

We are here today to talk about another example of the powerful versus the people. We have seen time and time again, over the course of the last few months, the President of the United States standing up for the powerful and trying to crush the people of the United States, trying to rip healthcare from 30 million Americans in order to give special benefits to the richest Americans. We have seen the President of the United States sign in the Oval Office a measure that would enable a powerful company, when in a dispute with a consumer, to choose the judge, to pay the judge, to promise a judge future business. What kind of fairness is that for an ordinary American up against a powerful company, where the powerful company gets to choose a judge? Yet my Republican colleagues voted overwhelmingly to crush the opportunity of an ordinary citizen versus a powerful company in a consumer dispute.

Then we have the tax bill. The tax bill says that if you earn less than \$30,000, you get a tax increase, and if you are in the middle class, 87 million of you will get an increase in your taxes. And by the way, we are going to give several trillion dollars to the very richest Americans and the most powerful corporations. It is another example of a bank heist on the National Treasury—our Treasury—to deliver benefits to the best off, to the richest in America.

Oregon is about 1 percent of the national population. If you take 1 percent of \$1 trillion, that is \$10 billion. I can tell my colleagues what we can do for families in Oregon with \$10 billion. We can invest in needed infrastructure to have a stronger economy and put a lot of people to work with living-wage jobs. We can add teachers to our public school classrooms so that our classrooms offer better opportunity for our children to learn and to thrive. We can make college more affordable. We can improve our community health clinics to make sure healthcare is available to all, which is so critical to quality of life. But no. My Republican colleagues say: Let's give this money to the richest Americans. Let's raid the National Treasury and enrich the best off among us.

That is because we have a fundamental cycle of corruption in campaigns that is enabling such a bizarrely inappropriate bill to ever get heard on the floor of the Senate. I say “bizarrely inappropriate” because our government wasn't founded to mimic the powerful kingdoms of Europe that govern by and for the richest. We had a vision of government of, by, and for the people.

Now we have this issue of net neutrality, and once again President Trump and the Republicans are weighing in to crush ordinary people in favor of powerful corporations. The internet has become essential to all of us in our daily lives. We consult it to find out where to go to a restaurant or what

movies are playing. We check the internet to find out what the sports scores are and what is the latest news. We order our airline tickets. We do so many things on the internet during the course of our everyday lives. Yet here is President Trump saying: We want to take that level playing field of fairness for consumers across America and let some powerful companies decide who gets to provide information, which websites to allow to have information and which ones we are going to slow down, whom we are going to put in the fast lane and whom we are going to put in the slow lane.

The internet is so critical to the freedom of information. This is really an assault on freedom of information. It was James Madison who said that “the advancement and diffusion of knowledge is the only guardian of true liberty.” Yet my colleagues and President Trump want to give powerful companies the ability to control what information is shared in America.

Think of a highway. We have a highway and everyone gets to use it, and you can be in the slow lane if you choose because you want to save fuel, or you can get in the fast lane and pass somebody who is going more slowly. We don't have someone saying: Hey, we are only going to allow the richest Americans to drive in the fast lane. We are only going to allow the most powerful corporations to be in the fast lane. For the rest of you, you get to go to the slow lane. I don't care if there is a truck going 25 miles per hour, you are going to be stuck behind it unless you pay me a whole lot of money to get out of that lane.

The internet for the rich and powerful is wrong, and we have to stop it. If the Federal Communications Commission doesn't get the message this Thursday, we need to overturn their rule here on the floor of the Senate.

I get a chart each day showing me the calls from yesterday. Here I have a bar saying how many people called about net neutrality and which side of the issue they weighed in on. So 544 people called in favor of net neutrality, and according to this chart, zero people called in favor of powerful corporations instead controlling the internet. I have since been informed we did get 1 call, so let's make it 544 to 1 instead of 544 to zero. Have you ever seen an issue where you have that kind of ratio of ordinary people weighing in and saying: Don't let the powerful take over our internet. People want a level playing field for consumers, a level playing field for distributing knowledge, a level playing field for entrepreneurs so that the new startups can compete with the Googles and the Amazons of our country.

