

One of Mrs. Garrison's other directorates—the whistleblower reprisal investigations, or what we call the WRI unit—is always crying out for help. It is facing its own hotline-style tsunami. It has a staff of 56 personnel, but only 28 of those 56—or about 50 percent—are actually assigned to investigative teams. They complete 50 to 60 reports per year. With some 120 cases under investigation at any one time, a large number inevitably get rolled forward from year to year. The backlog could easily double or triple over the next few years.

In November, 38 cases were beyond acceptable limits. As of March 28, the oldest one was 1,394 days old. While many of these cases were recently closed, new ones keep popping up on the list. Despite very substantial increases in money and personnel since 2013, the deputy IG still seems overwhelmed by the volume of work.

While beefing up the whistleblower reprisal investigations may be necessary, Mr. Fine and his deputies need to do more with what they have. With an annual budget of \$320 million and a 1,500-person workforce, efficiencies can be found.

Some units are said to be top-heavy and ripe for belt-tightening. The investigative processes are notoriously cumbersome and could be streamlined.

The audit office, with 520 workers, turns out mostly second-rate reports. It needs strong leadership and it needs redirection. The Obama administration never seemed to take these problems very seriously. I hope this new administration coming in to drain the swamp will do better.

Weak leadership gave us the hotline backlog. Weak leadership is giving us the continuing mismatch between the workforce and the workload. Both are messy extensions of a much more harmful leadership problem—a festering sore that is eating away at integrity and independence.

This is what I am hearing:

Top managers have allegedly been tampering with investigative reports and then retaliating against supervisory investigators who call them to account. This is sparking allegations that a culture of corruption is thriving in the Office of the Inspector General. I gave my colleagues a glimpse of this problem in a speech on April 6 of last year. I used the fifth and final report of Admiral Losey's investigation to illuminate this problem.

That report was allegedly doctored by senior managers. Investigators were allegedly ordered to change facts and remove evidence of suspected retaliation.

Can my colleagues believe this?

Mrs. Garrison even sent a letter that cleared the admiral long before investigators had even completed the review of the evidence. This was a very serious error in judgment, giving the appearance of impropriety.

Was this then a coverup to facilitate the admiral's pending promotion?

Thankfully, Acting Inspector General Fine intervened. He showed real courage. After taking a firsthand look, he backed up the investigators, overturning some—but not all—unsupported charges. He helped to bring evidence and findings back into sync. I thank Inspector General Fine from the bottom of my heart.

But Mr. Fine still has more work to do.

The alleged doctoring of the Losey report, I am told, is not an isolated case. There are at least five others just like it—and probably more—that all need oversight.

As I understand it, the Office of Special Counsel is contemplating a review of these matters and could rule in favor of whistleblower reprisal investigations. They blew the whistle on all of the alleged tampering going on—and do my colleagues know what these patriotic people got for it? They got hammered for it. They got hammered for protecting Federal workers.

If top managers are tampering with reports and retaliating against their own people who report it, then how can they be trusted to run the agency's premier whistleblower oversight unit?

All of the pertinent issues need to be resolved, and they demand high-level attention. So I call on the new Secretary of Defense and the acting inspector general to work together to address these problems.

No. 1, the hotline needs to be brought up to acceptable standards under stronger management; No. 2, all potential solutions to the workload-workforce mismatch need to be explored, including internal realignments; No. 3, an independent review of all cases where alleged tampering occurred should be conducted, to include an examination of the Garrison letter clearing an admiral in the midst of an investigation. If tampering and retaliation did in fact occur, then the culprits should be fired.

I look forward to receiving a full report.

I yield the floor.

THE PRESIDING OFFICER. The majority whip.

U.S. MILITARY READINESS

MR. CORNYN. Mr. President, our military and our intelligence community grapple with intersecting issues that aren't wholly unique to this day and age. Our national security has always been imperiled by foreign threats, from the Revolutionary War to two World Wars, and we previously faced a seemingly unsurmountable debt burden following World War II.

The challenge seems to be, as it always is in a democracy, that people of different views differ on the sense of urgency on priorities and the means to address both those threats and our financial house in order to be able to pay for what it takes to keep America safe. What is unique is the range and complexity of the problems we face and their scale.

I am reminded of a sobering quote from the former Director of National

Intelligence during a hearing just last year, former Director James Clapper, who served 50 years in the U.S. intelligence community. He said: "In my time in the intelligence business, I don't recall a time when we have been confronted with a more diverse array of threats." I agree with him.

On top of that diverse array of threats, never before has our country been at war for such an extended period of time since 9/11, and never before have we done so much with an all-volunteer military force stressed by repeated deployments, while at the same time defense spending has been cut by nearly 15 percent over the last 8 years.

