners, running swim meets, and keeping the official records. Throughout her husband Doc's 33 years at IU, Marge acted as a substitute mother for all the collegiate swimmers, either providing help with assignments or offering her famous lasagna and pecan pie.

In her memory, I would ask that we take a moment to reflect on her exemplary life and model of service. It is a privilege to honor Marjorie Councilman, and I want to offer my condolences to her two daughters, Cathy Councilman and Jill Morris, and to the many friends and family members she leaves behind. We will continue to honor her legacy and generous spirit.●

#### MESSAGES FROM THE HOUSE

At 10:28 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 732. An act to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes.

H.R. 2142. An act to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

H.R. 3101. An act to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes.

H.R. 3898. An act to impose secondary sanctions with respect to North Korea, strengthen international efforts to improve sanctions enforcement, and for other purposes.

H.R. 3972. An act to clarify that family offices and family clients are accredited investors, and for other purposes.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

At 4:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolution:

S. 504. An act to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program.

H.J. Res. 111. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements".

The enrolled bill and joint resolution were subsequently signed by the President pro tempore (Mr. HATCH).

#### ENROLLED BILL SIGNED

At 5:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2266. An act making additional supplemental appropriations for disaster relief requirements for the fiscal year ending September 30, 2018, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 732. An act to limit donations made pursuant to settlement agreements to which



the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 3101. An act to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3898. An act to impose secondary sanctions with respect to North Korea, strengthen international efforts to improve sanctions enforcement, and for other purposes; to the Committee on Foreign Relations.

H.R. 3972. An act to clarify that family offices and family clients are accredited investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

### 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-3267. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order that amends Executive Order 13223 of September 14, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-3268. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13712 of November 22, 2015, with respect to Burundi; to the Committee on Banking, Housing, and Urban Affairs.

EC-3269. A communication from the Chief of the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Modernizing Common Carrier Rules" ((FCC 17-112) (WC Docket No. 15-33)) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC-3270. A communication from the Deputy Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act" (RIN0938-AT46) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3271. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act" ((RIN1545-BN92) (TD 9827)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3272. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act" ((RIN1545-BN91) (TD 9828)) received in the Office of the President of the Senate on October 16, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3273. A communication from the Secretary of Health and Human Services, trans-

mitting, pursuant to law, a report relative to the Strategic Plan for the Department of Health and Human Services for fiscal years 2018 - 2022; to the Committee on Health, Education, Labor, and Pensions.

EC-3274. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Veterans' Mortgage Life Insurance—Coverage Amendment" (RIN2900-AP49) received in the Office of the President of the Senate on October 23, 2017; to the Committee on Veterans' Affairs.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-124. A joint resolution adopted by the Legislature of the State of California relative to federal rescheduling of marijuana from a schedule I drug; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 5

Whereas, Marijuana and its derivatives remain classified as a Schedule I drug by the United States Drug Enforcement Administration (DEA); and

Whereas, Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse and include heroin, lysergic acid diethylamide (LSD); marijuana or cannabis, 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone (Quaalude); and peyote; and

Whereas, Marijuana or cannabis and its congeners have been studied worldwide outside the United States for years and have shown efficacy for various conditions, such as wasting syndrome, as an antinauseant in those taking chemotherapy, Glaucoma (reduces intraocular pressure), Epilepsy (antiseizure properties), migraine headaches and other types of pain, and anxiety; and

Whereas, The medical and recreational use of marijuana in the State of California has been authorized by the voters through initiatives; and

Whereas, Marijuana or cannabis is presently classified by the DEA as a Schedule I drug wherein the possession, sale, or utilization can trigger federal prosecution statutes, including federal forfeiture provisions; and

Whereas, Concerns about the criminality and forfeiture provisions in federal law impede traditional banking institutions from doing business with potential clients cultivating, researching, selling, or utilizing marijuana or cannabis and its derivatives, therefore making marijuana commerce very difficult; and

Whereas, The inability to use traditional banking institutions impedes local and state government from adequately monitoring true marijuana or cannabis utilization and shortchanges the respective taxes owed to taxing agencies, potentially costing state and local governments hundreds of millions of dollars in lost tax income; and

Whereas, Since marijuana, or cannabis businesses are unable to legally use traditional banking institutions, many vendors resort to the black market and involvement of organized crime making communities less safe; and

Whereas, Marijuana or cannabis and its derivatives cannot be legally studied by research institutions if it remains a Schedule I drug, thereby prohibiting newly discovered and verifiable pharmacological attributes of marijuana or cannabis and its derivatives, which otherwise may enhance the quality of

life of those that could truly benefit from its use; Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature urges the Congress of the United States to pass a law to reschedule marijuana or cannabis and its derivatives from a Schedule I drug to an alternative schedule, therefore allowing the legal research and development of marijuana or cannabis for medical use and allowing for the legal commerce of marijuana or cannabis so that businesses dealing with marijuana or cannabis can use traditional banks or financial institutions for their banking needs, which would result in providing a legal vehicle for those businesses to pay their taxes, including, but not limited to, payroll taxes, unsecured property taxes, and applicable taxes on the products sold in accordance with state and local laws; and be it further

*Resolved,* That the Legislature urges the President of the United States to sign such legislation; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the United States Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-125. A joint resolution adopted by the Legislature of the State of California relative to the California Nonmotorized Trails Master Plan, to the Committee on Environment and Public Works.

#### SENATE JOINT RESOLUTION NO. 8

Whereas, California established significant greenhouse gas emission reduction targets for 2020 through the California Global Warming Solutions Act of 2006 and for 2050 through Executive Order S-3-05; and

Whereas, In 1974, the California Recreational Trails Act was enacted to increase accessibility and enhance the use, enjoyment, and understanding of California's scenic, natural, historic, and cultural resources; and

Whereas, The act and the California Recreational Trails System Plan, which is prepared and continuously maintained by the Department of Parks and Recreation pursuant to the act and in cooperation with the Department of Transportation, provides for both motorized and nonmotorized accessibility and use; and

Whereas, In order to help meet those greenhouse gas emission reduction targets, a California Nonmotorized Trails Master Plan is urgently needed to create a statewide plan and timeline for a coordinated network of California trails for walking, hiking, biking, horseback riding, and other forms of nonmotorized transportation in both urban and rural regions; and

Whereas, Human-powered, nonmotorized transportation can serve the dual purposes of providing healthy exercise for citizens and transporting them from one location to another with a zero-carbon footprint; and

Whereas, Many of California's local entities, including municipalities, public agencies, private organizations, and individual citizens, are currently in the process of developing their own local trails master plans in their neighborhoods, cities, counties, or regions that are designed to create avenues for environmentally friendly methods of nonmotorized transportation and that are likely to expand rural economic development benefits and outcomes; and

Whereas, According to a 2014 report issued by the Governors Highway Safety Association, 338 cyclists were killed in collisions



with motor vehicles in California between 2010 and 2012, the most in any state; and

