

the fundamental necessities for the most important obligation we have—to defend this Nation and provide the men and women with the training, equipment, readiness, and capabilities they need—then it is no wonder the American people hold us in such low regard.

So I urge my colleagues and I urge our leaders on both sides to take up the Defense authorization bill when we get back, and I think we can do that. Then let's take up the Defense appropriations bill. I have confidence in our appropriators. I don't agree with some of the things they have done, but they have carried out their duties. Why don't we move forward? Instead, for 3 months or more, we are going to put the military in a state of uncertainty—in limbo—and we will harm their ability to defend this Nation. That is not JOHN MCCAIN's view. It is the view of the leaders of the military to whom we entrust our men and women.

So I urge my colleagues to get going. Let's get the Defense authorization bill done. We could get the Defense appropriations bill done in a matter of hours.

Let's get those other appropriations bills done as well—those for the FBI, for the CIA, for our other intelligence agencies, and for those agencies of government that also are entrusted with the security of this Nation. Let's get something for them too. Let's not kick the can down the road. Let's do the people's work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, as a longtime member of the Appropriations Committee, I strongly believe that we should have regular, yearlong appropriations, not continuing resolutions. I would like to remind my friend from Arizona that, by tradition, appropriations bills begin in the other body, in the House of Representatives. They have not yet sent over regular appropriations bills.

It was just reported in the last few hours that Donald Trump has told them not to have regular appropriations bills, but to have a continuing resolution until the end of March.

Frankly, the Senator from Arizona is right. I agree with him. We should have appropriations bills on all subjects. I am sorry the President-elect has decided that in his spare time he will also run Congress and will not allow full appropriations bills to be passed.

#### BANNON APPOINTMENT

Mr. LEAHY. Mr. President, while we are on the subject of the President-elect, he has indicated some of the appointments he will make. Some, of course, will require advice and consent by this body, and I hope we will do that, even though this body has refused to advise and consent on the Supreme Court nomination now pending before it.

There are others he can appoint without being confirmed by the Senate. It

is amazing that the President-elect, having said that he wants to bring the country together, that he wants to be a President for all of us, would then appoint to his inner circle, someone with the ear of the President, Stephen Bannon.

Let me just read part of an editorial in the Chicago Tribune.

"The problem is that Bannon, who will sit at the right hand of a president, also works as a conduit to hate and intolerance. Bannon has said Breitbart is 'the platform for the alt-right.' Yet the 'alt-right' is a repellent, nationalist political movement that breeds racism, anti-Semitism and misogyny. The alt-right miasma 'opposes feminism, diversity, gay rights, globalism, gun control and civil rights,' according to Baruch College professor Thomas Main, who is writing a book on the movement. At the fringes of alt-right is where you will find American neo-Nazis and the Klan, two groups evidently thrilled by Trump's victory."

Those aren't my words. Those are the words from the Chicago Tribune.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the full editorial.

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

[From the Chicago Tribune, Nov. 17, 2016]

EDITORIAL: STEPHEN BANNON: THE NEXT PRESIDENT'S WHISPERER

With just a week or so under his belt as president-elect, Donald Trump has spoken in public briefly, given a few interviews and bashed out some colorful tweets. Americans still processing his stunning victory will have to wait a bit longer to get a full sense of the next president's priorities.

But already there's this: Trump has named Stephen Bannon, 62, his White House chief strategist.

Bannon, the political equivalent of a shock jock, was little known until he became Trump's campaign chief executive in August. He is a conservative media impresario whose resume includes Georgetown, Harvard, the Pentagon and Goldman Sachs. He's now the executive chairman of Breitbart News, whose popular website dabbles in the swamplands of the far right. A lot of bigoted ugliness swims out there in the so-called alt-right, and Bannon has let it fester on Breitbart.com.

Trump won as a populist insurgent who used bullying and intemperate language to fan his message. The strategy worked but also helped divide the country. Appointing Bannon as consigliere is not a good step toward unity. It agitates the not-my-president slice of the American populace. And it confuses Americans who are trying to give the president-elect a fresh start—but who also need to see evidence that Trump will abide his promise to be "president for all Americans."

When Trump takes office, Bannon—if he's still around—won't be the Treasury secretary or the attorney general or the secretary of state: leaders working largely in public. Bannon instead will play the role David Axelrod played for the nation's last novice president. His will be the whisper in President Trump's ear. His work product won't be what the White House proposes or what Congress passes. His work product will be what the president does. What the president says. What message the president projects to the country and the world.