So the United States is at a crossroads when it comes to meeting the diverse threats we face today, while simultaneously preparing for the ever-evolving future threats headed our way tomorrow.

I wish to first provide a little bit of context about our lack of readiness to meet those threats by framing the challenges our military and our Nation faces, and then I wish to offer some thoughts about how we can rise to meet these challenges and maintain our military preeminence and leadership in the world.

First, there are the challenges abroad. We face a range of adversaries unlike any other in our history. In the Middle East, even as ISIS forces are pushed back in Iraq, their ideology spreads like a contagion through their so-called cyber caliphate, and it continues to permeate the West and attract the vulnerable and the disillusioned. FBI Director Comey has said that his agency has open investigations into home-grown jihadists in all 50 States.

Iran, under the Joint Comprehensive Plan of Action, is a breakout nuclear threat and remains the No. 1 state sponsor of terrorism in the world. At the same time, it is rapidly growing its ballistic missile arsenal and has regained much of its financial strength following sanctions relief under the JCPOA.

Then there is Syria. Since the Syrian civil war began, 400,000 have died in a bloody civil war, while Bashar al-Assad, a brutal dictator known to repeatedly use chemical weapons on his own people despite redlines drawn, enjoys Russian and Iranian support and protection.

In addition to its meddling in the Middle East, Russia has invaded eastern Ukraine and annexed Crimea. It routinely threatens NATO member states and has ramped up its use of "active measures"—a program of both overt and covert action that leverages propaganda, cyber espionage, social media, and a sometimes gullible mainstream media both here and abroad—to influence and undermine public confidence in the very foundation of our democracies, which are our free and fair elections.

In the Pacific, China seeks to advance its regional dominance by making claims to former sandbars and reefs

that it has now built into strategic military bases—complete with a 10,000 foot runway—in the South China Sea.

Finally, as we learned more about yesterday at the White House in the briefing from the President's national security advisers, North Korea continues to develop and test its nuclear and ballistic missile capabilities with the threat of soon being able to combine the two to threaten the continental United States and wreak death and destruction.

Many before me have observed that American strength on the world stage is a deterrent and a stabilizing influence, while weakness is an invitation to our adversaries and inherently destabilizing. I think that proposition has never been more evident than it is today.

But to address these threats—to maintain the peace and fight, if we must—we need a capable, ready, and modern military force. But the truth is we are not ready. While I believe America will always rise to the challenges once roused from our national complacency, it makes a dangerous world even more dangerous.

U.S. military readiness and modernization—already under great stress and stretched thin around the world—has suffered 15 years of continued operations and simultaneous budgetary restrictions and deferred maintenance and investment. That has led to some very real consequences for our military. Let me just illustrate a few of those consequences.

According to General Walters, the Assistant Commandant of the Marine Corps, more than half of all Marine Corps fixed- and rotary-wing aircraft were unable to fly at the end of 2016. Let me say that again. That is a shocking statistic. More than half of the Marine Corps' fixed- and rotary-wing aircraft were unable to fly by the end of 2016. These aircraft are in constant operation overseas and are absolutely necessary to continue the fight against ISIS and terrorism, yet half of them are unable to take off.

The Navy fleet currently stands at 275 of the 350 ship requirement. Law mandates an inventory of 11 aircraft carriers and has a stated force level goal of 12. But today, the Navy requires a waiver in order to operate just 10, currently. As we all know, these carrier strike groups deploy worldwide, and, as the Navy likes to say, they act as “100,000 tons of diplomacy that doesn't need a permission slip.”

Of our 58 Army brigade and combat teams, only three are considered fully ready for combat. These are the main building blocks of the Army that support the majority of Army operations, and only three are fully ready. Keep in mind, too, that our Army is smaller than at any time since before World War II, as a result of draconian cuts in defense spending.

Finally, when it comes to our Air Force, General Wilson, the Air Force Vice Chief of Staff, recently testified:

“Sustained global commitments and funding reductions have eroded our Air Force to the point where we have become one of the smallest, oldest equipped, and least ready forces across the full-spectrum of operations in our service history.” The Air Force currently has 5,500 aircraft in its inventory. That is down from 8,600 since 1991. The average aircraft in the U.S. Air Force is 27 years old. For example, I was at Dyess Air Force Base in Abilene, TX, just last week, viewing some of their B-1 bombers, which is a plane first flown in 1974.

Then, of course, there is the grandpa of our aircraft fleet, the B-52—that is still in operation—first introduced in the 1950s.

The Air Force is also experiencing a pilot shortage crisis due to the pressure on the force, including quality of life issues and, of course, increased demand and competition from the airline industry.

So our military faces these internal issues as well. No one would argue that in order to keep the peace and to protect our national vital interests, we must have a credible and modern force. But the hard truth is that we don't currently meet that standard, and we can't afford to ignore the problems.