Whereas, Other states, including New York, have found that a coordinated non-motorized trails network offers myriad health benefits and valuable experiences, including hiking, biking, cross-country skiing, taking short nature walks, touring, including agricultural touring, exploring greenways, parklands, and rural agricultural lands, and other nonvehicular experiences in the unique settings of local communities, and that these related activities bring commercial opportunities to those communities; and

Whereas, The federal Recreational Trails Program is a Federal Highway Administration assistance program that provides federal funds to states to develop and maintain recreational trails in both urban and rural regions for motorized and nonmotorized recreational trail use; and

Whereas, California's rural regions have limited access to networks of nonmotorized recreational trails; and

Whereas, There is currently no deadline to complete and connect the state's many diverse and separate trails into a statewide coordinated nonmotorized transportation network in both urban and rural regions: Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature requests the Governor to designate the Department of Parks and Recreation and the Department of Transportation, in partnership with the National Park Service and other relevant federal, state, regional, and local agencies, private organizations, and individual citizens, to accelerate the planning, creation, and completion timelines for a California Nonmotorized Trails Master Plan for urban and rural regions to expand opportunities for all Californians to benefit from new recreational, tourist, and economic development options in their daily lives, which will reduce the overall usage of fossil-fuel powered vehicles for public transportation and create a safer environment for pedestrians and bicyclists who use nonmotorized transportation trails networks to walk or ride; and be it further

*Resolved,* That the Legislature requests the Governor to request the President, Members of Congress, and the Federal Highway Administration, through its Recreational Trails Program, to dedicate increased funding to California to accelerate and support the planning and development of the California Nonmotorized Trails Master Plan as an expanded network of nonmotorized recreational trails in rural and urban regions of the state and to accelerate the completion of existing nonmotorized recreational trails, including the California Coastal Trail; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-126. A joint resolution adopted by the Legislature of the State of California urging state and federal departments and agencies to make collaborative, statewide salmon fishery restoration an urgent and high priority; to the Committee on Commerce, Science, and Transportation.

#### SENATE JOINT RESOLUTION NO. 7

Whereas, Salmon has been a fundamental and irreplaceable part of the cultural traditions of Native American tribes in Cali-

fornia, and a staple of Native American diets, since time immemorial; and

Whereas, The California salmon fishery is among the oldest and most important historic commercial fisheries in California, and among the most iconic commercial, recreational, and tribal fisheries in the United States; and

Whereas, The California Bay-Delta ecosystem, including the rivers that flow into it, is the most important salmon-producing system south of the Columbia River; and

Whereas, The Klamath and Trinity Rivers are home to culturally and commercially important, and biologically unique, salmon runs; and

Whereas, The California salmon fishery annually draws a vast amount of trade and tourism to California; and

Whereas, A decade ago, the California salmon fishery supported 23,000 jobs and \$1.4 billion in economic activity; and

Whereas, California salmon contains high levels of omega-3 fatty acids, offers abundant health benefits for Californians, including lower cholesterol and lower risk of skin and breast cancer, and is delicious; and

Whereas, Salmon runs are responsible for the largest transfer of biomass from the oceans to the land on the planet and are vital to the healthy functioning of ecosystems from the coast to the mountains; and

Whereas, Salmon spawned in California rivers are caught by fishermen in Oregon, Washington, British Columbia, and as far away as Alaska; and

Whereas, The health of a salmon population is an important benchmark of the health of its native rivers and ecosystems; and

Whereas, The Fish and Game Code and the State Water Resources Control Board Bay-Delta Water Quality Control Plan establish the doubling of wild salmon populations as state policy; and

Whereas, The California salmon fishery was closed from 2008 to 2009 due to declining populations and fish kill of salmon resulting from decreased river flows and warm water conditions that caused direct mortality, leading to dramatic impacts on the fishing industry and fishing-dependent communities; and

Whereas, Salmon populations have declined during California's historic drought; and

Whereas, Depressed salmon populations in 2015 and 2016 have resulted in a shorter fishing season, a reduction in landed fish from 981,000 annually from 1986 to 1990, inclusive, to 92,000 in 2016, and severe hardship to the fishing industry and fishing-dependent communities; and

Whereas, Many salmon populations in California are listed as endangered or threatened under the California Endangered Species Act or the federal Endangered Species Act of 1973, or both, including Central Valley winter-run and spring-run Chinook salmon, California Coastal Chinook salmon, and all coho salmon; and

Whereas, The United States Secretary of Commerce determined a commercial fishery failure for the Yurok Tribe Klamath River Chinook salmon fishery in 2016 due to a fishery resource disaster; and

Whereas, On May 24, 2017, the Governors of California and Oregon urged the Secretary of Commerce to expedite declaration of a fishery resource disaster for California and Oregon for the 2016 and 2017 seasons; and

Whereas, It is critical that further commercial fishery failure determinations be made, fishery resource disasters declared, and disaster relief provided, for California salmon fisheries for 2016 and 2017: Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature urges state departments and agencies, including the Natural Resources Agency, the California Environmental Protection Agency, the Department of Fish and Wildlife, the Wildlife Conservation Board, the Department of Water Resources, the Central Valley Flood Protection Board, and the State Water Resources Control Board, to make collaborative, statewide salmon fishery restoration an urgent and high priority; and be it further

*Resolved,* That the Legislature urges federal departments and agencies, including the Department of the Interior, the Bureau of Reclamation, the United States Fish and Wildlife Service, and the National Marine Fisheries Service, to make collaborative, statewide salmon fishery restoration an urgent and high priority; and be it further

*Resolved,* That the Legislature urges the federal government to undertake all appropriate measures to provide necessary disaster relief for California salmon fisheries for 2016 and 2017; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the Secretary of the Natural Resources Agency, to the Secretary for Environmental Protection, to the Director of Fish and Wildlife, to the Executive Director of the Wildlife Conservation Board, to the Director of Water Resources, to the President of the Central Valley Flood Protection Board, to the Chairperson of the State Water Resources Control Board, to the Secretary of the Interior, to the Commissioner of Reclamation, to the Assistant Secretary for Fish and Wildlife and Parks, to the Assistant Administrator for Fisheries, to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-127. A resolution adopted by the Senate of the State of Michigan urging the President of the United States and the United States Congress to recognize the Republic of Nagorno-Karabakh, also known as Artsakh, to establish economic and cultural ties with the nation, and to support the peace and stability of the South Caucasus; to the Committee on Foreign Relations.

