

So the people who will benefit the most are the upper 0.1 percent. And as millions more Americans lose their healthcare, billionaires who can afford concierge medicine will get a handout from the government.

The rich will get richer, while the sick who are the poorest are going to be left without their healthcare. The other ones are going to lose their insurance.

This is what this billionaire boondoggle is all about. It takes financial security from children, rips dinner off the family table, and crushes people's opportunities for health and financial security and sells it away to the ultrawealthy.

This is not a big beautiful bill, as Donald Trump would call it, it is a big billionaire buyoff and a bludgeoning of our health, our economy, our future.

We don't have to do this. Making these cuts is optional, and I am asking my Republican colleagues to please vote no. We can do a lot better with this legislation. Please—please—let us negotiate a sensible resolution of this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

ONE BIG BEAUTIFUL BILL

Mr. MERKLEY. Mr. President, I thank my colleague from Massachusetts for laying out how families lose and billionaires win on this not so beautiful bill that Trump has put forward.

It is really a big beautiful betrayal, betrayal because Trump campaigned for helping families. But as we have seen with the details in the end, this is about helping billionaires. The bottom 20 percent, the less affluent, they get tax benefits of about \$90 a year.

Somebody who earns a million dollars gets \$90,000 a year of tax benefit—\$90,000 for an already, well-off, rich individual, and \$90 for ordinary families struggling to get on its feet.

REMEMBERING MELISSA AND MARK HORTMAN

Mr. MERKLEY. I am going to talk about a different aspect of the reconciliation bill, but before I do so, my heart is with the people of Minnesota, who have lost Melissa and Mark Hortman. Melissa was speaker of the house. As a former speaker of the house in Oregon, I know the type of effort that goes into coordinating a legislative session and commitment to so many different policy issues, striving to build a better State, a better State of Minnesota.

And Melissa and Mark are no longer with us because of an act of hate, an act of violence, something that so goes against the vision of free speech and free assembly in America, where we can come together and argue our points and disagree profoundly with each other, but out of that big stew of

ideas comes policies that hopefully take us forward, not violence that takes us to the grave.

So, again, my heart is with Melissa and Mark's family and the people of Minnesota.

And I hope we can all work together to end the type of rhetoric, the type of framing that suggests that on the differences that we have, though large on policy, neither side is coming from an evil point of view. We bring differences that have to be worked out in legislatures like the U.S. Senate.

ONE BIG BEAUTIFUL BILL

Mr. MERKLEY. Mr. President, now, turning to an issue that has to be worked out in our U.S. Senate, is the challenge of having honest budget numbers for the conversation over the reconciliation bill.

Back in 1974, the Senate and House were alarmed over the growing deficits. They were microscopic compared to the type of deficits we have today, but still people said: Let's not get on that path of expanding the national debt. Let's create a real budgeting process where we lay out a vision at the front end so that the bills that are passed by the committees—the revenue bills and the policy bills—fit into that budget framework so we will have control over the result, whether it is a surplus that we want or whether we want to spend more and run up some deficit because, perhaps, it is a year in which the economy is dipping, and we need to provide some stimulus. But the point was a front-end budgeting process into which we could put the effects of all of these different bills in the course of a year.

So it was an act designed to bring planning for revenue and spending levels into a coherent framework by laying out a budget and holding committees accountable to that budget vision.

In this Budget Act, Congress created two significant tools for very different and separate purposes. One of them is section 312 of the Budget Act. Section 312 says that the Committee on the Budget will establish estimates of "the levels of new budget authority, outlays, direct spending, new entitlement authority, and revenues for a fiscal year." So there is the framework.

And to clarify, for most of the work that is done, the committee depends on the Joint Committee on Taxation for revenue projections and depends on the Congressional Budget Office for the cost of programs.

But this section in 312 has also been interpreted to give the chair of the Budget Committee the authority to resolve complex scoring questions that come up or technical ambiguities that come up on particular programs for particular revenue measures during normal legislating.