I ask you, if you had a choice between two websites last night to follow the election in Alabama and one was in the fast lane and could replenish its numbers instantly and one was going so slow that the numbers were going to take 5 minutes to get posted, which

site would you have gone to? Of course you would have gone to the site that can update quickly. That is the point.

We shouldn't allow powerful companies to extort Americans over the information flowing through the internet. It is not fair to American citizens. It is not fair to American entrepreneurs. It is not fair to the distribution of knowledge. We must defeat it.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

TAX REFORM BILL

Mr. BLUNT. Mr. President, the good news about the tax bill that I believe we will pass over the next few days is that it will go into effect on the first day of January and people will quickly see, no matter how loud others are talking, the exact facts. For work done in January, people who get that check in January or February or whenever they get paid for their January work—there is going to be a substantial tax decrease for working families at all levels. Our friends want to talk about what happens after 2025 or 2027, but surely the Congress can do its job between now and then.

This is a pro-growth policy. There are two ways to increase people's take-home pay, and we are going to pursue both of them. One is to take less out of your pay right now. That will happen not a year from now and not a year and a half from now; that will happen next month. So next month, when people get their paychecks, it will be clear to them who had the facts and who didn't have the facts on this. The second way it will increase people's pay is by having better jobs to start with. Hundreds of economists who have looked at this bill say that it will make the United States of America the best place to invest money and create jobs, and I think we will know sooner rather than later that that happens.

So good tax policy, commonsense regulation, and judges—another thing we are working on this week—make a difference in how people look at the economy that they want to invest in and an economy that they want to grow. Why would judges make a difference? Judges make a difference because judges create a sense of fairness in the court. They create a sense of an ability to get your case heard. And they create a sense that what the law says hopefully is what the judge will decide rather than what the judge thinks the law should say.

We are making great progress in all of those areas if we add good tax policy to what has been happening.

Right now, Mr. President, we are talking about judges, and President Trump has a unique opportunity to shape the long-term view of the judiciary. This week we are going to confirm three circuit judges, and I wish to speak in just a little while about what that means.

At the start of President Trump's term, 12 percent of all of the Federal judiciary seats were vacant. No President has had that kind of opportunity

since President Clinton had that opportunity now almost 25 years ago when he started his first year. And the President will have the opportunity—and is making the most of it—to fill those vacancies.

I believe President Trump made the right choice when he selected Justice Gorsuch to serve on the Supreme Court. There was a record as a circuit judge; you can look at what he had decided. The Presiding Officer and I and other Members of the Senate can look at what he has decided and anticipate, after 10 years of that record, what his record would look like. It makes a difference. I have no doubt that President Trump will continue to nominate judges who will rule as did Justice Scalia, whose unfortunate death created the most recent vacancy.

Justice Scalia, by the way, served on the Supreme Court for 26 years after the person who nominated him left the White House and 13 years after President Reagan died. So the legacy of what happens here is important.

Justice Scalia was profound in his sense that the work of the Court was not to decide what the legislature should have done; the work of the Court was to decide what the law and the Constitution said. There are ways to change the law, and there are ways to amend the Constitution, but a person on the Court needs to look at what the Constitution and the laws say.

While Supreme Court vacancies tend to get a lot of attention, it is just as important that the Senate nominate and confirm the jobs the President and the Senate share. It is our responsibility too.

The Constitution could have said: Will report to the Senate, and, unless there is some big objection, that person becomes a judge. That is not what it says. It says: The Senate will confirm.

As of this morning, there are slightly more than 140 lifetime vacancies on the courts to be filled. So far this year, we have confirmed 10 circuit court judges. By the time we leave this week, I think we will have confirmed 12 circuit judges this year. That will be close to a post-World War II record. It has been a long time since World War II, and it has been a long time since a President has had the opportunity to do that.

