

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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

#### VOTE ON BARRETT NOMINATION

The question is, Will the Senate advise and consent to the Barrett nomination?

Mr. INHOFE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 255 Ex.]

#### YEAS—55

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kaine	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

#### NAYS—43

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Heitkamp	Shaheen
Cantwell	Hirono	Stabenow
Cardin	King	Tester
Carper	Klobuchar	Udall
Casey	Leahy	Van Hollen
Coons	Markey	Warner
Cortez Masto	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Nelson	
Franken	Peters	

#### NOT VOTING—2

McCaskill	Menendez
-----------	----------

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately be notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative 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 Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, Steve Daines, Tom Cotton, Pat Roberts, John Boozman, Mike Rounds, Patrick J. Toomey, John Barrasso, Cory Gardner, Richard Burr, Thom Tillis, Roger F. Wicker, James E. Risch, John Cornyn, Lamar Alexander, Dan Sullivan, Chuck Grassley.

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 Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote No. 256 Ex.]

#### YEAS—60

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Peters
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Carper	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Stabenow
Cotton	Lankford	Strange
Crapo	Lee	Sullivan
Cruz	Manchin	Thune
Daines	McCain	Tillis
Donnelly	McConnell	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Nelson	Young

#### NAYS—38

Baldwin	Franken	Murray
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Heinrich	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Tester
Casey	King	Udall
Coons	Klobuchar	Van Hollen
Cortez Masto	Leahy	Warren
Duckworth	Markey	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	

#### NOT VOTING—2

McCaskill	Menendez
-----------	----------

The PRESIDING OFFICER. On this vote, the yeas 60, the nays 38.

The motion is agreed to.

#### EXECUTIVE CALENDAR

##### WASTEFUL GOVERNMENT SPENDING AND ECONOMIC GROWTH

Mr. PERDUE. Mr. President, since 2001, the Federal Government has exploded in constant dollars from \$2.4 trillion in 2000 to last year almost \$3.9 trillion in costs. Those are constant dollars. In September of this year, just a few weeks ago, our national debt surpassed \$20 trillion for the first time, and no one in Washington blinked an eye. If that is not enough of a wakeup call, this debt is projected to increase over the next 10 years, according to the budget we are operating under now, by another \$11 trillion. If that is not enough, over the next 30 years alone, it is projected that over \$100 trillion of future unfunded liabilities—Social Security, Medicare, Medicaid, pension benefits for Federal employees, and the interest-only debt—are coming at us like a freight train. These are unfunded liabilities.

Today, with \$20 trillion in debt, we are only paying about \$270 billion every year in interest only. I say that because just in the last year, we have seen four increases in the Federal funds rate, which fundamentally increases our interest by 100 basis points. That 100 basis points over the next few years will grow our interest on the debt by more than \$200 billion on top of the \$270 billion. By the way, today that is almost 25 percent of our discretionary budget, already, just at the \$270 billion. If it doubles, it will be almost half of our discretionary budget. If interest rates just go back to their 30-year norm—between 4 percent and 5 percent—we could be paying as much as \$1 trillion on our Federal debt. That is almost equal to today's discretionary budget.

It is going to take a long-term fix. We can't tax our way out of this problem. We can't cut our way out of this problem, and we can't just simply grow our way out. It is going to take a multifaceted approach. There are five interwoven imperatives that are at work in solving this problem. It is one thing to call the crisis, but it is another to call out the ways to fix it, and they are all within our grasp today.

No. 1, we need to fix Washington's broken budget process.

No. 2, we need to root out all the wasteful spending in the Federal Government today.

No. 3, we have to grow the economy by repealing and pulling back on a lot of regulations that are unnecessary, by revamping our tax structure and by unleashing our energy potential.

No. 4, we have to save Social Security and Medicare, of which both trust funds go to zero in 14 short years.

Lastly, we finally have to get after the real drivers of spiraling healthcare costs.

As we are working to change our archaic tax system to become competitive with the rest of the world and to get our economy rolling again, I want to talk about two things today. One is

this wasteful spending, and two is economic growth. These are two of the five imperatives that I just outlined.