I emphasize "during normal legislating." It has nothing to do with reconciliation.

Now, Congress created a second tool that was specifically about reconcili-

ation. It is presented in the Budget Act and for a very special purpose. This section, reconciliation, was to be a filibuster-free pathway in the Senate for one reason and one reason alone: decreasing the deficit.

And you can imagine: There is Robert Byrd, who is the champion of the filibuster, who wants everything to have to go through a supermajority vote. It was often used against civil rights bills but was often used in other ways as well. And he would not let go of that for any reason, except the special role of reducing the national deficit.

A hundred Senators said yes to that vision—all the Democrats, all the Republicans.

So we have in that act a section 313, affectionately known as the Byrd rule, that lays out some very specific details for how to handle that reconciliation process.

So we have section 312, normal budgeting, for nonreconciliation bills, and we have section 313 with special rules for reconciliation bills.

Now, why am I coming to the floor to make such a detailed examination of issues that we wouldn't normally, well, wrestle with in a public forum. Well, the answer is because there is a plan afoot to take this tool that was always used and framed for regular budgeting to give a bit of flexibility to the Budget Committee through the Budget chair to resolve complex technicalities or abnormalities—issues—on small issues in normal bills and apply it in a completely corrupted version to section 313, overruling the foundation for reconciliation. Two very different tools, two very different purposes, but taking one and applying it to the other destroys the integrity of the reconciliation process, and I am going to lay that out in some detail.

Section 312 allows the Budget chair to be a referee, to find bipartisan common ground to solve those ambiguities in the budgets—but, again, never used in reconciliation because it wasn't intended for that purpose.

Now, if you are going to have a special process to reduce deficits, you have to agree to have honest numbers. So, therefore, the act created the Congressional Budget Office to give us those honest numbers on what programs cost.

And then you have honest integrity with numbers on revenue coming from the Joint Committee on Taxation.

So you have these two institutions and a commitment in section 313 to honest budgeting numbers. So we will quit fooling ourselves, and we will quit fooling the public because the goal was to reduce the deficit, and you can't reduce the deficit if you are lying about what new measures will cost, whether it be revenue measures or they be policy measures.

So it would completely defeat the purpose of reconciliation to simply have the Budget chair, who could resolve a technical ambiguity in a normal bill, be able to say: Well, that is

such a power, I am going to transport it from a normal budget bill over to reconciliation. Instead of using honest numbers from CBO and from the Joint Committee on Taxation, I am going to just create my own hall of mirrors, my own smoke, and my own baseline to pretend that things don't cost what they really cost.

It is a complete obliteration of the responsibility for integrity in the reconciliation process, which, again, was designed only to decrease the deficit.

Now, there has been a bit of a journey for the House and Senate since 1974, and that foundation that this reconciliation process would only be used to reduce the deficit got blown up in 1996. My colleagues across the aisle decided that, well, they wanted to pass a big tax bill, and they knew they couldn't do it through regular order. So they repurposed a process designed to reduce the deficit and said it could also be used for a tax bill that increases the deficit.

Well, that was a painful blow to fiscal responsibility because each and every one of their tax bills has vastly increased the deficit.

But they retained two other things: a second pillar, that said, after 10 years, every title has to either be deficit-neutral or reduce the deficit—so after a 10-year frame—and that they would continue to use honest numbers.

OK. Well, so now we have another situation where we rely here on using reconciliation not for its original purpose, to decrease the deficit, but for a tax bill. But pillars 2 and 3 were still in place up until this moment: no deficits in any title after 10 years and using honest numbers.

But the chair of the Budget Committee is saying: I don't want to keep pillar 2 and 3. I don't want to keep pillar 2 that says everything after 10 years has to be deficit-neutral or deficit reduction; and I don't want to use honest numbers because it lets the world see how expensive this bill is and kind of destroys our reputation for fiscal responsibility. So we want to create some magic math, some false baseline, to pretend that the bill does not have a lot of deficit.