We get what Trump is trying to do by appointing Bannon. The president-elect made two major picks early this week: He also chose Reince Priebus to be chief of staff, the Oval Office gatekeeper. Priebus, head of the Republican Party, was a shrewd selection. Someone in the White House needs political experience to guide Trump's agenda through Washington's thicket. Priebus is perfectly positioned to be the hour-by-hour liaison to his friend and fellow Wisconsinite, House Speaker Paul Ryan.

Priebus is nobody's bomb thrower. He's a member of the Normal Club. But that also pegs him as an establishment guy, making Trump vulnerable to accusations of being a sell-out. So to assuage the anti-establishment crowd, here comes Bannon, whose website was one of Trump's most vocal cheerleaders.

The problem is that Bannon, who will sit at the right hand of a president, also works as a conduit to hate and intolerance. Bannon has said Breitbart is "the platform for the alt-right." Yet the "alt-right" is a repellent, nationalist political movement that breeds racism, anti-Semitism and misogyny. The alt-right miasma "opposes feminism, diversity, gay rights, globalism, gun control and civil rights," according to Baruch College professor Thomas Main, who is writing a book on the movement. At the fringes of alt-right is where you will find American neo-Nazis and the Klan, two groups evidently thrilled by Trump's victory.

On the issue of Trump's presidency, we want to remain patient as well as vigilant. We've said in prior editorials that presidents get fresh starts and wide latitude to set their agendas. Bannon helped Trump get elected, which makes him more clever than the Democratic operatives who backed Hillary Clinton, the losing presidential candidate. Maybe his primary White House role is to be a sop to supporters and that's all.

But Trump voters aren't the only Americans anxiously waiting for positive signals from the new administration. While Trump will never placate Democrats, there's another crucial group we'll call America's middle third who need to be assuaged. Many of them didn't vote for Trump but they may make the biggest difference in the success of his presidency: They'll either be won over or will bolt to the opposition. Like every president, Trump will calibrate many of his actions according to how far he can go without losing them.

That's always a tough balance. In today's America it's especially tough. By adding someone as notorious as Bannon to his team, the new president has more than sent the wrong signal. He also has risked alienating the vast swath of Americans who will determine whether his presidency succeeds or fails. And he's done it well before even taking the oath of office.

Mr. LEAHY. Mr. President, everybody, whether we supported Donald Trump or not—and, obviously, I did not—wants to give any President a chance to bring this country together. Throughout the country, during this campaign, we have become terribly divided. Even in my own State of Vermont, we heard of some of these divisions.

I feel fortunate that Vermonters re-elected me. I have never run negative campaign ads, and did not this time. I was opposed by somebody who ran a completely negative campaign. I think people reject negativity. There are so many positive aspects to America. We talk about making America great

again, and there is no other country we would trade it for. What country would we trade our country for? None. We are a great nation. But what makes us great is our diversity and our ability to come together. That is what we should be doing.

I hope the President-elect will reconsider naming Stephen Bannon as his chief White House strategist and understand what kind of signal this sends to the country. We do not need more division. We certainly do not need people who might attack someone because of their religion. We need people who will realize the United States is an inclusive country, not an exclusive country. This is not the message we should send within our own country or throughout the world.

Mr. Bannon wants to continue making these horrible and offensive comments, as he has a First Amendment right to do at Breitbart News, but let us not have that be the example set from the White House, by the President of the greatest nation on Earth.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. WHITEHOUSE. Mr. President, I believe Senator WARREN of Massachusetts will be joining me on the floor, and I ask unanimous consent that if she is here on the floor at the conclusion of my remarks that she be recognized next so that our remarks can be conjoined with one another.

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

Mr. WHITEHOUSE. I thank the Chair.

#### WORKING ACROSS PARTY LINES

Mr. WHITEHOUSE. Mr. President, one of the hallmarks of President-Elect Trump's campaign was his desire, often stated, to clean up Washington, to lift the dark hand of special interests off of the levers of government and, as he said it in his speeches, to drain the swamp here. I would like to assure the President-elect that on this side of the aisle we are very keen to work with him on a whole variety of reforms to control the role of big special interests, their lobbying apparatus, and their political machinery here in Washington.

I very much hope that President-Elect Trump will indeed choose to work with us. I hope he will bear in mind that although he won the electoral college, it appears now clear that Secretary Clinton actually won the popular vote and that she may have won the popular vote by as many as a million votes.

