

doing business overseas, when you make a profit overseas and you try to bring that money back, you get taxed overseas at their tax rate, which you should, in that country you are making the product and selling it, but you get taxed again when you bring it back to the United States. We are the only country that does it that way.

If we will just simplify the system, it will actually encourage companies to be able to stay in America and then do business all over the world rather than moving their company out of America. It is a simple way to be able to do it, and it is a way that we can do and should do. You will hear the term “repatriation,” and that is really what it is about. It is Americans being able to move their money from overseas accounts back to the United States and get that money moving.

There was a lot of conversation about the stimulus plan back in 2009 trying to get almost a trillion dollars of government money—that is money from you and me—and to be able to move that around in a stimulus package. Let me give you the figure. Right now, it is estimated that American companies have about \$2.5 trillion of private money parked overseas that they are not going to bring back to our economy because of the high cost of the tax coming back. If we were able to change that system, \$2.5 trillion of private money would move from overseas back into the United States. What effect would that have on our economy? I would stipulate that it would be a pretty dramatic effect that it would have on our economy.

We can fix this. We can resolve this. This shouldn't be as hard as we are making it, and it can be a bipartisan approach to be able to address some basic things—taking care of our families, making sure we are watching out for those who are in poverty, simplifying the code, making sure deductions aren't for a few but that they are spread out across the way that we handle it, protecting things like charitable giving and the mortgage interest deduction and things that most Americans use. These are the parameters we are trying to be able to work through over the next couple of weeks.

Hopefully in the coming months, as we work through all the details in the committee process with amendments and coming to the floor and being able to fight our way through the process, we will be able to actually get to a decision that will help us long term as a nation. This is something that can and should be resolved. It is one of the issues I have to raise to this body again.

This body has had a hard time actually moving on the biggest issues we face as a nation because the rules of this body prohibit us from debating them. The rules haven't changed over the past multiple decades, but the way we operate has. The American people are ticked about it, and rightfully so. The Senators in this body are frus-

trated with it. May I remind us that the rules of the Senate are set by the Senate? So if we are frustrated with the rules, we should address them.

Many of you have heard me speak about this in the past.

There are three basic rule changes that I think will change dramatically how business gets done in the Senate. The biggest one is the filibuster rule. We have two filibusters for every single bill that comes up. There is one at the beginning. You have to get 60 votes to start debate; you have to get 60 votes to stop debate; then the bill passes with 51. That needs to change. We should take away the first 60 votes at the beginning. We should be able to get onto a bill. Regardless of whether it is Republicans or Democrats in the majority, the majority party should be able to bring up a bill and debate it without being stopped. Let's bring up any issue and actually debate it. Let's not inhibit debate in this body. If we can't find agreement, keep the 60 votes at the end of it so we can keep the debate going until it gets resolved, but we should be able to debate the issues.

The second big issue is that we have to deal with nominations in an appropriate time period. Currently, my Democratic colleagues are forcing the long periods of time in debate for every single nominee who comes up. I had folks say that is what Republicans did in the past. That is actually not true. This is the first time it has happened like this.

This week, we are going to move four nominees for the President in 1 week—four. Under the current structure, it will take 11 years for President Trump to get his staff. Let me give you a barometer of where things have been in the past. As of yesterday, President Trump had 153 confirmations. At this same point, President Obama had 337 total. President Bush had 358 total at this same point. President Trump is not getting his nominees heard, and they are being slow-walked through the process.

We have to fix that. A simple way to fix it is to allow only 2, 4, or 8 hours of debate, not this protracted 30 hours of debate per nominee. It is already a resolved issue. Everybody knows it. These individuals have already gone through committee. They were already voted on in committee. By the time they get to the floor, it is resolved. The 30 hours of debate time is purely delay tactics. We should be able to resolve that within 2, 4, or 8 hours total.

Here is a radical idea: If we want to get the Senate going again, we can agree to a rule change that would allow for what is called dual-tracking. We would do nominations in the morning and legislation in the afternoon. Right now, we can only do one thing at a time in the Senate, so while we are waiting on a nomination vote, everything waits until that is done. It slows down the process. Why can't we do nominations in the morning and legislation in the afternoon?

There are basic rule changes that will help that are not partisan issues. They are designed to get the Senate moving regardless of who is in the majority. We have to resolve this long term. If we don't, the American people will continue to be frustrated, and we as Senators will continue to be frustrated.

#### DETENTION OF DR. ANDREW BRUNSON

Madam President, this weekend is an anniversary I don't like bringing up. One year ago this weekend, a gentleman named Dr. Andrew Brunson was detained in Turkey. He has been a pastor in Turkey for more than 20 years, and he is a U.S. citizen. He has faithfully served the people of Turkey for two decades. A year ago this weekend, he was picked up by local authorities and was detained for months and months without charges. He was just swept up and held.

