

our constituents are seeing signs that the law is positive and has wide-reaching effects. I, like the Presiding Officer, my colleague from Texas, have spoken to many of those families and businesses, both great and small. Some of the most recent ones I talked to were in College Station. One of the folks I spoke to was a woman by the name of Claudia Smith. Claudia owns and operates a small mom-and-pop flooring business. She told me that tax reform has impacted her company in many important ways.

The first is that, with more money in their pockets, her customers feel more optimistic. They are more willing to make purchases that for years before they had been putting off.

The second is that Claudia is using her tax savings to hire more employees and buy expensive equipment that previously the company could not afford.

The third way the changes are helping Claudia is that she is able to sleep a little more soundly at night. In years past, one thing that kept her up was the rising cost of health insurance. Because of the size of her business, Claudia has never been required to provide it, but since she considers her coworkers to be family, health insurance is something she felt obligated to offer. When she did her annual budgeting each year, health insurance was often on the chopping block—something she just couldn't afford. Up until the very last minute, Claudia was never quite sure whether she would be able to keep offering it. Now, thanks to the Tax Cuts and Jobs Act, she feels more confident in her ability to provide not only health insurance for the foreseeable future but other new employee benefits as well.

Claudia's is a great story—not because it is unique but because it is typical of the sort of response I have heard across my State when it comes to the benefits of the Tax Cuts and Jobs Act.

Although I am very glad that last fall we were able to pass the first major overhaul of the Tax Code in more than 30 years, now is not the time to let up. We can't stop fighting for taxpayers like Claudia. In fact, today I am reintroducing the Small Business Taxpayer Bill of Rights Act, legislation that reduces redtape for taxpayers and allows small businesses to spend more time growing and creating jobs and less time dealing with burdensome IRS procedures and improper targeting practices. I am proud to have my colleague, the senior Senator from Nevada, as my original cosponsor. In some ways, it is a complement to the Tax Cuts and Jobs Act.

This year, research has shown, taxpayers will spend more than 8 billion hours completing IRS forms, costing almost \$200 billion in cumulative monetized costs. That is a 14-percent increase from 2017. This legislation will hopefully improve that situation. It will notably lower the compliance burden, strengthen taxpayer protections, and ensure that small businesses are

not unfairly targeted with unjustified levels of scrutiny by the IRS. For example, the bill makes it a fireable offense for an IRS employee to use auditing methodologies based in whole or in part on the political or ideological views of a taxpayer individual or entity. The bill also allows more small businesses to petition for attorney's fees when a court determines that the IRS's legal actions weren't substantially justified. I hope we can act on this legislation soon.

To all of my fellow Texans, happy tax day. Just remember: Today, it is out with the old and in with the new.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to speak in opposition to the nomination of Carlos Muniz to be the general counsel at the Department of Education. One of the most important responsibilities that the Department of Education has is to uphold title IX and fight back against gender discrimination in all its forms. This is an enormous responsibility, but it is also an urgent one.

Thousands of men and women have survived sexual assaults on college campuses, and they are demanding that the Education Department and their universities take these crimes seriously. But over the last year, we have heard over and over again that Secretary DeVos has let down these survivors. Instead of working to uphold and even strengthen title IX, she has used her position to weaken title IX. We should not be arming her with more staff who are determined to carry out that plan, but that is what Mr. Muniz will do if he is confirmed.

Mr. Muniz's nomination sends a cynical message to survivors of campus sexual assault all over our country—that the Education Department is not taking survivors seriously and that they are not interested in protecting a law that is supposed to keep our students safe.

If this nominee is confirmed, I have no doubt that he is going to accelerate Secretary DeVos's attack on title IX. This is an insult to the thousands of students who have suffered through sexual assaults on their college campuses. Mr. Muniz has spent his career on the wrong side of this issue, and he has made it clear through his actions that he does not respect the important role title IX actually plays in protecting our students and keeping our campuses safe.

The general counsel of the Education Department should work to uphold and strengthen our anti-discrimination laws, but I fear this nominee is going to do the exact opposite. I urge all of my colleagues to do what is best for our students and join me in opposing this nomination.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

ORDER OF PROCEDURE

Mr. CORNYN. Mr. President, I ask unanimous consent that notwith-

standing rule XXII, if applicable, at 1 p.m. on Wednesday, April 18, the Senate resume consideration of the Muniz nomination, with 1 hour of debate remaining, equally divided between Senator GILLIBRAND or her designee and Senator ALEXANDER or his designee, on the nomination; further, that following the use or yielding back of that time, the Senate vote on the nomination as under the previous order; finally, that the Senate now proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER. The Senate will now proceed to legislative session for a period of morning business.

ORDER OF BUSINESS

Mr. CORNYN. Mr. President, for the information of our colleagues, I know the leader plans to make a motion to proceed to S.J. Res. 57, the auto lending CRA, at 2:15 p.m., and we will have a rollcall vote on that motion.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I ask unanimous consent to be able to complete my remarks.