#### SENATE RESOLUTION NO. 99

Whereas, The region of Artsakh is located in the South Caucasus and has historically been Armenian territory. The region is populated by an overwhelming majority of Armenians; and

Whereas, Despite its historical and cultural ties to Armenia, in 1921, Joseph Stalin arbitrarily severed Artsakh from Armenia, and in violation of the national, territorial, and human rights of the Armenian people, the severed region of Artsakh was placed under the administration of Soviet Azerbaijan; and

Whereas, For decades, the Armenian peoples' peaceful demonstrations for national independence, for individual freedom, and in opposition to the Soviet Azerbaijani repression and discrimination were met with acts of violent repression by Soviet Azerbaijani forces who refused to allow the self-determination of the people of Artsakh. Soviet Azerbaijan's bloody response resulted in the deaths of ethnic Armenians in Sumgait (February 1988), Kirovabad (February 1988), and Baku (January 1990) and the forced deportation of more than 350,000 Armenians from Azerbaijan. In the aftermath of the Sumgait tragedy, the United States Senate unanimously passed Amendment 2690 to the Fiscal Year 1989 Foreign Operations Appropriations

bill (H.R. 4782), concerning the Karabakh conflict and called on the Soviet government to "respect the legitimate aspirations of the Armenian people . . ." and noted that "dozens of Armenians have been killed and injured during the recent unrests . . ."; and

Whereas, The people of Artsakh overwhelmingly voted to support independence. On December 10, 1991, despite continued violence against the people of Artsakh, a popular referendum proclaiming an independent republic took place during the disintegration of the Soviet Union. Under the watchful eye of more than 50 international observers, and in full compliance with international standards for a free and fair election, more than 80 percent of eligible voters cast a ballot, and the measure passed with 98 percent in favor. On January 6, 1992, the democratically-elected Parliament of Artsakh adopted the Declaration of Independence of the Nagorno-Karabakh Republic; and

Whereas, Despite a cease-fire agreement between the Republic of Artsakh, Azerbaijan, and Armenia that ended years of intense fighting, the security and sovereignty of Artsakh continue to be threatened by regional tension and hostile acts. The Armenians of Artsakh remain resolute in their efforts to exercise the right to self-determination and live free from violence and repression, and by recognizing the government of Artsakh, the international community can help put to rest this century-old conflict; Now, therefore, be it

*Resolved by the Senate,* That we urge the President and Congress of the United States to recognize a free and independent Republic of Artsakh; and be it further

*Resolved,* That we memorialize the United States government to strengthen and solidify our country's economic and cultural relationship with the Artsakh Republic and its citizens and continue to promote the humanitarian and economic rehabilitation of the region; and be it further

*Resolved,* That we support the Republic of Artsakh's continued efforts within the international community to reach a lasting solution to the existing regional problems and establish peace and stability in the strategically important region of South Caucasus; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-128. A resolution adopted by the Alpena County Board of Commissioners, Alpena, Michigan, opposing slashing federal funding for the Great Lakes Restoration Initiative; to the Committee on Environment and Public Works.

POM-129. A resolution adopted by the Eaton County Board of Commissioners, Charlotte, Michigan, opposing slashing federal funding for the Great Lakes Restoration Initiative; to the Committee on Environment and Public Works.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 763. A bill to improve surface and maritime transportation security (Rept. No. 115-178).

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 2010. An original bill to extend the FISA Amendments Act of 2008 for 8 years, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO for the Committee on Environment and Public Works.

\*Michael Dourson, of Ohio, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

\*Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2023.

\*Matthew Z. Leopold, of Florida, to be an Assistant Administrator of the Environmental Protection Agency.

\*David Ross, of Wisconsin, to be an Assistant Administrator of the Environmental Protection Agency.

\*William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

\*Paul Trombino III, of Wisconsin, to be Administrator of the Federal Highway Administration.

By Mr. ISAKSON for the Committee on Veterans' Affairs.

\*Melissa Sue Glynn, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Enterprise Integration).

\*Cheryl L. Mason, of Virginia, to be Chairman of the Board of Veterans' Appeals for a term of six years.

\*Randy Reeves, of Mississippi, to be Under Secretary of Veterans Affairs for Memorial Affairs.

\*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.

## 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 Mr. HATCH:

S. 2003. A bill to modernize the regulation of cosmetics; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. MARKEY, Ms. HASSAN, Mr. HEINRICH, Mrs. SHAHEEN, Mr. Kaine, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. KING, Ms. BALDWIN, Mr. WARREN, Mr. BROWN, Mr. MENENDEZ, Ms. HARRIS, Mr. UDALL, and Mr. NELSON):

S. 2004. A bill to increase funding for the State response to the opioid misuse crisis and to provide funding for research on addiction and pain related to the substance misuse crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. MORAN, Ms. STABENOW, Mr. GARDNER, Mr. BENNET, Ms. MURKOWSKI, Mr. KING, Ms. COLLINS, and Mr. HEINRICH):

S. 2005. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. HELLER):

S. 2006. A bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FLAKE (for himself and Ms. CORTEZ MASTO):

S. 2007. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for educational assistance programs; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. HASSAN):

S. 2008. A bill to combat the opioid epidemic and drug sample backlogs; to the Committee on the Judiciary.

By Mr. MURPHY (for himself, Mr.

BLUMENTHAL, Mr. MARKEY, Mrs. GILLIBRAND, Mr. DURBIN, Mr. HEINRICH, Mr. VAN HOLLEN, Ms. WARREN, Mr. BOOKER, Mr. CARPER, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. CASEY, Mr. SCHUMER, Ms. HASSAN, Ms. HIRONO, Ms. HARRIS, Mr. WHITEHOUSE, Ms. DUCKWORTH, Ms. CORTEZ MASTO, Mr. SANDERS, Mr. BENNET, Mr. CARDIN, Mr. REED, Mr. UDALL, Mr. LEAHY, Mr. WYDEN, Mr. KAINE, Ms. BALDWIN, Mr. MENENDEZ, and Mr. NELSON):

S. 2009. A bill to require a background check for every firearm sale; to the Committee on the Judiciary.

By Mr. BURR:

S. 2010. An original bill to extend the FISA Amendments Act of 2008 for 8 years, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. SANDERS (for himself, Mr.

REED, Mr. LEAHY, Mrs. GILLIBRAND, Ms. HARRIS, Mr. FRANKEN, and Ms. WARREN):

S. 2011. A bill to amend title XVIII of the Social Security Act to provide for the negotiation of lower covered part D drug prices on behalf of Medicare beneficiaries and the establishment and application of a formulary by the Secretary of Health and Human Services under Medicare part D, and for other purposes; to the Committee on Finance.

By Mr. HOEVEN (for himself, Ms. MURKOWSKI, and Ms. HEITKAMP):

S. 2012. A bill to amend the Internal Revenue Code of 1986 to make permanent the Indian Employment Credit and the depreciation rules for business property on Indian reservations, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. WARREN (for herself, Mr. GRASSLEY, and Ms. HASSAN):

S. Res. 303. A resolution expressing support for the designation of October 2017 as "National Audiology Awareness Month"; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself and Ms. HIRONO):

S. Res. 304. A resolution expressing the sense of the Senate that entrepreneurship on the part of minority women-owned businesses should be fully supported and encouraged; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Ms. DUCKWORTH, Ms. MURKOWSKI, Mr. KAINE, Mr. BLUMENTHAL, Mr. HELLER, Mrs. FEINSTEIN, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. BOOKER, Mr. BROWN, Mrs. MURRAY, Mr. DURBIN, Ms. HARRIS, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. SCHATZ, and Mr. FRANKEN):

S. Res. 305. A resolution recognizing the month of October 2017 as Filipino American

History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; considered and agreed to.