Well, this is a huge mistake, and I am just here to say: Let's not let this happen. Let's not destroy the second and third pillars. Let's not destroy the second pillar which says: no deficits after 10 years.

Let's not destroy the third pillar which says: We use honest numbers from the Joint Committee on Taxation and the Congressional Budget Office.

There are two reasons that my colleague who chairs the Budget Committee wants to take this provision from section 312 for normal budgeting that gives some flexibility to the Budget chair and bring it over and create this new fake baseline so this bill doesn't look like it will run up the debt that it obviously runs up. One is that he wants to make the tax cuts permanent, meaning deficits will be run far

beyond the 10-year period. And, second, he wants the American people to believe that this is not going to create huge, massive, additional deficits and debt.

Well, those are not good reasons. We should all work together to maintain the second and third pillars of no deficits after 10 years—the third pillar that, in fact, we will use honest numbers and not lie to ourselves and not lie to the American people about the cost of a bill.

He calls this new, fake baseline “current policy baseline.” And part of the little twist is to say: Hey, the law says that a tax provision ends, but we will pretend that it doesn't say that—the law doesn't say that—and it just continues on forever. And since we are now pretending that the law was written differently than it was really written, it is really not a new provision that costs anything. Because a lot of these new extensions or new tax provisions cost because they reduce the revenues, we will just pretend they don't.

But you know it is that kind of pretending that got us into this trouble to begin with. That is what the 1974 bill was about. Let's quit lying to ourselves. Let's quit lying to the public. Let's quit pretending we are not creating deficits when we are. Let's have honest, honest budgeting.

So the irony is that you can even see how this philosophy fails even within the Republican bill, because if this philosophy that every bill or measure that the law says ends actually continues, then there would be no reason to have in the bill what my Republican colleagues have put in the bill, which is that they end a bunch of tax provisions in the middle of the 10-year period so they can say the bill costs less.

So the old laws that are going to expire, we pretend they continue. But the new laws that we are creating at this very moment, that end within the 10 years, we pretend they actually end.

You can see how phony this situation is, and we need to do better.

Now, let me just go through how modest the use of section 312, in general budgeting, was. The first is, it was always bipartisan. It was bipartisan in 2017. It was bipartisan in 2023 and 2024 and 2025. Each of these times, it was bipartisan.

But this new proposal is to use it in this partisan fashion. It is a complete deviation from a Budget chair working out a gnarly problem in order to be able to figure out how we should really resolve how this individual policy should be evaluated, and, instead, turn it into an instrument in which you fake the numbers and do it in a partisan way.

So that is not the only way that this would break protocol. The second is that each time it was used, it was used on a very narrow provision. It was routine—in 2017, on the Crime Victims Fund; on the Power Marketing Administrations; on the preventing of double counting of a dairy program; on adjust-

ments to the Fiscal Responsibility Act. It was always on a very narrow provision, not creating a whole new baseline out of thin air in order to fake the numbers over deficits and debt.

One example in this is 2017, when Republican Chair Mike Enzi directed CBO to use the original current law baseline for the Crime Victims Fund, rather than a new baseline with updated numbers, because, essentially, if you have a baseline at the start of the year and then, a few months pass, the numbers change slightly. And if you keep inventing or having to use a new baseline that is changing just, like, small amounts, it makes no sense because they aren't significant changes.

So it was an issue to say: No. Let's go ahead and use the baseline from the start of the year rather than updating it every single time that every week goes by. So a narrow, very narrow, issue.

And, as I noted before, it was to resolve an ambiguity. Each time it has been used, it has been to resolve an ambiguity. But, in this case, it is to create ambiguity; it is to create confusion; it is to create smoke and mirrors; it is to create a phony baseline to lie to ourselves and to the public about what this bill costs, and that is just wrong.

Let me give you an example.