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

TAX REFORM

Mr. YOUNG. Mr. President, I rise today on tax day to recognize this as the very last time Americans will have to file their taxes under the complicated, burdensome, outdated system of the past. Today, we officially kick off a new tax code—one that is simpler, fairer, and allows hard-working Americans to keep more of their hard-earned money.

Since we passed the Tax Cuts and Jobs Act last December, success stories have poured into my office from Indiana businesses that are paying their workers more and from constituents who are earning more. Tax reform has provided needed relief across Indiana and across the entire country.

To date, we have found scores of companies in my home State of Indiana that have invested in their employees, invested in capital improvements, or lowered energy rates for consumers. They range in size from large companies, such as Walmart and AT&T, to smaller Indiana businesses, such as Family Express, which has 70 convenience stores across the State and is building 10 more and increasing its starting wage. "We feel obligated to pass on a significant portion of the tax savings to our staff," said Family Express president and CEO Gus Olympidis.

My guest to this year's State of the Union Address was another beneficiary of this historic tax overhaul. Chelsea Hatfield is a young mother of three children and a teller at a rural branch of First Farmers Bank & Trust in Tipton, IN. Chelsea received a raise and a bonus as a result of this tax reform effort. This additional income will help Chelsea go back to school to earn her associate's degree. It will enable her to put money away for her children's future college education. Chelsea represents so many Americans who work in small towns and who live in our rural communities and are going to get a fair shot because of the benefits from tax reform.

The tax reform success stories don't stop there. NIPSCO, or the Northern Indiana Public Service Company, is an electric utility company in Merrillville, IN. It is passing on \$26 million in new savings to its customers. Andy Mark, a mechanical and electrical parts supplier in Kokomo, is hiring more employees. Muncie Aviation Company is providing tax reform bonuses for all of its employees. One Hoosier, who lives in Cedar Lake, IN, is growing his third-generation milk-hauling business, and another, who lives in Southern Indiana and works for U-Haul in Louisville, used his \$500 tax bonus to pay a bill. These bonuses and raises are allowing more Hoosiers to save for a rainy day, to put more money away towards their child's education, to make repairs to their home, and to keep food on the table.

It is worth noting that when we were debating tax reform, I listened carefully to feedback from my constituents across Indiana. I spent a lot of time traveling the State, holding roundtables, visiting businesses, and talking to folks on the street. I am glad to say that Hoosier voices were heard, and they are receiving the tax relief they asked for. I look forward to continue hearing Hoosiers' tax reform stories, and, like the rest of America, I look forward to this being the last day of the old, outdated tax system.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BLUNT).

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to S.J. Res. 57.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 378, S.J. Res. 57, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act."

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCAIN) and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—50

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

NAYS—47

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

NOT VOTING—3

Duckworth	McCain	Tillis
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The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 57) providing for congressional disapproval under chapter 8

of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act."

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise today to offer my support for Senator MORAN and Senator TOOMEY's resolution using the Congressional Review Act to disapprove of the CFPB's 2013 auto finance guidance.

It is important that Congress disapprove this guidance because it was an attempt by the CFPB to make substantive policy changes through guidance rather than through the rule-making process governed by the Administrative Procedure Act. It was also an attempt to regulate auto dealers who were explicitly exempted from the CFPB's supervision and regulation under the Dodd-Frank Act.

According to an internal CFPB memo, the CFPB rejected developing a rule using its statutory authority to regulate unfair, deceptive, and abusive acts and practices because "the potentially unfair, deceptive, or abusive actions are ostensibly those of dealers, over whom we have no regulatory authority."

As the Wall Street Journal editorial board noted, "That didn't stop former CFPB chief Richard Cordray, who used the back door of auto-financing to regulate dealers."

Make no mistake—the CFPB's decision to develop guidance instead of a rule was intentional. At Senator TOOMEY's request, the Government Accountability Office evaluated the bulletin to see if it should have been submitted to Congress as required by the Congressional Review Act.

The GAO concluded:

The Bulletin is a general statement of policy designed to assist indirect auto lenders to ensure that they are operating in compliance with ECOA and Regulation B, as applied to dealer markup and compensation practices. As such, it is a rule subject to the requirements of the CRA.

Plainly, the CFPB failed to follow the law by failing to submit the bulletin to Congress. Furthermore, issuing guidance instead of formulating a rule allowed the CFPB to sidestep important aspects of the administrative rule-making process that provide for accountability, transparency, and thorough evaluation.

Federal agency rules are governed by the Administrative Procedure Act, which generally requires an agency to publish a notice of a rulemaking, take comments from the public, and establish an effective date for a rule. Notice and comment is a vital step in the process because it gives individuals and businesses subject to rulemakings the opportunity to provide feedback on the practical effect of a rule's implementation, and it allows an agency to adjust the rule as necessary to avoid any undue consumer harm. In contrast, bulletins generally do not afford the public an opportunity to lend their