By Mr. FRANKEN (for himself, Mr. HATCH, and Mr. WICKER):

S. Res. 306. A resolution recognizing the month of October 2017 as "National Principals Month"; considered and agreed to.

By Mr. HOEVEN (for himself, Ms. HEITKAMP, Mr. PETERS, Mr. ROBERTS, Mr. TESTER, and Ms. WARREN):

S. Res. 307. A resolution designating October 26, 2017, as "Day of the Deployed"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 109

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 292

At the request of Mr. REED, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Mr. HOEVEN) 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. 497

At the request of Ms. CANTWELL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor 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. 989

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 989, a bill to amend the Public Health Service Act to provide for the participation of pediatric subspecialists in the National Health Service Corps program, and for other purposes.

S. 1136

At the request of Ms. HIRONO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1136, a bill to improve the structure of

the Federal Pell Grant program, and for other purposes.

S. 1161

At the request of Ms. DUCKWORTH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1161, a bill to amend title 38, United States Code, to eliminate copayments by the Department of Veterans Affairs for medicines relating to preventative health services, and for other purposes.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1674

At the request of Mr. REED, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1674, a bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes.

S. 1753

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1753, a bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes.

S. 1790

At the request of Mr. BURR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1790, a bill to amend the Internal Revenue Code of 1986 to improve college savings under section 529 programs, and for other purposes.

S. 1827

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1827, a bill to extend funding for the Children's Health Insurance Program, and for other purposes.

S. 1870

At the request of Mr. HOEVEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1870, a bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 1899

At the request of Mr. BLUNT, the names of the Senator from Indiana

(Mr. DONNELLY) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1899, a bill to reauthorize and extend funding for community health centers and the National Health Service Corps.

S. 1942

At the request of Ms. HEITKAMP, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1942, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 1953

At the request of Mr. HOEVEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1953, a bill to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes.

S. 1967

At the request of Mr. COTTON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1967, a bill to amend the Internal Revenue Code of 1986 to provide additional exemptions to the individual mandate, and for other purposes.

S. 1979

At the request of Mr. MURPHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1979, a bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States.

S. 1997

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1997, a bill to amend the Foreign Intelligence Surveillance Act of 1978 to protect privacy rights, and for other purposes.

S. RES. 250

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor 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.

S. RES. 297

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 297, a resolution supporting Lights On Afterschool, a national celebration of afterschool programs held on October 26, 2017.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. HELLER):

S. 2006. A bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the "Breast Density and Mammography Reporting Act," a simple, yet potentially life-saving solution to ensure that women receive their own medical information. I thank Senator HELLER for working with me on this bipartisan bill and I appreciate Representatives DELAURO and FITZPATRICK for introducing a House companion to this legislation.

We have accomplished so much in the treatment and diagnosis of breast cancer, and it still continues to be the second leading cause of death for women in the United States and the leading cause of cancer death among Hispanic women. Mammograms have aided tremendously in early detection efforts, helping many more women survive this diagnosis.

For women with dense breast tissue, however, a mammogram may not be capturing the whole picture. Dense breast tissue and cancer tumors look similar on a mammogram and make cancer harder to detect in women with higher breast density. Unfortunately, many women are never told about their tissue density on the report they receive after their screening, even though it is assessed and reported to their health care provider. This leaves women unaware their mammogram could be missing signs of cancer. If a patient doesn't have information to begin with, how would she know to ask her doctor about what additional screening might be right for her?

There is currently no Federal requirement for women to receive notice that they have dense breast tissue on their mammogram report. This bill would require that women be informed on the mammogram report, something they already receive, if they have dense breast tissue, as well as a recommendation that they talk with their health care provider to discuss any questions and if they might benefit from additional screening. The bill also requires the Department of Health and Human Services to focus on research and improved screening for patients with dense breast tissue.

The bill does not impact State laws and simply sets a minimum Federal standard on a report that women already receive. Any State wishing to have additional reporting requirements would be able to do so. Withholding from women their own medical information just does not make sense. Having access to your breast tissue density could mean the difference between catching breast cancer early and surviving, or waiting until it's too late.

This bipartisan bill has the support of major cancer organizations, including American Cancer Society Cancer Action Network, Are You Dense Advocacy, Susan G. Komen, DenseBreast-

info, Tigerlily Foundation, Prevent Cancer Foundation, Facing Our Risk of Cancer Empowered, Don't be a Chump! Check for a Lump!, Sharsheret, National Association of Nurse Practitioners in Women's Health, Black Women's Health Imperative, and Men Against Breast Cancer.

I look forward to working with my colleagues on this important issue, and I urge my fellow Senators to cosponsor the Breast Density and Mammography Reporting Act. Thank you Mr. President and I yield the floor.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 303—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 2017 AS "NATIONAL AUDIOLOGY AWARENESS MONTH"

Ms. WARREN (for herself, Mr. GRASSLEY, and Ms. HASSAN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 303

Whereas, according to the Centers for Disease Control and Prevention, hearing loss is the third most common chronic physical condition in the United States;

Whereas the National Institute on Deafness and Other Communication Disorders and the Centers for Disease Control and Prevention have found that 24 percent of adults in the United States, or 40,000,000 individuals, may have noise-induced hearing loss in 1 or both ears;

Whereas, although the prevalence of hearing loss increases with age, approximately 40 percent of individuals with hearing loss are under the age of 60;

Whereas people with hearing difficulty frequently delay seeking assessment and treatment for their hearing loss;

Whereas audiologists, whose academic and clinical training provides the foundation for patient management from birth through adulthood, are dedicated health care professionals who diagnose, treat, and manage hearing loss and balance disorders;

Whereas audiologists treat patients in many different settings, including private practice, hospitals, schools, Veterans Health Administration hospitals, and otolaryngology offices;

Whereas October 2017 would be an appropriate month to designate as "National Audiology Awareness Month"; and

Whereas there is a need for greater awareness on the part of the public regarding issues related to the hearing and balance care provided by audiologists, including—

(1) the diagnosis and treatment options available to the public;

(2) the research needs of audiologists; and

(3) the public policy implications of changes in the field of audiology: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of October 2017 as "National Audiology Awareness Month"; and

(2) applauds the actions of audiologists, including clinicians, researchers, and others who strive to raise public awareness of hearing and balance care by advancing the profession of audiology.