Things are changing rapidly in Turkey right now. Turkey is not the same NATO ally and friend of the United States that they have been. The leadership of Turkey is radically changing the nature of that very open democracy and is shutting it down to become more and more of an authoritarian government. American citizens who do business there, who do mission work there, who have friends and family there, need to be aware that Americans are being swept up and detained without charges and held. In the case of Dr. Brunson, he has been held for a year. I have to warn fellow Americans that Turkey is not necessarily a safe place to do business in and travel to anymore.

Right now, Turkey has the authority to release Dr. Brunson. He is an American citizen and a pastor. They have the ability to do that.

Recently, the Appropriations Committee passed an amendment in an appropriations bill giving additional authorities to our State Department to take action against Turkish officials who hold American citizens like this and to put specific sanctions on those individuals. I hope that in the days ahead, our State Department will use that tool in their toolbox to apply pressure on the Turkish people to not impose arbitrary detention on U.S. citizens. We can push back on the Turks.

I hope that in the days ahead, the Turkish Government turns back around to more of an open democracy. They have been a nation in the past that was historic for their stand for religious liberty and democracy in that region. We would like to see a Turkish ally that still stands for religious liberty and the protection of all citizens in the days ahead.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### TAX REFORM

Mr. WYDEN. Madam President, as the ranking Democrat on the Senate Finance Committee, I followed the Senator's comments with respect to taxes and the debate over tax reform

with considerable interest. I will just tell you, my goodness, how I wish we could have what the Senator called an uninhibited process with respect to the debate over tax reform. I have written an actual bipartisan tax reform bill with our colleague who is now part of the Trump administration, Senator Coats.

Unfortunately, what our colleague laudably called for is not on offer. The Senate majority leader has said that he intends to use reconciliation—the most partisan process for considering tax reform. When we were talking about healthcare, which is one-sixth of the economy, we had the same process—reconciliation, all partisan. Now we are talking about taxes that involve the whole economy, and we are seeing the Senate majority leader say once again that it is his intent, his preference, and his plan to use that same process. I sure wish the world was like my colleague has called for because I have written a bipartisan plan.

What is so striking is that the Senate majority leader has called for 20 hours of discussion, which is essentially what you get with reconciliation, as opposed to what happened when Ronald Reagan and a big group of Democrats got together in 1986 and spent a whole month on tax reform.

So before the Senator leaves—and it is a pleasure to serve with him on the Senate Select Committee on Intelligence as well—I sure wish the world was along the lines of what my colleague has called for. Perhaps he can use his intellect and energy to persuade the Senate majority leader to use that process on taxes because that is what some Democrats have called for.

I can just tell my friend, given my interest in the subject, which goes back well over a decade—we have a bipartisan proposal written, coauthored by a member of the President's Cabinet, so we would very much like to have what the Senator is talking about.

Madam President, I rise now to oppose the nomination of Eric Hargan to be Deputy Secretary of the Department of Health and Human Services. This is the No. 2 position at HHS, the chief operating officer. Of course, with Secretary Price's departure, Mr. Hargan would fill the top spot if he is confirmed.

My concern is that I don't have any confidence that Mr. Hargan is going to lead the Department in a different direction than it took under Dr. Price. Last week, the country watched as more and more details emerged about Secretary Price's travel. In my view, the flights were an abuse of office.

In my view, from the very outset, there was reason to be concerned about Secretary Price and how he would handle the public trust. Ever since our committee received the Price nomination, it was clear that he had a little trouble following the rules when it served his own personal interests rather than taxpayers. He used insider in-

formation from a fellow Congressman to get a sweetheart stock deal that made him hundreds of thousands of dollars. He frequently bought stocks in industries that he was overseeing as a Member of Congress. He pushed healthcare legislation that benefited industry insiders rather than patients.

He was confirmed on a party-line vote, and it wasn't very shortly after that that he proceeded to go forward with what I and others consider a sabotage campaign that, in effect, has been executed since day one. He was a top salesman for TrumpCare. He came before our committee and made countless other public appearances in which he willfully misrepresented the massive scale of the harm TrumpCare would have done to American healthcare. He also appeared on national television and argued, in effect, that healthcare funding cuts aren't actually cuts. He denied that individuals would lose health coverage or see increases as a result of TrumpCare, even after there were independent analysis showing that was wrong. Then, of course, he flew about the country scaring folks who just wanted affordable healthcare.

