

Mr. CORNYN. Mr. President, I ask for our colleagues to vote no on the motion to instruct, unless you happen to believe that 2 percent and below growth is the new normal for the American economy, and we have nowhere to go but down as a country; that people don't react to incentives to keep more of what they earn and businesses invest more in jobs and in pay that people can take home and spend to enhance their standard of living; and unless you are satisfied with the fact that companies are incentivized to keep earnings abroad and not bring them back home and invest in pay and jobs here in America. If you believe there is no better, brighter future for the American people, yes, vote for the King motion to instruct.

If you believe we can and will do better under this bill, vote no.

Mr. SASSE. 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 question is on agreeing to the motion.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

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

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 307 Leg.]

#### YEAS—48

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

#### NAYS—50

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

#### NOT VOTING—2

Alexander Franken

The motion was rejected.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Michigan.

#### MOTION TO INSTRUCT

Ms. STABENOW. Mr. President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Michigan [Ms. STABENOW] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the bill H.R. 1 be instructed to insist that the final conference report includes a provision causing the corporate tax rate to revert to 35 percent in the event that real average household wages do not increase by at least \$4,000 by 2020 as a result of the enactment of the bill.

Ms. STABENOW. Mr. President, I am making a motion to instruct the conferees with language at the desk to put in place a guarantee that middle-class families will receive the raises my Republican colleagues are promising them. In other words, for people watching all of this, the proof is in your paycheck.

This motion would direct the conference committee for this bill to add a provision that would return the corporate tax rate to its current rate if wages do not increase by at least \$4,000. The President has said they will. Our Republican colleagues—we saw posters all last week saying at least \$4,000; in fact, we have heard as much as \$9,000.

This is important for families because corporate profits are already at record highs and wages are at record lows. If people are really going to get \$4,000 more in their pocket in wage increases, colleagues across the aisle should be willing to vote for this guarantee. The proof is in their paycheck.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Texas.

Mr. CORNYN. Mr. President, the United States has the highest corporate tax rate in the industrialized world. We are simply noncompetitive, which is why businesses are moving out of America, overseas, to lower taxed countries. If our colleagues on the other side of the aisle think that is a good idea, then they ought to vote with the distinguished Senator from Michigan, but we think it is a terrible idea to ship American jobs and American investment overseas.

We happen to agree, by the way, with Barrack Obama's 2011 State of the Union Message as well as the positions taken by the distinguished ranking member of the Senate Finance Committee, Senator WYDEN, and the Democratic leader, Senator SCHUMER. We need to get back in the game, become more competitive, and all Americans will benefit from that.

We urge the Congress to maintain the current competitive corporate rate.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CARDIN. 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.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 308 Leg.]

#### YEAS—44

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

#### NAYS—54

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

#### NOT VOTING—2

Alexander Franken

The motion was rejected.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5:10 p.m.

Thereupon, the Senate, at 4:29 p.m., recessed until 5:10 p.m. and reassembled when called to order by the Presiding Officer (Mr. LEE).

#### TAX CUTS AND JOBS ACT— Continued

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that Senators RUBIO and BOOKER be recognized to make motions to instruct and that their motions be the only motions in order remaining; further, that there be up to 10 minutes of debate on the motions concurrently, and upon the use or yielding back of time on the motions, all remaining time on the House message be expired, and the Senate vote on