### SENATE RESOLUTION 304—EXPRESSING THE SENSE OF THE SENATE THAT ENTREPRENEURSHIP ON THE PART OF MINORITY WOMEN-OWNED BUSINESSES SHOULD BE FULLY SUPPORTED AND ENCOURAGED

Ms. DUCKWORTH (for herself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 304

Whereas the number of women-owned small businesses increased by 3,500,000 from 2007 to 2016;

Whereas, for every 10 women-owned businesses launched since 2007, 8 were started by women of color;

Whereas women are now majority owners of 38 percent of all businesses in the United States;

Whereas there are currently almost 5,000,000 minority women-owned small businesses;

Whereas minority women are the fastest growing group of entrepreneurs in the United States;

Whereas African-American women own fully 49 percent of all African-American-owned businesses;

Whereas Latina-owned firms employ 550,400 workers;

Whereas there are currently 922,700 Asian-American women-owned small businesses;

Whereas Native American and Alaska Native women-owned small businesses generated \$10,500,000,000 in revenues; and

Whereas the number of Native Hawaiian and Pacific Islander women-owned small businesses more than doubled between 2007 and 2016: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) October has been designated "National Women's Small Business Month" by the Small Business Administration;

(2) minority women often work in low-paying jobs in the traditional workforce, which means the gender salary gap, child care expenses, and a lack of paid family leave impact women of color more severely than other populations, and expanding access to opportunities for entrepreneurship can help women of color get ahead economically, serve their communities, and care for their families;

(3) minority women entrepreneurs are paving the way for women-owned businesses;

(4) minority women entrepreneurs are an important segment of the domestic economy of the United States as well as the global economy; and

(5) in order to sustain the economy of the United States, Congress must fully support and encourage the growth of minority women-owned businesses.

### SENATE RESOLUTION 305—RECOGNIZING THE MONTH OF OCTOBER 2017 AS FILIPINO AMERICAN HISTORY MONTH AND CELEBRATING THE HISTORY AND CULTURE OF FILIPINO AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE UNITED STATES

Ms. HIRONO (for herself, Ms. DUCKWORTH, Ms. MURKOWSKI, Mr. KAINE, Mr. BLUMENTHAL, Mr. HELLER, Mrs. FEINSTEIN, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. BOOKER, Mr. BROWN, Mrs. MURRAY, Mr.

DURBIN, Ms. HARRIS, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. SCHATZ, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 305

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first “Luzones Indios” arrived in Morro Bay, California, on board the Nuestra Señora de Esperanza, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas the Filipino American community is the second largest Asian American and Pacific Islander group in the United States, with a population of approximately 4,000,000;

Whereas, from the Civil War to the Iraq and Afghanistan conflicts, Filipino Americans have a longstanding history of serving in the Armed Forces;

Whereas more than 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific theater;

Whereas 20,000 Filipino World War II veterans were granted United States citizenship as a result of the Immigration Act of 1990, which was signed into law by President George H.W. Bush on November 29, 1990;

Whereas, effective June 8, 2016, the Filipino World War II Veterans Parole Program allowed for Filipino World War II veterans and certain family members to be reunited more expeditiously than the immigrant visa process allowed at that time;

Whereas on December 14, 2016, President Barack Obama signed into law S. 1555 (114th Congress), the Filipino Veterans of World War II Congressional Gold Medal Act of 2015, to award Filipino veterans who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress, a recognition for which Filipino World War II veterans have waited more than 70 years;

Whereas the presentation of Congressional Medals of Honor pursuant to such Act will take place on October 25, 2017, in Emancipation Hall in the Capitol Building;

Whereas Filipino Americans continue to demonstrate a commendable sense of patriotism and honor;

Whereas 9 Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces;

Whereas the late Thelma Garcia Buchholdt, born in Claveria, Cagayan, on the island of Luzon in the Philippines—

(1) moved with her family to Alaska in 1965;

(2) was elected to the House of Representatives of Alaska in 1974;

(3) was the first Filipino woman elected to a State legislature; and

(4) authored a comprehensive history book entitled “Filipinos in Alaska: 1788-1958”;

Whereas Filipino American farmworkers and labor leaders, such as Philip Vera Cruz and Larry Itliong, played an integral role in the multiethnic United Farm Workers movement, alongside Cesar Chávez, Dolores Huerta, and other Latino workers;

Whereas Filipino Americans play an integral role in the healthcare system of the United States as nurses, doctors, and other medical professionals;

Whereas Filipino Americans have contributed greatly to music, dance, literature, education, business, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the landscape of the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States;

Whereas it is imperative for Filipino American youth to have positive role models to instill—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the celebration of Filipino American History Month in October 2017 as—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States to learn more about Filipino Americans and to appreciate the historic contributions of Filipino Americans to the United States; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

#### SENATE RESOLUTION 306—RECOGNIZING THE MONTH OF OCTOBER 2017 AS “NATIONAL PRINCIPALS MONTH”

Mr. FRANKEN (for himself, Mr. HATCH, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 306

Whereas the National Association of Secondary School Principals, the National Association of Elementary School Principals, and the American Federation of School Administrators have declared the month of October 2017 to be “National Principals Month”;

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of National Principals Month would honor elementary

school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the month of October 2017 as “National Principals Month”; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of the United States by supporting the goals and ideals of National Principals Month.

#### SENATE RESOLUTION 307—DESIGNATING OCTOBER 26, 2017, AS “DAY OF THE DEPLOYED”

Mr. HOEVEN (for himself, Ms. HEITKAMP, Mr. PETERS, Mr. ROBERTS, Mr. TESTER, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 307

Whereas more than 2,000,000 individuals serve as members of the Armed Forces of the United States;

Whereas several hundred thousand members of the Armed Forces rotate each year through deployments to 150 countries in every region of the world;

Whereas more than 2,900,000 members of the Armed Forces have deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong and free by the loyal military personnel from the total force (the regular components, the National Guard, and the Reserves), who protect the precious heritage of the United States through their declarations and actions;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas members of the Armed Forces personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the Senate designated October 26 as “Day of the Deployed” in 2011, 2012, 2013, 2014, 2015, and 2016: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 26, 2017, as “Day of the Deployed”;

(2) honors the deployed members of the Armed Forces of the United States and the families of the members;

(3) calls on the people of the United States to reflect on the service of those members of the Armed Forces, wherever the members serve, past, present, and future; and

(4) encourages the people of the United States to observe the Day of the Deployed with appropriate ceremonies and activities.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 8 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 COMMERCE, SCIENCE, AND  
TRANSPORTATION

The Committee Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 10 a.m., in room SR-253 to conduct a hearing entitled "The Commercial Satellite Industry: What's Up and What's on the Horizon."

COMMITTEE ON ENVIRONMENT AND PUBLIC  
WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 10 a.m., in room SD-406 to conduct a hearing on the following nominations: Michael Dourson, of Ohio, to be Assistant Administrator for Toxic Substances, and William L. Wehrum, of Delaware, Matthew Z. Leopold, of Florida, and David Ross, of Wisconsin, each to be an Assistant Administrator, all of the Environmental Protection Agency, Paul Trombino III, of Wisconsin, to be Administrator of the Federal Highway Administration, Department of Transportation, and Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission.

COMMITTEE ON ENVIRONMENT AND PUBLIC  
WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 10 a.m., in room SD-406 to conduct a hearing entitled "The Wildfire Prevention and Mitigation Act of 2017."