Why do we need to do that? First of all, the people of this country have a right to seek justice and to believe that the rule of law will prevail. The Supreme Court hears about 100 to maybe 150 cases in a year, but the 12 circuit courts—where you appeal a lower Federal court ruling to—hear many cases, and about 7,000 of those cases are appealed to the Supreme Court; the Supreme Court deals with 100 to 150 of them. So the judges in the 12 circuits often write what, in our structure, is essentially final law; the final rule of any court is at the circuit level.

The Federal Bar Association says that the “number of federal judicial vacancies throughout the federal court

system is straining the capacity of the federal courts to [do their job].”

In cooperation with the President, we have a job to do here. The capacity to hear these cases is important. Justice delayed is justice denied.

Filling these vacancies is also critical to ensuring that the balance of the Constitution is in place. This was a brandnew idea when James Madison and others thought of putting a machine together. They sometimes referred to the Constitution as the instrument that would be the guideline for a machine—a machine that was so finely balanced that it would govern itself.

The courts—the judiciary—the legislative branch, and the executive branch all have unique powers, and those unique powers were designed to keep the government in check. This concept, new in 1787, has worked well for us, but it doesn’t work if one of the groups is allowed to become out of balance. So filling these vacancies matters.

The leadership of the majority leader and the leadership of Chairman GRASSLEY in his committee make a difference. As we move forward with the confirmation process for three more nominees this week, we are advancing our goal of restoring the courts to judges who will determine what the law says, not what they think it should say.

I urge my colleagues to support these well-qualified nominees. But I also urge my colleagues on the other side to stop using the process to frustrate the other work of the government. There is a right to 30 hours of debate, which is what we are in right now; we are in 30 hours of debate on a circuit judge, but nobody is talking about that circuit judge. Other bills could have been brought to the floor, and other issues that could have been dealt with aren’t being dealt with because the minority has decided to abuse their power—to say that we are going to have 30 hours of debate about this judicial nominee, and then have no debate about the judicial nominee.

It doesn’t mean we don’t need to confirm the judges, but it does mean, if we did so in a way that made sense for the people we work for, we would be doing other business now, and these three judges would have already been confirmed. They will be confirmed this week.

My belief is that if the rules designed to protect the minority in the Senate are abused, they will not last forever. Eventually, you have to say: OK, facts are facts. This rule isn’t being used this way, and the Senate has to do the people’s work. If rules have to be changed to do that, I am for changing those rules.

Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4 p.m. on Wednesday, December 13, there be 30 minutes of postcloture time remaining on the Willett nomination, equally divided between the leaders or their designees; that following the use

or yielding back of that time, the Senate vote on the confirmation of the Willett nomination; and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, this week is a great week for the State of Texas and for the Federal judiciary because this week we will be confirming two exemplary judges from the State of Texas to the U.S. Court of Appeals for the Fifth Circuit: Texas Supreme Court Justice Don Willett and former Texas Solicitor General Jim Ho. These will be the 11th and 12th court of appeals nominees who we will have confirmed this year—a modern-day record.

Indeed, I looked up just the other day the number of assigned slots on the Federal courts of appeals. It is 179. This means the 12 that have been nominated and confirmed this year represent roughly 7 percent of the appellate bench. That is a powerful accomplishment for the first year of this Presidency, a powerful accomplishment for this Republican majority in the Senate, and a powerful legacy that will extend decades into the future, protecting our constitutional rights, protecting the Bill of Rights, protecting the First Amendment, free speech, religious liberty, protecting the Second Amendment, and protecting all the fundamental liberties we enjoy as Americans.

With respect to Don Willett and Jim Ho, I have known both of them for decades. Both are close friends. Both are brilliant lawyers. Both have spent decades earning a reputation as principled constitutionalists who will remain faithful to the law and will not impose their own policy preferences from the bench.

