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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Adrian Brooks, senior pastor at Memorial Baptist Church in Evansville, IN.

The guest Chaplain offered the following prayer:

Let us pray.

O God, we first thank You for another day of life. We thank You for another chance to bring joy and opportunity to someone else's journey. Lord, guide these public servants within the United States Senate. Please lead them as they lead us to a better and more peaceful landscape. Create, O God, within all of us, the zeal to make our communities around this country more stable. Remove from us any personal animosity that might prevent us from acting as my brother and sister's keeper. We ask Your healing on those Members of this legislative body who are injured or sick.

We ask, O Lord, that You would extend comfort and peace to those families who have been affected by the tragedy in Sutherland Springs, TX. Even in the midst of this tragedy, we thank You, O God, that those 26 fellow sojourners are in Your loving presence, a celestial place where the wicked cease from troubling and the weary always find rest.

Lord, bless our President. Give him, O God, the wisdom and insight to move us toward a more unified and loving Union. May we become, O God, more united in the things that bring us together and reject the smaller things that drive us apart. Help us to catch the spirit of those who wrote the Declaration of Independence. They knew then, and we know now, that this was something splendid and august and powerful.

O God, You have brought us to this critical moment. Let us not lean on our own understanding, but help us, O God, to let Your Spirit take the reins of our hearts and minds. Make us more innovative and less reactive. Let the creative genius that is part of the American fabric take over the urban and rural American landscape. We pray now, O God, that the diversity and inclusion of people and ideas become our strength and not our wedge.

Now, Lord, help us to live by our faith and not by our fears. Help us to face the future with a trust in You and confidence in America's bright, glad tomorrow. Lord, we know that if we trust You, our best days as a nation are waiting on us.

It is in Your powerful and majestic Name that we pray. 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, November 16, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

TAX REFORM

Mr. MCCONNELL. Mr. President, during the past decade, many in the middle class struggled to make ends meet. The economy was sluggish, paychecks were often stagnant, and jobs for many were too hard to find—perhaps not on the coasts, where the well-to-do were able to flourish under the Obama economy—but in middle America, in States like Kentucky, the pain was real.

Hard-working families across the country deserved better. They continue to deserve an economy that reaches for its true potential, one in which more Americans can find a good job to support their families and achieve the American dream.

So now this is our chance to set a new course. This is our opportunity to jump-start the economy and boost job growth. Passing tax reform is the single most important thing we can do right now to support those left behind by the Obama economy.

Though obvious, it is worth repeating: Our Nation's Tax Code is broken. First, the rates are too high. Americans are sending too much of their hard-earned money to Uncle Sam. Second, the structure is too complicated for most Americans to understand, and it is too easy for the wealthy and well-connected to exploit. Third, the incentives are often outdated or simply make no sense at all—like those that actually encourage American jobs and companies to move overseas. That is bad for our country, bad for the middle class, and bad for small business.

In my home State of Kentucky, a small business CEO wrote a column in a publication about her experiences with our broken tax system, calling for

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



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tax reform to fix it. Here is what she said:

The federal government takes too much. Our small businesses—which according to the U.S. Small Business Administration total 96.5 percent of Kentucky's employers—often face the greatest tax burden.

This Kentuckian continued:

If we want better lives for the nearly 700,000 employees across the [C]ommonwealth who work for small enterprises, we must lift this weight off their backs.

Small businesses deserve a tax code that works for them. Middle-class families and individuals deserve the same. That is why we are working so hard to enact tax reform. Over in the Senate Finance Committee, Chairman HATCH has laid down a tax reform proposal that is premised on a single idea; that we should take more money out of Washington's pockets and put more money in the pockets of the middle class.

It cuts taxes for middle-class families. It doubles the child tax credit. This plan does a lot of things, including providing relief for businesses so they can create more jobs here in America and then keep them here. The Nation's leading small business advocacy organization endorsed this legislation, saying that it "will provide much needed tax relief to enable small businesses to grow and create jobs."

There is another important provision of the Finance Committee's tax reform proposal as well. It will deliver relief to low- and moderate-income families by repealing ObamaCare's individual mandate tax. In other words, we can deliver even more relief to the middle class by repealing an unpopular tax from an unworkable law. It just makes sense.