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 10 a.m., to hold a hearing entitled "Nigeria Security Update."

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 2:30 p.m., in room SD-628 to conduct a hearing on: S.1223, Klamath Tribe Judgment Fund Repeal Act.

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, at 2:30 p.m., in room SD-628 to conduct a hearing on: S.1870, Securing urgent resources vital to Indian Empowerment Act 2017; S.1953, Reauthorization of the Tribal Law and Order Act of 2010; and S.1942, to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians.

## COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, October 25, 2017, off the Senate floor to conduct a hearing on nominations.

## SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session

of the Senate on Wednesday, October 25, 2017, at 2:30 p.m., in room SD-562 to conduct a hearing entitled "Working and Aging with Disabilities: From School to Retirement."

## PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Sarah Finley, be granted privileges of the floor for the remainder of the day.

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

Mr. BROWN. Mr. President, I ask unanimous consent that Radhika Gharpure, who is currently serving as a legislative fellow in my office, be granted floor privileges for the remainder of this Congress.

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

Mr. MARKEY. Mr. President, I ask unanimous consent that floor privileges be granted to Tessa Rebholz, a fellow on my staff, for the remainder of the session.

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

## APPOINTMENTS

The PRESIDING OFFICER. On Tuesday, October 24, 2017, the Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to Public Law 96-388, as amended by Public Law 97-84, and Public Law 106-292, reappointed and appointed the following Senators to the United States Holocaust Memorial Council: the Honorable ORRIN G. HATCH of Utah, The Honorable MARCO RUBIO of Florida, and The Honorable TIM SCOTT of South Carolina.

VETERANS' COMPENSATION COST-  
OF-LIVING ADJUSTMENT ACT OF  
2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1329 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The assistant bill clerk read as follows:

A bill (H.R. 1329) to increase, effective as of December 1, 2017, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, 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. 1329) was ordered to a third reading, was read the third time, and passed.

NATIONAL HEALTH INFORMATION  
TECHNOLOGY WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 280 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 280) designating the week of October 2 through October 6, 2017, as "National Health Information Technology Week" to recognize the value of health information technology in transforming and improving the healthcare system for all people in the United States.

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

Mr. MCCONNELL. I further 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. 280) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 3, 2017, under "Submitted Resolutions.")

## RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. 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. 305, S. Res. 306, and S. Res. 307.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. 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 preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

## ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 12 noon on Thursday, October 26, all postcloture time be considered expired on the Palk nomination, and that following disposition of the Palk nomination, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate



vote on the motion to invoke cloture on the McFadden nomination.

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

#### ORDERS FOR THURSDAY, OCTOBER 26, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, October 26; 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; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Palk nomination under the previous order.

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 consent that it stand adjourned under the previous order, following the remarks of Senator DURBIN and Senator WYDEN.

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

The Senator from Illinois.

#### ROHINGYA HUMANITARIAN CRISIS

Mr. DURBIN. Mr. President, the Rohingya are one of many ethnic groups, largely Muslim, who have been living for centuries in Burma and now in Myanmar, with the majority of them in the western coastal Rakhine State.

Deep-seated misconceptions about their roots and faith have led to decades of discrimination, about which many of us are aware because of press reports. They have been denied citizenship, had their movement restricted, and have been deprived of basic healthcare. It is no wonder that the Rohingya people are considered to be one of the most persecuted minorities in the world.

Today, as a result of a military crackdown against them in the Rakhine State—an overzealous, disproportionate response to attacks on security outposts by some militants last October and then again this August—countless Rohingya have been brutally killed, and more than 600,000 have fled to overwhelmed and desperate camps in neighboring Bangladesh.

The scorched-earth tactic by the Burmese military has left hundreds of villages literally burned to the ground, and the reports of rape, starvation, mass killing—even reports of security forces burning people, babies, alive—have been horrifying. Satellite images and maps indicate that the destruction

by the Burmese military is not episodic, it is systematic.

In Bangladesh, aid groups have been unable to keep up with the influx of refugees. The unprecedented scale of the crisis and the lack of infrastructure in the makeshift camps have created significant gaps in access to food, medical care, and even safety and shelter.

The international community has condemned the violence against the Rohingya, and rightly so.

Countries around the world—reputable international human rights organizations such as the Human Rights Watch, Amnesty International, and even the U.N.—have denounced the military's campaign against the Rohingya.

In a speech to the U.N. Human Rights Council in Geneva last month, the U.N. High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, called the Burmese military operation against the Rohingya people “a textbook example of ethnic cleansing.”

Many of my colleagues in this Chamber joined me when I introduced S. Res. 250 to condemn these atrocities, and a large group of us also wrote to the administration recently to urge Secretary Tillerson and Administrator Green to help resolve the crisis and provide critically needed aid.

Just yesterday, in a Senate Foreign Relations Committee hearing, my friend and colleague, Senator BEN CARDIN of Maryland, labeled the crisis a “genocide.” Yet Aung San Suu Kyi, the de facto leader of Burma, the Nobel laureate, has largely done and said too little.

I have followed Aung San Suu Kyi over the years. I joined many of my colleagues in praising her struggle for democracy. After 15 years under house arrest, she and the National League for Democracy won a landslide victory in the first national vote since Burma's transition to civilian rule in 2015, more than two decades after her party was denied its victory in the 1990 election.

I admired her so much for her non-violent struggle for political freedom and human rights. And while I recognize she still has a fragile relationship with the Burmese military, which still has considerable power, I am sadly disappointed in her lack of leadership when it comes to the plight of the Rohingya people—her fellow countrymen—men and women who are in a desperate situation.

She claims she is committed to restoring peace and the rule of law. Yet she has spoken of so-called allegations and counter-allegations instead of addressing the widespread, well-documented abuses by her own country's security forces.

I was glad that Aung San Suu Kyi in 2016 appointed investigators, led by former U.N. Secretary General Kofi Annan, who recommended this summer that Burma review a 1982 law that strips most Rohingya of citizenship. Yet the Burmese Government has yet

to implement any of the Commission's recommendations and further continues to deny access to the Rakhine State to other U.N. investigators, journalists, and NGO groups. Some officials have even accused the Rohingya of faking rape and faking the burning of their own homes. What a preposterous claim.

I recognize the dramatic progress Burma has made over the years. It will take a long time to overcome many of the challenges in such a young democracy, and I understand that Aung San Suu Kyi, as State Counselor, has a limited role under the power-sharing agreement with her military, which has largely been responsible for the violence I have described. But I would urge her to live up to her own words upon delivering her Nobel Peace Prize lecture in 2012 to address the historic and brutal suppression of the Rohingya and support ethnic reconciliation in Burma. In fact, Aung San Suu Kyi quoted the following passages from the preamble to the Universal Declaration of Human Rights, which was adopted by the U.N. General Assembly in 1948, as the answer to why she fought for democracy and human rights in her home country in Burma. She said:

[D]isregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

[I]t is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.