Beyond that, both Don and Jim are testaments to the American dream. They have both taken different paths to the Fifth Circuit, but both of their stories encapsulate what is so incredible about this great Nation.

Justice Willett was born Donny Ray Willett—his birth certificate doesn’t say Donald; it says Donny Ray—in July of 1966, to an unwed teenage mother. He was a sickly and frail newborn who was not even expected to survive until Christmas. But he was nursed back to health and then adopted by an incredible couple who were unable to have their own children.

Justice Willett grew up in a double-wide trailer in a small town of just 32 people, surrounded by cotton and cattle. His town had a cotton gin and a Catholic church. That is about it.

Justice Willett suffered heartbreak early in life. His father passed away at age 40, just 2 weeks after Justice Willett turned 6 years old. He was

raised by his widowed mother, who waited tables at the local truck stop. She would leave the trailer for her 6 a.m. shift before Justice Willett even woke up in the morning. He would wake himself up, get fed, dressed, and then catch the bus to a neighboring town to go to school.

Justice Willett was the first person in his family to even finish high school, let alone go to college and then to law school. He has four degrees. He got his bachelor's from Baylor with a triple major in economics, finance, and public administration. He then received a master's degree in political science, a law degree, and an LLM degree from Duke.

After law school, he clerked on the Fifth Circuit—the court on which he will soon be serving—for Judge Jerre Williams. Then, after 2½ years at a large law firm, he decided to dedicate his career to public service. He worked for Gov. George W. Bush in Texas and then for President Bush in DC. He and I worked closely together in that regard. After his time in DC, he happily returned to the great State of Texas to serve as the deputy attorney general for legal counsel. Don served alongside me, working under Greg Abbott, then the attorney general. We had offices just down the hall from each other.

In 2005, he was appointed by Gov. Rick Perry to serve as an associate justice on the Texas Supreme Court, and he was reelected by the people of Texas to that court in 2006 and again in 2012.

I can't tell you how proud I am to see Justice Willett confirmed as a judge on the Fifth Circuit and to see his lifetime of service continue in this new arena.

Jim Ho took a different path to the Fifth Circuit, but his story is just as powerful as an example of the American dream.

Jim was born in Taipei, Taiwan. He immigrated to the United States with his family when he was just 1 year old. For the first few years of his life, his family lived with relatives in Queens, NY. Jim learned English watching Sesame Street. His family then moved to Southern California, where he attended high school and then went on to college at Stanford University.

In 1996, Jim enrolled at the University of Chicago Law School, where he graduated with high honors in 1999. He then moved to Texas for the first time in his life, accepting a clerkship in Houston with Judge Jerry Smith on the U.S. Court of Appeals for the Fifth Circuit—again, the same court on which he is preparing to serve. It was during the end of his clerkship in Houston that he started dating his law school classmate, now his wife Allyson, a Houston native and another dear friend of mine.

In 2000, Jim moved to Washington, DC, to join the law firm of Gibson Dunn & Crutcher. In 2001, he joined the U.S. Department of Justice as a Special Assistant to the Assistant Attorney General for Civil Rights, working under now-U.S. Labor Secretary Alex

Acosta. Later that year, he joined the Department's Office of Legal Counsel. After 2 years at OLC, he came here to the Senate, where he served as the first chief counsel of my colleague, the senior Senator from Texas, JOHN CORNYN. After 2 years as Senator CORNYN's chief counsel, Jim went to clerk at the Supreme Court for Justice Clarence Thomas.

At the end of the clerkship, Jim and Allyson finally fulfilled their dream of going back to Texas, where Jim rejoined the law firm of Gibson Dunn & Crutcher in Dallas.