I would like to once again thank Chairman HATCH for his commitment to an open process and regular order. The Finance Committee will report a bill soon. Before it does, however, it will continue to consider a number of amendments from both sides of the aisle. In fact, the chairman's modified mark already incorporated amendments from both Republican and Democratic members of the committee.

I look forward to the Finance Committee completing its work on this crucial legislation very soon. As it does, our colleagues in the House will continue working on their own tax reform legislation. I commend Chairman BRADY and the members of the Ways and Means Committee for their efforts. I look forward to the full House passing their bill.

Once both Chambers pass their tax reform bills, we will keep working together to get a bill to President Trump's desk for his signature.

I am also grateful to Chairman MURKOWSKI and members of the Senate Energy and Natural Resources Committee for reporting bipartisan legislation yesterday to secure our Nation's energy future. By further exploring the responsible development of Alaska's re-

sources, this bill can help grow our economy, support high-paying jobs, and strengthen our national security. I look forward to promoting American energy independence through this legislation.

NOMINATIONS

Mr. MCCONNELL. On another matter, today, the Senate will continue to fulfill its important responsibility of providing advice and consent on President Trump's nominations. So far this week, we have confirmed talented individuals to important positions in the Departments of Transportation, Labor, and Defense.

Yesterday, the Senate advanced the nomination of Joseph Otting to serve as Comptroller of the Currency. Mr. Otting's experience as a leader in various financial agencies has helped prepare him to serve in this new role. I look forward to voting to confirm him later today.

Next, the Senate will consider two well-qualified nominees to serve on Federal district courts. Donald Coggins and Dabney Friedrich both have the experience and temperament to excel as judges. Both of these individuals have stellar legal credentials. Their careers demonstrate a serious commitment to the law, and by confirming them both, the Senate will continue to ensure the Federal judiciary fulfills its particular role in our constitutional system.

I would like to thank Chairman GRASSLEY for his leadership of the Senate Judiciary Committee, which reported both of these nominees on a voice vote. I look forward to advancing their nominations very soon.

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 Otting nomination, which the clerk will report.

The legislative clerk read the nomination of Joseph Otting, of Nevada, to be Comptroller of the Currency for a term of five years.

The ACTING PRESIDENT pro tempore. The majority leader.

AMENDING THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. MCCONNELL. Mr. President, as in legislative session, I ask unanimous

consent that, notwithstanding rule XXII, the Senate proceed to the immediate consideration of H.R. 4374, which was received from the House. I further ask 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; further, that at a time to be determined between the majority leader and the Democratic leader, the Chair lay before the Senate the conference report to accompany H.R. 2810, and the Senate vote on the adoption of the conference report with no intervening action or debate.

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

The bill (H.R. 4374) to amend the Federal Food, Drug, and Cosmetic Act to authorize additional emergency uses for medical products to reduce deaths and severity of injuries caused by agents of war, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE CALENDER—Continued

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

REPUBLICAN TAX PLAN

Mr. SCHUMER. Mr. President, as the Senate Finance Committee continues to mark up the Senate Republican tax bill, the House will take a vote this afternoon on their version of the bill.

There are plenty of reasons for House Republicans to vote against this bill. For those who care about deficits, you should vote no because the bill increases deficits by over \$1.5 trillion, likely more. Any deficit hawk should be against this increase.

Any defense hawk should be wary of this bill for the same reason. High deficits make it harder to fund important priorities like the military. This morning, three former Defense Secretaries—Leon Panetta, Chuck Hagel, and Ash Carter—penned a letter warning that the Republican tax plan could result, in their words, in a "hollowed-out military force" wracked by cuts to training, maintenance, flight missions, and other vital military programs.

I spoke to General Mattis yesterday. He is definitely afraid of a CR because a CR is at sequestration levels. If we pass this tax bill with its huge deficit, we will have no choice but to go back to sequestration, and the fears of our defense leaders that they cannot fund the military adequately will be very real. So my shout-out is to all of those who care about defense, particularly our defense hawks: If you vote for this bill, you are going to be voting for a "hollowed out military force," as three former defense secretaries have written to us this morning.

For those House Republicans who represent middle and upper class suburban districts, you should vote no because this bill will raise taxes on a