According to the General Accountability Office, today and also every single year, this Federal Government wastes hundreds of billions of dollars. It is estimated today—and this bipartisan organization has identified this—that we are overspending about \$700 billion a year.

Let's put that in perspective. As I just said, we spent \$3.9 trillion running the entire Federal Government. That is about \$1 trillion for discretionary spending and about \$3 trillion for mandatory spending—so almost \$4 trillion. Of that, over \$700 billion has been identified as wasteful spending. I will describe those in a second, but to put it in perspective, that is almost 20 percent of everything we spend as a Federal Government. It is a larger number than what we spend on the national security of our country. Let me say that again. The number identified by the General Accountability Office of wasteful spending is larger than what we spend on our military.

There are three facets to this as they outlined. No. 1 is redundant agencies. These are agencies targeted to do exactly the same thing that one administration or another has come in and added and that basically do the same things. That costs about \$135 billion every year.

Just since 2003, we spent \$1.2 trillion in improper payments. That is about \$144 billion every year. These are overpayments—improper payments. This is not fraud. This is not anything like that. It is basically an administrative error, where the Federal Government has made a mistake and made improper payments—Social Security Disability, SNAP overpayments, unemployment insurance, and others. This is outrageous.

The third item is that it is estimated that we have a net tax gap of \$406 billion. This is a 17-percent error rate in the IRS Tax Code. That means that people are underpaying or not paying what is calculated, according to the General Accountability Office. The Federal Government last year took in almost \$3.5 trillion of taxes. Yet we had this \$400 billion. That is a 17-percent error rate. I don't know what else to say. Those three things add up to about \$700 billion of wasted spending. We have to get to the bottom of this. Let me also put it in perspective another way. That \$700 billion every year is \$7 trillion over the next 10 years.

This tax package we are talking about has an initial cost of about \$1.5 trillion, as identified by both sides, before you get to the economic growth that more than pays for it. A 0.4 percent of growth pays for this tax package that we are working on. But this \$7 trillion of wasted spending is overspending by the Federal Government, unnecessarily. Nobody in this body—no Democrat, Republican, or Independent—has voted on this spending.

This is spending in error. These are just common mistakes made by an oversized bureaucracy. It is not a partisan talking point. Both sides bear responsibility in this debacle.

Again, these are numbers from the nonpartisan Government Accountability Office. I am apoplectic that I even have to be here bringing this to the attention of my colleagues. Washington knows about these problems and has known for years—decades. Yet nothing is done. A former Member, Senator Tom Coburn, actually worked hard on this. There are others who are beginning to pick up this mantle here, as I am.

But as we talk about the tax package changes—the tax changes that will get this economy growing again—I wanted us to reflect on the opportunity we have right here that can more than pay for what we need to do to give the middle class a tax break and get our economy growing again. There are things identified in this report by the Government Accountability Office. There are recommendations that can get at most of this \$700 billion of wasted spending.

Let me give you a couple of examples. If the Department of Defense just manages commissaries more effectively, there is a \$2 billion opportunity there over the next 5 years. If the Department of Defense weapon acquisition programs were more effective, it is estimated that tens of billions of dollars over the next 10 years could be saved in terms of purchasing the same level of equipment and machinery. If the Department of Defense simply completed an audit, we believe it would identify further opportunities for wise spending of our taxpayers' money.

But since coming to the United States Senate, I was shocked to understand that the largest line item on our budget has never been audited. It is high time that we complete that audit. By the way, there is a law that was passed in this body in 1991 requiring the Department of Defense to submit an audit. Here we are in 2017, and we still don't have that audit.

In my opinion, as hard as it is for the American people to earn their salaries and to pay their taxes, it is unconscionable that I am standing before the U.S. Senate tonight reminding us all that there is \$700 billion a year that we spend in error—just bureaucratic error. Because of that and because of this financial intransigence, we have built up a debt that has created a crisis in our country. Because of these years of fiscal intransigence, we are losing the ability to fund our government the way it should be funded.