Then, in 2008, my tenure as solicitor general of Texas was coming to a close. Attorney General Abbott had told me that if I were going to leave, I would have to find my successor. I picked up the phone and called my longtime friend, Jim Ho. I talked to Jim about coming to succeed me as solicitor general. Jim agreed to take on the job and did a remarkable job as the chief appellate lawyer for the State of Texas, representing Texas before the U.S. Supreme Court and all the State and Federal appellate courts.

Jim served as solicitor general from April 2008 until December 2010, when he returned to Dallas and once again rejoined Gibson Dunn as a partner. A few years later, he became cochair of the firm's appellate and constitutional law practice group. Jim has done many extraordinary things, but nothing more so than marrying his wife Allyson, who is, like Jim, a Supreme Court advocate and one of the most talented constitutional lawyers in the country.

Allyson is my former law partner. When I left the job of solicitor general and went to the Morgan Lewis law firm, I promptly recruited Allyson to come lead the Supreme Court practice with me. I am proud to say that over the past 5 years, Jim's wife Allyson has argued more business cases before the U.S. Supreme Court than any lawyer in Texas.

Jim has become a pillar of the legal community in Texas, and the outpouring of support he has received demonstrates that. To take just one example, I have a letter from Ron Kirk, the former mayor of Dallas and a former member of President Obama's Cabinet and, incidentally, the Democratic nominee for the U.S. Senate who Senator CORNYN defeated in 2002. By any measure, he is a strong and prominent Democrat in the State of Texas. Mr. Kirk writes:

The last time Texans got to fill a seat on the Fifth Circuit, it was Judge Gregg Costa, who this body confirmed by a well-deserved unanimous vote. As a lifelong Democrat and devoted member of the Obama cabinet, I ask you to give Jim Ho the same unanimous consent.

I agree, and I hope our Democratic friends in this body will set aside the partisan rancor that has so characterized this year and will listen to the words of one of their own, a member of Obama's Cabinet, and a prominent Democrat from Texas, urging that Jim Ho be confirmed unanimously.

Sadly, Senate Democrats insisted on and provided a party-line vote in the Judiciary Committee. It is my hope that this full body will demonstrate more wisdom and less partisan animosity than the Judiciary Committee Democrats demonstrated.

Both Jim and Don, I am convinced, will make excellent judges on the Fifth Circuit. They are brilliant. They are principled. They are humble men of deep character. They love their families. They are wonderful fathers. I am confident that not only will they faithfully follow the law in the court of appeals, but I predict Jim Ho and Don Willett will become judicial superstars. They will become jurists to which other Federal judges across the country look. Their opinions will be cited heavily. They will be followed in other courts of appeals. Their careful and meticulous analysis and their fidelity to the law will be held up as exemplars for judges across the country to follow. That is a great accomplishment for the Federal judiciary, a great accomplishment for the Senate, and a great week for the State of Texas.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Wyoming.

TAX REFORM BILL

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the tax relief and tax reduction legislation that the conference committee is currently working on. To me and to all Americans, this is a very important piece of legislation. I think it is going to get even better as the House and the Senate work to hammer out the differences to help lower the tax rates for American families.

When you look at this legislation, there are so many policies that will help to make America's economy grow. Families across the country will get a tax break. It is what they need. It is what they have been looking for, for a long time. Main Street businesses will also get a tax break. When people get a raise like that, they invest in their families, and they invest in their communities. They create jobs. Wages go up. The economy grows, and our Nation gets stronger.

You don't have to take my word for it. Respected mainstream economists are saying exactly the same thing. They agree that our economy needs to grow. They agree that the legislation we are working on—which passed the Senate, passed the House, and is being joined together—will deliver the growth that our Nation needs.

In October the Council of Economic Advisers put out a report looking at some of the ideas for tax relief. This is a group that advises the President on economic issues. Their report found that the tax plan, like the one Republicans wrote, will grow the economy between 3 percent and 5 percent. That is real growth. It is strong growth, and it is good news for America.

There was another study that came out in October. That was by a group of