So why, I ask, do we continue to do so? More importantly, the question is this: Where do we go from here? How can we assure that our military can maintain its competitive edge and ensure it is ready to meet these and future challenges? I have a few suggestions.

First, we must fund our military to meet the threat environment, not do what we can to meet the threat environment with what we funded for the military. In other words, the threat should determine the resources necessary to meet that threat. So I would suggest we should start by eliminating sequestration of Department of Defense funding under the 2011 Budget Control Act. The truth is that the Budget Control Act was never meant to cut military spending. It was meant to spur action. Remember the supercommittee and the hoped-for grand bargain? Instead, the BCA took a meat ax to our defense budget. Allowing the Budget Control Act to keep making automatic cuts to our military until 2021 does not serve the national security interests of the United States. It does the opposite. These cuts add risk not just to our national security but also to our service-members and their families—who, as I said, have been fighting the longest war in our Nation's history—and it does so by undermining their training, readiness, and modernization.

At a time when our growing national security threats require greater investment in technology, we are tying the hands of our military and simply hoping for the best. So if we want to return to a strong American military after years of stress and inadequate funding, we need to start with ending the Department of Defense sequestration.

Of course, the next logical question becomes this: If we do away with the defense portions of the Budget Control Act, how do we control overspending, deficits, and unsustainable national debt, which is a serious problem?

That brings me to my second point. A bipartisan Congress and the Trump administration must address our budget priorities by looking at and addressing all government spending, not just the 30 percent or so represented by discretionary spending. Right now, about 70 percent of Federal spending isn't even appropriated by the Congress. It simply runs on autopilot, and it grew last year at the rate of 5.5 percent, while discretionary spending has remained relatively flat. Until we have the political courage on a bipartisan basis to tackle our structural financial problems, we will never adequately fund the military or our other national priorities.

We also need a bipartisan commitment to ending continuing resolutions and the self-destructive drama and narrative of potential government shutdowns.

Most importantly, perhaps, the Defense Department needs to be able to plan, not just for the duration of the next continuing resolution, but it needs to be able to plan long term and to spend the money that is appropriated to it in an efficient way.

The Chief of Staff of the Air Force, General Goldfein, captured the point well 2 months ago, when he said: “There is no enemy on the planet that can do more to damage the United States Air Force than us not getting a budget.” This sentiment is shared by all the service chiefs, and I wholeheartedly agree.

In a Department as big, as large, and as unwieldy as the Department of Defense, there is no doubt that there is room to streamline, improve efficiencies, and reduce duplication. We can all agree on that. But the truth is we need to take a hard, strategic look at our budgetary and fiscal needs across the Federal Government. Endless continuing resolutions aren't the answer. Continuing resolutions actually limit an agency's ability to be efficient and flexible, and they prevent the establishment of new programs and the retiring of the old and obsolete programs.

At the end of the day, the only way we can rein in spending, get a handle on our debt, and ensure our military stays ready for the threats facing it every day is to clearly articulate our country's needs and how we plan to meet them. That way, we can restore constitutional oversight responsibilities to Congress.

Finally, Congress has a tremendous opportunity, working with the Trump administration, to propose a strategy to modernize our military and prepare for the next generation of warfighting. Both readiness and modernization have been encumbered by the lack of a coherent national security and foreign

policy strategy in recent years, in addition to the blanket restrictions placed on defense spending.

Too frequently, modernization has simply been pushed aside by myopic views of how to deal with our financial challenges, which place greater risk on the warfighter and our collective security. You had better believe that, not hamstrung by redtape and regulations or continuing resolutions or deep cuts in defense spending or national security spending, our enemies take full advantage of our reluctance to deal with our challenges on a bipartisan basis. All the while, the United States operates on platforms engineered decades ago to fight the last generation's wars.

I can't think of a better example than our nuclear weapons program. This is the preeminent deterrent to war. Our country is the leading pioneer in science and technology, but instead of modernizing our nuclear weapons to provide a safe, reliable, and dependable deterrent, we, in effect, merely extend the service life of outdated and ancient weapons.

Clearly, we need a coherent national security strategy from President Trump and his Cabinet to do that. I know Congress is committed to working with them to make that happen.

By doing away with the Budget Control Act, putting the Pentagon on a dependable and predictable budget and developing a coherent national security strategy, we can maintain our status as the top military in the world. Along the way, we can deter our enemies and reassure our allies. We don't need to rewrite the playbook. We need to go back to the basics of government, providing for our national defense and keeping our fiscal house in order, all in light of the challenges and threats these times present.