We are losing the right to do the right thing when it comes to funding things like emergencies and disaster relief efforts. Just a couple of weeks ago, we passed a \$15 billion relief package for two hurricanes. Last week, we passed a \$36 billion supplemental, as if nothing had happened. Every time we do that, it is borrowed money. We can wait no longer to solve this debt crisis.

It is going to take tough decisions to solve the debt crisis, and we are going to have to be making these very quickly, but eliminating redundant spending, improper payments, and eliminating this tax gap are at the top of the list.

Along with reducing our spending by almost 20 percent each year, we need to grow the economy to solve this debt crisis. The single most important thing that we can do to grow the economy this next year is to change this Tax Code.

Let me remind this body that so far this year, under this President's guidance, we eliminated over 860 rules. These were rules made by the Federal Government that were choking the very life out of our free enterprise system. The result of that this year alone is that in the third quarter we have now achieved a 3-percent growth again. This is not the Holy Grail.

Who knows what this economy should be growing at right now if we just get Washington out of the way? Part of the way to do that is to correct this archaic tax policy. Changing the Tax Code will mean more jobs and higher wages for the American worker. For example, if we eliminate the repatriation tax on our corporations—again, we are the last country in the world to have a double tax on U.S. profits made overseas—it is estimated by independent, nonpartisan groups, that this would mean \$4,000 to \$9,000 of annual income for the average worker in the United States.

I don't know what else to tell you, except that we are not competitive today. We have to become more competitive. What we are talking about here should not be partisan issues. America needs to be competitive. We all know that.

The idea that bigger government will create more jobs has been proven not to work. Look at the last 8 years. We have had the lowest economic growth in the history of the United States.

As we debate how to fix this archaic tax system and become competitive with the rest of the world, I am reminding us tonight that we also need to get serious about cutting this wasteful spending. This spending is not benefiting anybody. It is not providing for national security. It is not taking care of people who need help. These are just simply overpayments, mispayments, and they are creating problems that should not have been created. Changing the Tax Code, as I said, is a historic opportunity to generate growth and make us more competitive. Eliminating this spending, which amounts to 20 percent of what we spend as a Federal Government, is absolutely mandatory. People back home should be demanding that.

There is a lot of heavy lifting to dig out of this debt crisis, but these two things I am reminding us of tonight should be at the top of the list. We simply cannot fail the American people to get this done. I am committed to that.

I urge my colleagues to take seriously this opportunity we have of changing our Tax Code. It is historic. At the same time, we have to get serious about eliminating our redundant, outrageous, and unnecessary spending.

I yield the floor.

The PRESIDING OFFICER. The clerk will report the pending nomination.

The senior assistant legislative clerk read the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President. I agree with my colleague from Georgia that we need to simplify our Tax Code. We need real tax reform. We have seen a lot of junk built up in the Tax Code over many years, put there by special interests that seek special deals for themselves—deals that are not enjoyed by the American public. We should do tax reform.

What we should not do is increase our national debt and our national deficits, and we all know that the budget plan that passed this Senate—and just recently passed the House—has written right into it an increase in the national debt of \$1.5 trillion over the next 10 years. In other words, it is engineered right into that bill. So I hope our colleagues who really do care about reducing our national debt will make sure that, as we discuss this tax proposal, we do not increase our national debt.

We should, of course, eliminate unnecessary and wasteful expenditures, but we should not have a tax proposal that increases our debt by \$1.5 trillion and possibly more. As it appears now, that would primarily be done to provide big tax breaks to very wealthy people and big corporations, at the expense of everybody and everything else in the country.

But we will have a fuller debate starting tomorrow when the House Ways and Means Committee unveils its proposal.

#### TEMPORARY PROTECTED STATUS IMMIGRANTS

Mr. President, we have also had a pretty vigorous discussion in this body and around the country about the Dreamers. These are young people who were brought to the United States as kids. They have grown up knowing only America as their home. They pledge allegiance to our flag, and it is really important that in the coming months, we ensure that they have a secure home and place in the country. It is imperative that we address that issue soon because, of course, President Trump has started the clock ticking on their deportation early next year.