In 2000, a deal had been struck on how to score activities of the Power Marketing Administrations, but over the years, the Congressional Budget Office had started scoring the program differently from the 2000 arrangement. In 2023 and 2024, Senate Budget Chair SHELDON WHITEHOUSE and House Budget Chair JOEY ARRINGTON invoked section 312 to have the CBO remember and observe the original 2000 agreement. It was the example of section 312 being used to resolve a technical ambiguity.

Let's look at one other way that it has been used in the past.

It was never used on reconciliation. It was not used on reconciliation in 2017. It was not used when they addressed the Power Marketing Administrations. That was not in reconciliation. Preventing the double counting of a dairy program is not in reconciliation. Adjusting the Fiscal Responsibility Act was not in reconciliation.

This provision wasn't designed for reconciliation. Reconciliation has its own set of rules in section 313, and those rules say each provision—the word is “provision”—in the proposed law is accounted for in terms of estimating accurately through these numbers from the CBO and the Joint Committee on Taxation what its real effect will be.

So that is the story, and I will give you an example.

In 2023, Senator WHITEHOUSE and Representative ARRINGTON again worked together to resolve an issue in the farm bill. The CBO was scoring the dairy program and reducing the costs of extending the program by \$105 million over 10 years, but the CBO didn't include it in the new farm bill's baseline, meaning the Ag Committee has to

pay for the program a second time out of the funding allocated to their committee. That didn't make any sense so they fixed it.

That is an example—very narrow, bipartisan—and we are talking small numbers.

Let's turn to those issues over small numbers. Well, they aren't so small when you think about this in terms of our normal trip to the grocery store—\$73 million or less than \$200 million. One case in the Fiscal Responsibility Act—again, in a bipartisan, specific provision—is \$2.8 billion. What is this bill about? What is this fake baseline being used to hide in this case? It is \$37 trillion of additional debt.

Again, this is absolutely a crime against fiscal responsibility. It is blowing up the last two pillars from the 1974 Act: no additional debt or deficit past 10 years of any title; the honest use of numbers from the CBO and the Joint Committee on Taxation. It is taking a provision to allow the taking on of small ambiguities to be wrestled with in a bipartisan fashion and resolved—taking that flexibility—and using it in the wholesale destruction of responsible budgeting. So let's not do this.

Colleagues, the deficit now, annually, is sizable. It is about 6 percent of our gross domestic product. Remember the end of the Clinton administration? We were raising in revenue about 21 percent of GDP. We were spending about 21 percent. We were actually running a surplus. Now we are spending 6 percent more of GDP than we are bringing in as revenue. We are no longer bringing in 21 percent of GDP in revenue. We are bringing in 17 percent. We are no longer spending 21 percent. We are spending 23 percent.

This bill, by the way, will crank up that gap between revenue and spending even more as time passes. It is a pathway to not only destroying the current programs that my colleague from Massachusetts was talking about—16 million people losing healthcare, 4 million children going hungry to give tax breaks to billionaires. It is not only a pathway to destroy current programs, but it runs up debt to destroy the ability to provide fundamental programs in housing and healthcare and education for the next generation, and that is wrong.

That is why I say to you colleagues on both sides of the aisle: Let's be honest about the numbers. Let's not corrupt the process by bringing a measure that belongs in the regular budgeting world, not in the reconciliation world, in order to destroy reconciliation as a process that will not increase deficits after 10 years and will honestly convey the effect of each provision in the bill as to whether it raises revenue or spends money.

Preserve honest budgeting. Let's do that. It will serve us well. It will serve the Nation well.

The PRESIDING OFFICER. The Senator from Virginia.

WAR POWERS RESOLUTION

Mr. KAINE. Mr. President, I rise at a late hour with few folks on the floor to talk about the most serious issue we could ever talk about on the floor of the U.S. Senate: the prospect that America may soon be in a war.

There is no part of the Constitution that is more important than the article I provisions making claim that the United States should not be at war without a vote of Congress. Yet the news of the day suggests that we are potentially on the verge of a war with Iran.