As far as the President's promise to bring down the high prices of prescription medicine—that was a promise the American people heard stop after stop on the campaign trail in 2016. That promise is nowhere to be seen or heard from at this point. It is my hope that the President's next pick to lead Health and Human Services will follow through on what the American people were told in the campaign they were going to get—lower the cost of healthcare and get our citizens covered—but that nominee hasn't been put forward.

In the meantime, Mr. Hargan's nomination has him in line to serve as Acting Secretary. I will tell you, having examined the record as closely as I could, I don't think there is any reason to believe Mr. Hargan would deviate from Secretary Price's ideological agenda that included a constant effort to undermine and in my view sabotage the implementation of the Affordable Care Act. This campaign is driving up premiums and confusing Americans who just want to be able to see a doctor and get affordable healthcare services.

I am going to tick through some of the actions the administration has taken that would undermine the upcoming open enrollment period and the effect that is going to have on our people's healthcare costs.

First, just a few weeks into his tenure, Secretary Price cut the enrollment period. This is the period during which Americans sign up for health insurance. We are talking about a private marketplace. I am really struck by this debate about the role of government. We are talking about a private marketplace where private healthcare plans offer coverage. Secretary Price cut the enrollment period for private healthcare in the private marketplace

in half. People across the country used to be able to sign up for healthcare from the beginning of November until the end of January, and now they have literally half that time. That is going to cause a whole lot of disruption for people who are working hard and living their lives rather than trying to follow every little press account from Washington, DC.

Let's imagine for a moment a 29-year-old who just got locked out of the healthcare system because he has had a 3-year routine of signing up for health insurance around the new year. That is exactly the kind of individual the private insurance market needs to attract in order to hold costs down—a young person who is probably signing up right toward the deadline.

Then think of the single mom with two kids who marked January 30, probably with a big, bright pen on her calendar because she cut it close to the end of enrollment last year. Her life is busy enough. She doesn't read trade publications from health industry sources to see what is happening with open enrollment. Because of the early enrollment cutoff, this mom and her family, who just want affordable, private healthcare from the private marketplace, are going to be locked out.

The Department of Health and Human Services is taking the healthcare.gov website offline for maintenance on all but one Sunday during the open enrollment period. The fact is, Sunday has been one of the most popular times for well-meaning assistance groups to help folks get signed up at community centers. It is like the State Department of Transportation blocking the highways and digging up the blacktop with construction crews every Monday morning during the peak commute time. It is just the opposite of common sense.

The Department is kneecapping the programs that are designed to get highly trained people. These are folks called navigators, and what they do is get out into the communities and go to various places where they know a lot of folks aren't signed up, and they help them get signed up.

The Department of Health and Human Services has slashed the budget for getting the word out, including zeroing out the budget for TV ads. That has been a big factor in getting enrollment up in the past.

Let's be clear about what the Department has done under Secretary Price's leadership. They have been working overtime to make it harder for people to get healthcare, plain and simple.

The sabotage doesn't really end with just making enrollment a headache. The administration continues to dangle the threat of cutting off cost-sharing payments as if it were a political gain without consequences in the real world. In State after State after State, insurers have made it clear that this gamesmanship is causing premiums to go up. If the payments are cut off, families will face premium increases of

hundreds of dollars or more, and it is all because they are searching for a political trophy.

I want to talk about what this means for private sector healthcare. When you have the President and the previous Secretary of Health and Human Services pouring gasoline on the fires of uncertainty in the private health insurance marketplace, it makes it very hard for insurers to make the calculations that are involved in spreading risk and getting people signed up and pricing products.

The reality is, an administration that says they really care about the private sector—the President continually says that he is from the business community and he wants to be sensitive to private sector economic forces. The last thing you would do is pour all this uncertainty into the private healthcare landscape, which is what they have been doing with the gamesmanship in terms of whether they are going to pay these cost-sharing payments so that folks who face big deductibles and extra prices for medicine and the like would know there is going to be help in their health plan for those costs.

The Secretary was out jetting all about, spreading falsehoods about the private healthcare landscape. Sometimes he would say that it would be collapsing, and I would say: We know a lot of people who are trying to stabilize it, but you are making it harder by pouring all this gas on the fires of uncertainty.

While this was going on, they were also neglecting to work with States. For example, Oklahoma designed a reinsurance system intended to stabilize the private insurance market and control costs, and they sought a waiver application to the Department of Health and Human Services. But the Department of Health and Human Services didn't get around to approving it in time to help Oklahomans in 2018, so the State just pulled their application.

I have been a strong supporter of these waivers. I authored a provision in the Affordable Care Act, the innovation waiver, 1332. For the Secretary to not work with Oklahoma in a timely way and in a way that would stabilize the private insurance market is not what those of us on this side are in favor of.