But I come to the floor today to talk about another group of people who have not gotten much news coverage but really demand the attention of the country. That is the future of about 300,000 immigrants who came to the United States legally.

They came here escaping horrific conditions in their home country—conditions brought about by war, by earthquakes, and by other natural disasters. They came to the United States under a program called Temporary Protected Status or TPS. It is a humanitarian program that says, if you are fleeing a country because of one of these horrific conditions, during that short period of time, you can legally come to the United States.

For example, Liberia was granted TPS status because of the Ebola crisis. Some Liberians came to the United States to seek refuge and were granted legal status here under that humanitarian program. Haiti was granted TPS status after the 2010 earthquake, which killed over 300,000 Haitians. El Salvador was also granted TPS status because of a devastating earthquake that took place in El Salvador. So these are individuals who came to the country legally under this program to grant protection to people who are fleeing devastating situations. Many of these TPS individuals have been in the United States for over 20 years now. They are small business men and women. They are homeowners. They are contributing to our communities and to our economy.

The reason I am raising this issue today is that 5 days from now, next week, the Department of Homeland Security will announce whether they will continue to allow these individuals to stay in this country, individuals who came here with this protected status, individuals who came here legally, individuals who, in many cases, have been here 20 years or more. In 5 days the Department of Homeland Security will decide whether individuals who came here from El Salvador and Honduras and then made their home here—whether they can stay or whether they will be subject to deportation early next year. The decision by DHS on Haitians who came here under the protected status program is due on November 23.

I think we can all see that while this matter has not hit the headlines yet, it will soon be grabbing more attention around the country.

I come to the floor today to call upon President Trump and to call upon Acting Secretary Duke to make the right call and to make the humane call to allow these individuals to stay in the United States. They are hard-working people who have been playing by the rules.

Let me share the story of Norma Herrera and Miguel Espinal, who fled Honduras back in 1998. Seeking a better life, they fled after Hurricane Mitch. The United States decided that the hurricane was so severe and that it had such catastrophic humanitarian consequences that we should create that little window of time when people could come here legally. They applied, and they were granted protected status. They have worked very hard to build and create the American dream

in Riverdale, MD. They have a 14-year-old son, Miguel Junior. He is a freshman at Don Bosco Cristo Rey High School in Takoma Park. Unfortunately, their son now lives in fear that if the Trump administration doesn't extend that protected status next month, his parents could be deported to Honduras early next year. In other words, if TPS is not extended for Hondurans and others from those other countries, they will be in the same position.

Jose Ramos is a TPS resident who owns his own freight company and has his own home. He is actually a job creator. He employs other people in our community. The question is whether he will be allowed to stay.

I want to emphasize that in order to continue under the TPS status, these individuals have to be vetted every 6 to 18 months to make sure that they are here working and that they are law-abiding. The statistics overwhelmingly show that these are exactly the kinds of people we want to have in the United States helping in our communities and helping build jobs. For example, 94 percent of the men and 82 percent of the women are working, and they have provided community services as well. In fact, many of these individuals are helping provide hurricane relief down in Texas.

So I come to the floor today simply to urge our colleagues to call upon the President and the Trump administration to make the right decision with respect to these individuals who, No. 1, came to the United States legally, under a humanitarian program; No. 2, go through a periodic vetting process to ensure that they are playing by all the rules; and No. 3, in many cases they have been here as long as 20 years, have built small businesses, are living in our communities, and have children who are American citizens.

I call upon all of us to ask the administration to make the right decision next week so that these people who have contributed to our communities and to our country are allowed to stay and not be subject to deportation early next year.

Let's do the right thing for our country. Let's make sure that we continue to allow these individuals who have played by the rules and who have come here legally to stay and continue to contribute to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

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

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

#### TAX REFORM

Mr. RUBIO. Mr. President, tomorrow the House will announce its plan for tax reform as a starting point. I doubt everybody here will agree with everything that is in it, but I imagine we will find a lot of good in it, and it will be a good starting point for this debate. But it actually is about a broader