When I was elected to the Senate in 2012, having served as a Governor from 2006 to 2010 during a tremendous upsurge in the two wars in Iraq and Afghanistan, I visited our troops multiple times in the Green Zone in Baghdad and in Afghanistan. I went to the deployments and the homecomings; I went to the wakes and funerals, and I told myself when I came to the Senate that, if I ever had the chance to stop this Nation from getting into an unnecessary war, I would do everything I could to stop us from getting into an unnecessary war. I happen to believe that the United States engaging in a war against Iran—a third war in the Middle East since 2001—would be a catastrophic blunder for this country.

I think there are some in this body who have a different point of view than I on this point, but I think we should all be able to agree in the fundamental constitutional principle that says we shouldn't be in a war if Congress doesn't have the guts to debate it and vote on it; that we should all, in having taken an oath to the Constitution, at least support the principle that war is something that should be for Congress to declare.

Just recently—right before I walked on the floor—the New York Times published this article, and I am just going to read this to demonstrate the imminence of the threat that this country faces.

The article from the New York Times, dated today, reads "Iran is Preparing Missiles for Possible Retaliatory Strikes on U.S. Bases, Officials Say," and I will just read the first few paragraphs.

Iran has prepared missiles and other military equipment for strikes on U.S. bases in the Middle East should the United States join Israel's war against the country, according to American officials who have reviewed intelligence reports.

Fears of a wider war are growing among American officials as Israel presses the White House to intervene in its conflict with Iran. If the United States joins the Israeli campaign and strikes Fordo, a key Iranian nuclear facility, the Iranian-backed Houthi militia will almost certainly resume striking ships in the Red Sea, the officials said. They added that pro-Iranian militias in Iraq and Syria would probably try to attack U.S. bases there.

Other officials said that in the event of an attack, Iran could begin to mine the Strait of Hormuz, a tactic meant to pin American warships in the Persian Gulf. Commanders put American troops on high alert at mili-

tary bases throughout the region, including in the United Arab Emirates, Jordan and Saudi Arabia. The United States has more than 40,000 troops deployed in the Middle East.

I met the father of an Apache helicopter pilot currently deployed in Syria yesterday.

Finally, from the article:

Two Iranian officials have acknowledged that the country would attack U.S. bases in the Middle East, starting with those in Iraq, if the United States joined Israel's war.

We stand tonight as close to the potential initiation of a third war in the Middle East—the United States against Iran—as we have been during my time in the Senate. So, yesterday morning, when the Senate came into session, I announced and then I followed up with a filing of a War Powers Resolution in this body—a privileged resolution—that, by my clock, will mature and be subject to a vote on this floor because of its privileged status a week from Thursday. Ten days from the filing of such a motion, even by a single Senator, the Senate is required to take this matter up for an up-or-down floor vote about whether or not war should happen without a vote of Congress.

A little bit about the Constitution. Many in here have heard me speak about this over the years about the Constitution. The Framers of the Constitution grappled with the question about how wars should begin, and they grappled with the question in a most unusual way.

In the Constitution of 1787, the article I power is the congressional, the legislative power, and the article II power is the executive power. The Framers of the Constitution split war powers into a legislative responsibility and an executive responsibility. The legislative responsibility is clear: Congress declares war. It is in article I. The executive responsibility is to be the Commander in Chief. Once Congress—535 people—has declared war, you don't need 535 Commanders in Chief. That would lead to chaos. So a war once declared by a debate and vote by the people's elected body then gets handed to the President, who as Commander in Chief is responsible for executing on that declaration.

The Framers of the Constitution did understand one thing about the President's power, which is the President as Commander in Chief should defend the Nation. The President always has the ability to defend the United States without asking Congress's permission.

Back in 1787, Congress might adjourn and ride horseback back to Vermont. What if the United States were attacked? You couldn't wait for all of Congress to come back to enable the United States to defend itself. So a President has the inherent power under article II to defend the United States without asking for permission. But it has been the understanding since the very beginning of this Republic that, if it is more than defending the United States—if it is going on offense in any