These are wise words used by Aung San Suu Kyi when she received her Nobel Prize. They are words that apply today to this crisis within her own country.

I am committed to doing what I can in Congress to hold those in the Burmese military personally accountable for the reprehensible human rights violations against the Rohingya.

I want to note that I have also had the opportunity over the October recess to meet with some members of the Rohingya community who have resettled in my home State of Illinois over the years.

About 1,500 Rohingya people live in the Chicagoland area. Among them is Nasir Zakaria. He helped found the Rohingya Culture Center in Chicago—the first Rohingya community center in America. The center helps provide a safe, familiar space for Rohingya people new to the country, as well as critically needed resources, such as translators, ESL and computer classes, help with paperwork, and much more.

When I met Nasir and the other members of the community about a week ago with my wife, they told me about the phone calls and photos they receive late at night from family and friends fleeing the violence, looking for safety in Bangladesh.

I also heard from community members who recently returned from a medical mission to Bangladesh. They showed me the photos they brought back. One food line to feed refugees was literally 1 mile long. Healthcare is limited. Safe drinking water is limited. Cholera is detected. It is a horrible situation for these people who have been tossed out of Myanmar and now are trying just to survive nearby Bangladesh. The stories are horrific, and they are all the same.

Here is an image of this exodus that was printed in the New York Times. It shows families fleeing Burma across the border to Bangladesh with smoke rising in the background from the villages that they lived in being burned.

The stories I heard were of helpless, poor families walking on foot through jungles, crowding in boats along the Naf River, leaving behind everything with accountings of rape, killing, and arson by the Burmese military. They arrive in Bangladesh sick, exhausted, and desperately in need of the most basic things—food, clean water, medicine, a safe space to rest their heads.

Here is another image, which is heartbreaking. It is an indication of what happens in the refugee camps when food arrives, this time in a camp known as Cox's Bazar in Bangladesh.

A UNICEF report last week stated that 58 percent of the refugees who have poured into Cox's Bazar are children, noting that they are in hell on Earth. They are acutely malnourished, they need clean water and vaccines, and they are at risk of exploitation by traffickers. This is unacceptable.

I understand that Bangladesh and Burma have discussed a repatriation plan recently, but many refugees don't have any documents. They were literally burned out of their homes. We need to call on the U.N. High Commissioner for Refugees. Filippo Grandi was in my office last week, and he stressed how important it is for us to speak up and to help on this issue, that we ensure the voluntary right of return and we ensure the safety of those who do return and we make sure that the paper requirements for return are reasonable for people who are literally homeless and stateless at this moment.

Many are wary of returning without an assurance of full citizenship, given the risk of further persecution or the threat of being placed in camps in Myanmar when they return. I don't blame them, because the atrocities committed against the Rohingya over the past months and weeks are not new by any means.

Nasir Zakaria in Chicago told me that more than three decades ago, when he was only 14, he was kidnapped by militants targeting the Rohingya in Burma. He never saw his parents again.

Nasir eventually escaped to Bangladesh, made his way to Malaysia, where he worked for 18 years in construction before he finally made it to the United States with a green card in 2013. He learned English, worked as a

dishwasher in a hotel near Chicago, supported his wife and three children, met others in the community, and helped to create the Rohingya Center that I visited.

Here is a picture of Nasir Zakaria with his son, Mohamed, in their Chicago apartment. You can see the American flag in the background. He is very proud of this Nation that he now calls home.

The Rohingya Culture Center provides critical resources to more than 400 families in the Chicago area, one of the largest concentrations of Rohingya refugees in America. More than three decades after Nasir first escaped Burma, the Rohingya continue to be attacked and demonized.

Let me close by saying that we met today with the Myanmar Ambassador. Seven Senators sat down with him and expressed the sentiments that I have included in this statement.

First, let me give Mr. U Aung Lynn, the Ambassador, credit for coming to the meeting. He knew what we were going to raise. Yet he came, he took notes, and he assured us that he would respond to this; that we would be able to come back in a week or two for a progress report on what is being done; that he would allow or plead for access of U.N. personnel, as well as NGO groups, into the northern Rakhine area currently being denied access; that he would personally make it clear to his government we want those responsible for these atrocities held accountable. We want to make certain, as well, that those who are repatriated have a fair chance to return to a safe atmosphere in Myanmar and, ultimately, for citizenship.

It was a long list of requirements and requests that we gave to the Ambassador. He took them all in a positive way and told us he would be back to us in a matter of a week or two with a progress report.

Let me close by appealing to Aung San Suu Kyi to help resolve this crisis. I am counting on her. I do believe she is a good person. I hope that she will respond to this crisis in her own country the way she stood up with so much courage before.

I plan to meet with this Ambassador in a few weeks to chart the progress, and I look forward to working with my colleagues on a bipartisan basis to end this ethnic cleansing of the Rohingya people in Myanmar. We cannot allow the Burmese military to commit these atrocities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before Senator DURBIN leaves the floor, I just want to commend our colleague from Illinois. He and I have worked together for many years, and throughout that time, the Senator from Illinois has constantly been a voice for those who have no voice on these human rights concerns, laying out why the effort to step up is what we are all about as Americans.

I thank him. I enjoyed listening to him again. You don't really enjoy it because you hear about the suffering, but I am so glad that Senator DURBIN has made this case, and I thank him for it.

#### WILDFIRE DISASTER FUNDING ACT

Mr. WYDEN. Mr. President, across the West, 2017 will be long remembered as the year when fire was seared into our collective consciousness and ash rained down on homes and cars. There were mass evacuations, and scores just lost their hopes and dreams.

Devastating fires have hit my home State of Oregon, but Idaho, California, Washington, Colorado, Montana, Nevada, and more all were hit by fires that always seemed bigger and hotter and more powerful than what we have seen in the past.

These are not our grandfathers' fires. There are a whole host of reasons behind this, and today I just want to talk a bit about what happened, what it has meant, and at least a commonsense approach that Senator CRAPO and I have advocated for moving forward on a bipartisan basis.

The fact is, in the West, dozens of lives have been lost. Entire communities have been wiped out. An iconic national treasure in my home State, a place that Oregonians have always regarded—a special love for our Columbia River Gorge is practically in our chromosomes—it was burned over this year.

This month, a huge part of Northern California was burned. We talked to our colleagues Senator FEINSTEIN and Senator HARRIS about that. It is not just rolling hills and unoccupied land; the fires swept through entire cities. Some of the stories about those whose lives were lost in California just break your heart. School has been disrupted for more than a quarter million children. In some cases, it could be weeks before classes are back up and running.

In my home State, more than 600,000 acres were burned, nearly a third of that in the Chetco Bar fire that burned through southwestern Oregon. I was there to visit with folks in the community and the volunteers. There were volunteers from all over the country who were stepping up to help us deal with these fires. It sure was needed because, nationwide, almost 9 million acres burned. It is an area bigger than the size of eight States in our country—all of it up in flames. Compare that to the 1980s and the 1990s, when an average of around 3 million acres burned per year.