It is also worth noting that if 2012 is any prologue to 2016, it is likely that

Democratic Members of Congress—of the House of Representatives—received more votes than Republican Members of Congress. The shift and the reason for Republican control of the House of Representatives has been the gerrymandering effort that has packed Democrats into very heavily saturated Democratic districts so that Republicans can create strong—but not massive—majority districts for themselves. I believe in the last Presidential election, States such as Pennsylvania and Ohio reelected Democratic Senators statewide, elected a Democratic President statewide, but then sent heavily Republican delegations to the House of Representatives because of that gerrymandering.

It may be a fluke of the way the California vote would have shaken out, but it would not surprise me if it turned out in this election that Democratic Senators and candidates for the Senate received a bigger popular vote than Republican Senators and candidates for the Senate. Those numbers are not in yet.

My point is that I hope President-Elect Trump will recognize that in a divided Nation, it makes more sense and it will bind us together better if we try to work together across party lines rather than try to ramrod a hard-right partisan agenda through. There is no place I can think of—perhaps infrastructure, but few places where we are more willing to hear his ideas and work with him than on draining the swamp.

The environment here in Washington is obviously one that lends itself to very substantial political manipulation. In all of that political manipulation, most of the cards are with the big special interests. Indeed, corporate lobbying of Congress has been reviewed and measured as being more than all other lobbying of Congress combined by a ratio of 30 to 1. So if we are wondering where the power structure comes down here in this building, think about a 30-to-1 advantage for corporate lobbying over all other lobbying combined.

There are issues where I think we can work together if, in fact, President-Elect Trump wishes to drain the swamp. There are substantive issues. One of the things I have been concerned about has been the carried interest loophole, which is a quirk of the Tax Code that allows people who are hedge fund billionaires to pay a lower tax rate than a brick mason or a truck-driver does. That, to me, is not fair.

We have seen some reflections of this in studies that looked at, for instance, an enormous building in Manhattan in New York City. The building is so big that it has its own ZIP Code, and because the Internal Revenue Service calculates tax payments and income by ZIP Code, we can get a general sense of how much money the individuals in that building make and how much they pay in taxes. What we see when we look at that study is that the average income of the inhabitants of that

building is well over \$1 million, but the tax rate they paid was actually in the low teens in terms of a percentage tax rate. And if you look at what the Department of Labor says about security workers and janitorial workers, we see that they pay more like a 20- to 30-percent tax rate in New York City. So what that leaves us with is a circumstance in which the hedge fund mogul coming back to his luxury apartment building in his limousine, as he steps out into the rain, is paying a lower tax rate than the doorman or the security official or the janitor working in that building. The doorman holding the umbrella over the head of the billionaire is probably paying a higher tax rate than the billionaire.

I can see why Donald Trump raised that issue on the campaign, and I can see why crowds responded to that. It is a disgrace in the Tax Code. We would love to work with him, but then we look at who his transition team is. The chiefs of his transition team are a whole slew of hedge fund and Wall Street billionaires—the people getting out of the limo paying the low tax rates. When it comes time for Donald Trump to keep his promise on carried interest, it will be interesting to see if he can hold his own against the insiders around him who want to preserve this disgraceful tax loophole.

We want to work with him on infrastructure. We think there should be a big infrastructure bill. The civil engineers of this country give our infrastructure a D. Everybody who drives on our roads or crosses our bridges knows we need to invest in infrastructure, but the Koch brothers have already thrown down a gauntlet saying they will challenge the President-elect on that infrastructure plan. Will he have the strength to proceed, or will the insider lobbying political operation of the Koch brothers block him? It is another contest that remains to be seen between insider politics and the President-elect.

Finally, the biggest swamp thing of them all is the fossil fuel industry. The fossil fuel industry has more or less taken over the Republican Party in Congress. What remains of the Republican Party in Congress is a little bit like what remains of that unfortunate farmer in "Men in Black" whose body was occupied by the alien, who then walked around in the skin and the overalls of the unfortunate farmer. The fossil fuel industry is a special interest. It is the biggest swamp thing in the swamp. Will the President-elect be willing to take it on in any respect? That, too, remains to be seen.

There are a lot of very powerful creatures in the swamp. It is one thing to say you are going to drain it; it is another thing to actually take them on.

I am here to assure the President-elect that not just I but many Democrats would like to work with him toward responsible climate policies, notwithstanding the nefarious presence of the fossil fuel industry; toward an infrastructure bill, notwithstanding the