My hope is that we will get out of the rut we have been in the Senate and in the Congress for the last few years and we will actually capitalize on this moment—and rally around a bipartisan commitment that a strong, modern, and ready military is really a nonnegotiable item—to lay the foundation for a modern military that will continue to keep our Nation safe for generations. I am committed to working with the administration and all of my colleagues in order to accomplish these goals.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I enjoyed hearing my friend and gym colleague talking about defense. I agree with him; we need a strong defense. I agree with him that deficits are an enemy of getting the defense spending that we need. I hope when we consider tax cuts, we will hear that same view that we can't go deeply into deficit. I appreciate my colleague's great comments.

GOVERNMENT FUNDING BILL

Mr. President, I wish to talk first about some good news: the appropri-

tions process—our negotiations to keep the government open. The President has backed off his threat to hold government funding hostage over the wall and over cutting healthcare funding for millions of Americans. This healthcare funding is essential to ensuring that millions of Americans will not see their premiums skyrocket and that they will not be kicked off their plans. Make no mistake, we will watch the administration like a hawk to make sure they follow through on their promise to continue this funding.

We are very happy that they have seen the light that Democrats have tried to show them for weeks. Threatening to hurt Americans for political gain is a loser.

Much like the administration's withdrawal of their demand for wall funding, which Democrats laid out a month ago as a condition for successful bipartisan negotiations on the appropriations bill, this decision brings us closer to a bipartisan agreement to fund the government and is good news for the American people.

The tendency of this administration has been to go at it alone. What these negotiations show is that when the Trump administration takes into account the Democratic position and is willing to move in our direction, they can make progress on issues as we have on the appropriations bills.

On those appropriations bills, of course, there are a few remaining issues to be settled. The most vexing are poison pill riders. We will not accept them, but I believe we are close to final agreement. Our side will continue to work in good faith to see that an agreement is reached to keep the government open by tomorrow's deadline.

I hope that this is something of a metaphor for the future, that the administration will not put together its plan and say that bipartisanship means you support our plan without any Democratic consultation, input, and, more importantly, taking into account our values, which we believe are close to where American values are—much closer than some on the other side.

THE PRESIDENT'S TAX PLAN

Mr. President, yesterday the President released—and this is not as good news, unfortunately—a one-page outline of his plan to change the U.S. Tax Code. Even from the very limited details that were released, the President's priorities are clear: Give massive tax breaks to folks like himself—the very, very wealthy in America.

The top rate would come down; taxes that disproportionately affect the very wealthy would go away, while middle-class and working families would be denied some of the most useful deductions. This isn't simply the Trump plan to lower taxes. It is the plan to lower the taxes of Trump and those with enormous wealth, similar to his.

The prime beneficiaries of the Trump plan would be his Cabinet. Secretary Mnuchin, one of the architects of the plan, could not guarantee this morning

that the middle class will not pay more under the Trump tax plan. If, on one sheet of paper, you can guarantee that corporations pay less and you can guarantee that the wealthiest Americans pay less but you can't guarantee that hard-working, middle-class Americans pay less, you don't have a good recipe for changing our Tax Code. And, for the good of America, you are to go back to the drawing board.

This proposal falls short, far short of the mark in several ways: First and foremost, it mostly benefits the very wealthy. In the Trump tax plan, corporations and the very wealthy get a huge tax break through lower rates and the elimination of things like the estate tax. In fact, the proposal the President put out yesterday is actually even more of a giveaway on the estate tax than his proposal in his campaign. In the campaign, President Trump promised to repeal the estate tax for estates up to \$10 million, retaining it for the wealthiest of estates. This proposal would eliminate the tax completely, particularly on those multimillion- and even billion-dollar estates. The result would be that the 5,200 wealthiest families in America would each receive, on average, a \$3 million windfall, and many would receive much, much more than that.

Also, because the Trump plan lowers the tax rate on the so-called pass-through entities to 15 percent, wealthy businessmen, like President Trump, will be able to use pass-through entities to pay 15 percent in taxes while everyone else pays in the twenties and thirties. This has implications for something we don't need—the carried interest loophole. President Trump promised to get rid of this in his campaign. Instead of using the carried interest loophole under the President's bill, Wall Street funds could file their taxes at a new pass-through rate of 15 percent, which is even lower than the present tax on carried interest.

Ironically, the President's tax plan would indeed get rid of the carried interest loophole only by making it lower than the present rate and making it permanent—a total, total reversal of what he pledged in his campaign.

It all goes to show that those who stand to benefit most from this proposal are folks like the President and those at his level of wealth, while tens of millions of American middle-class, working families are hurt and could very well pay more.

This brings me to my second point, which is that the Trump plan hurts middle-class and working Americans by eliminating their most popular and useful deductions. Take the elimination of the State and local tax deduction, for instance, which is used by so many middle-class families in my home State of New York. As it was cited in the *Syracuse Post Standard*: "The loss of the deduction will cost New Yorkers an average of \$4,500 per year for those who file itemized returns, totaling about \$68 billion per