A brandnew report is out from the Department of the Interior forecasting how much the cost of fighting these fires is going to climb in the near future. The agency predicts a jump of 20 percent from fiscal year 2018 to 2019, and they believe that is a conservative estimate. If conditions are dry and temperatures are high, it could be even worse.

I am of the view—and it is something Senator CRAPO and I have worked on

together for years now. Sometimes we believe it is the longest running battle since the Trojan War. It is based on the proposition that Congress should no longer sit back and accept that these fires can only get larger, cost more, and that somehow the Forest Service is not all that big a problem. We just call it the fire service, which is the way a lot of people describe it in our part of the world.

Now, the way the Federal budget works for these fires is a broken, commonsense-defying policy, and it literally adds fuel to the fires and in effect disrupts not just the West but the rest of the country because the consequences of this broken budgeting process for fighting fires takes a toll on communities across the country.

A few years ago, I came back from Oregon for a visit, and I learned that our colleague and friend, the distinguished senior Senator from New York, Mr. SCHUMER, had signed on to legislation that I am going to describe shortly that Senator CRAPO and I have been working on. When I heard Senator SCHUMER had signed on to it, I, of course, was very pleased to have someone of his influence. I said to my colleagues: What am I missing here? I don't remember there being a lot of Federal forests in Brooklyn.

Well, it turns out that at that time, Senator SCHUMER, because he goes all over his State, was I believe in Upstate New York. There was a company that made baseball bats. As a result of this broken system of fighting fire, when Senator SCHUMER's constituent had a problem with the baseball bats because there was an invasive species that was eating its way through these baseball bats, the local Forest Service folks didn't have the money to help him deal with this economic issue.

It might seem like a small thing to some people, but when you are talking about these smaller communities, if they don't have the resources because they are victims of this broken system of fighting fire, this is a problem. It is a problem that Senator CRAPO and I have taken on now to ensure that, once and for all, we substitute common sense for a system that is everything but common sense.

What I am going to describe now is something called fire-borrowing. It starts like this: Over the years, prevention, which everybody talks about—Smokey is the symbol of prevention. Prevention gets short shrift. It gets hot and dry in our part of the world in the West, and if you don't go in there and do the preventive work, if you don't thin out the forests and it gets hot and dry, and then all of a sudden you have a lightning strike on your hands, you will have what amounts to an inferno. It just whips through the area. It knows no boundaries. Federal land is affected. Private land is affected. State land is affected. There are bigger and more expensive fires, and I can tell you that what we have seen are unprecedented fires.

In our Columbia River Gorge that I mentioned, we saw a fire leap the river. It used to be that rivers were a break. They were a break to ensure that the communities were safe. Now, in my home State, we have seen a fire actually leap the river.

So what is happening is, as prevention gets short shrift, these big fires break out, the Federal Government borrows from the prevention fund to put the fires out, and the problem just gets worse. Common sense is defied. There is absolutely irrational budgeting that ripples not just through the West but through communities all across the country, producing what I think most colleagues would say they would never expect, which is forestry personnel—when Senator SCHUMER visits in New York—having challenges paying for local forestry matters.

Fire prevention programs help thin out dead and dying material from forests and clear dried grasses from open landscapes—the kindling that goes up in flames when lightning strikes or when a small ground fire grows out of control. Those are the very real problems we have in the West. The programs we need to deal with this are being robbed because of the cycle I just described. Fire-borrowing. Prevention. Short shrift. The government borrows from the prevention fund to put the fire out, and the problem gets worse. That is fire-borrowing in our part of the world.

You can look at the recent fires in California to see how dangerous this is. If fire prevention had gotten a fair shake, lives could have been saved, and businesses and property might have been spared. Western communities would not be trying to recover from the ravages of summer and fall 2017.

Many of our colleagues of both parties and now 205 groups—timber companies, scientists, environmentalists, academics, and people from all across the political spectrum—are joining Senator CRAPO and me in saying that what is needed is a clean fix for the wildfire budgeting system and a complete end to fire-borrowing. We have been working on this, as I said, for years.

We know some of our colleagues want to see a variety of other policies attached, particularly policies dealing with forest management. One of the reasons I wanted to come to the floor tonight was to say that I take a back seat to no one when it comes to finding the right approach to forest management. I have written bipartisan forest management laws. But let's make sure that as we go forward on this issue, we understand that we cannot let other matters get in the way of stopping the cycle of fire-borrowing once and for all.

What Senator CRAPO and I have proposed is essentially to say that the really big fires, once and for all in America, will be treated like what they really are—natural disasters. And you can look at that relatively small number of fires and say: We are going to

deal with them through the disaster fund. Then you don't raid the prevention fund. And what the government scorekeepers have said in the past is that not raiding the prevention fund through fire-borrowing will, in their judgment, means fewer fires in the first place; hence, there will be fewer natural disasters if you end fire-borrowing once and for all.

My view is that we are going to go forward this year on the disaster relief issue, and I want it understood that I am going to work with Senators of both political parties to finally see this matter wrapped up and an end to fire-borrowing.

I think anyone who has kept an eye on the news or has read stories or seen reports about natural disasters understands that unfortunately disasters have visited too many of our communities—hurricanes flooding Houston, violent winds and rain in Florida. Weeks after Maria made landfall, millions of American citizens in Puerto Rico are still in desperate need of help. Our neighbors to the south suffer with the aftermath of a massive earthquake. Tornadoes are a threat across much of the country. In our part of the world, these wildfires are our natural disasters.

The Congress can't get up one day, come to the floor of the Senate, and just say: We are going to stop all the hurricanes and the earthquakes. There is something that Congress can do about preventing so many wildfires. We, with our legislation, want to build a new ethic of fire prevention. That is what ending fire-borrowing is really all about. It is saying that we are in effect going to take—it is almost like an old stage with a dilapidated set on it, and you just pull it out because it is outdated. That is what we are talking about with fire-borrowing. It is like an old stage that is dilapidated. It doesn't make sense for the times. We are talking about replacing fire-borrowing with a modern policy so that we can deal with the big fires as the natural disasters they are and get back in the business of putting fire prevention first and replacing a commonsense-defying Federal budget plan that has caused so much harm to folks in the West.

I hope my colleagues will support the Wildfire Disaster Funding Act. Senator CRAPO and I want to work with every single Senator in this Chamber to get across the finish line. We are not saying that ending fire-borrowing is going to mean there will never be another fire in this country. What we are saying is that it is past time to replace such an illogical, commonsense-defying budget system as that presented by fire-borrowing. With that, we can reduce the risk of major wildfires to communities across the West.

With that, Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Senate stands adjourned until 10 a.m.  
tomorrow.

Thereupon, the Senate, at 7:10 p.m.,  
adjourned until Thursday, October 26,  
2017, at 10 a.m.

The PRESIDING OFFICER (Mr.  
PERDUE). Under the previous order, the