There is no reason to believe Mr. Hargan would come in and clean up the mess. In my view, many States want to see stable or reduced premiums this coming year, but so far the Department is just marching in lockstep with the status quo. The President apparently is committed to continuing this kind of mismanagement and willful wrongdoing. Mr. Hargan has made clear what his stance is on the Affordable Care Act in plenty of public statements.

Beyond this question of undermining the Affordable Care Act, we were also particularly troubled that Secretary Tom Price shared the Trump adminis-

tration's abysmal record of responding to oversight letters from Congress, especially the Democrats. As far as I can tell, some of this is shared on both sides.

I think this is profoundly undemocratic, and our obligation to perform oversight as Members of Congress is derived from the powers laid out in the Constitution, in article I. The issues we raise in oversight inquiries to the Department of Health and Human Services relate directly to the well-being of people in North Carolina, in Oregon, and everywhere in between. I don't think Senators on either side, Democrats or Republicans, do it for sport. But the administration's behavior is not that of a government that sees itself as answerable to the public—either that or it just doesn't have good answers as to why it constantly, constantly is out there undermining private health insurance markets to make it harder for people to get affordable healthcare. Either way, they aren't doing their jobs, and they aren't putting the interests of the American people first.

Members on both sides of the aisle have expressed concern about the Department of Health and Human Services stonewalling important oversight issues presented by Members on both sides. Chairman HATCH and Senator GRASSLEY are two very senior Republicans. Chairman GRASSLEY and Chairman HATCH deserve a lot of credit for calling out the Trump administration on this lack of responsiveness to basic oversight.

The fact is, what our committee has heard is basically a lot of sweet talk from nominees about how, of course, they are going to be responsive, and then they go out, and it is business as usual. We see them for that confirmation hearing, and there is not much of any kind of response when we ask the questions.

I will not support Mr. Hargan's nomination today. In my view, under Tom Price and this administration, the Department of Health and Human Services has done a miserable job of working to improve the health and well-being of the American people. The irony is, it seems that one of the objectives from day one was to set out and try to accomplish that, to make it appear that there were problems when the Affordable Care Act was being implemented. Instead of rolling up their sleeves and tackling it, the idea was to try and get an ideological trophy: Let's tell the American people that everything about the Affordable Care Act is horrible so we can get it repealed.

The Affordable Care Act is far from perfect. In fact, when we were debating it, I had an alternative plan. We had seven Senators on both sides of the aisle. It was a bipartisan plan, but that is history.

The Affordable Care Act has made an enormous difference for millions of Americans. What we ought to be doing is working together to improve it.

There are plenty of ways in which this Senate and an administration that really want to accomplish that can work together in a bipartisan way.

What I have been more interested in than any other aspect of public service is to work in a bipartisan way on healthcare. That has been my No. 1 interest. So nothing would please me more than to be able to say: OK. We have an official who is going to break with the past and, instead of trying to make the implementation of the Act as bad as possible, is prepared to roll up his or her sleeves and make it as good as possible. Unfortunately, that person is not Mr. Hargan. I urge a no vote.

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. 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.

#### NOMINATION OF RANDAL QUARLES

Mr. BROWN. Mr. President, today we are considering the nomination of Randal Quarles to be a member of the Federal Reserve Board of Governors.

Since 1984, Mr. Quarles has revolved between the public and private sectors. He was most recently the director of the Carlyle Group from 2007 to 2013, and then founded Cynosure Group, an investment management company.

I appreciate Mr. Quarles' willingness to serve the public once again, but I don't think he is the person we want in this important role at the Federal Reserve.

The financial crisis devastated communities in my State and across the country—devastated in terms of lost jobs, foreclosed homes, and evaporated savings. We have made a lot of progress in the 7 years since we passed Wall Street reform. The Vice Chair of Supervision at the Federal Reserve, a position created in Dodd-Frank, is supposed to look out for our financial system and make sure that our financial system is sound.

Mr. Quarles served as Treasury's Under Secretary for Domestic Finance in the years leading up to the 2008 financial crisis. It was his job to coordinate oversight of the financial industry. Many of his statements, however, leading up to the crisis were far too credulous. He seemed to believe whatever the banks were telling him. They were far too credulous when it came to industry claims that we simply need not worry; the economy is in good shape and we don't have to worry about a credit bubble.

In the early 2000s, while at the Treasury Department, Mr. Quarles espoused the following view of the role of regulators in financial markets. It is a long quote, and I will quote him directly:

Markets are always ahead of the regulators, and frankly that's how it should be. It's analogous to the advice that my father