

for every American in reality, not just on TV and on Twitter.

So to those who wonder what the Democratic minority will do in the 115th Congress, the answer is simple: We will fight for our principles, we will fight for our values, and we shall fulfill our solemn constitutional duty to hold the other branches of government accountable.

To the extent that the President-elect and the Republican majority pursue policies that help America and are consistent with our values, we stand ready and willing to work with them. But if they propose policies that will hurt America, deny health care, cut their benefits, unleash irresponsible Wall Street risk-taking at the expense of consumers, their efforts will crash and break apart like waves upon the rocks of the Senate minority. That is our challenge. That is our charge. We rise to meet it.

I yield the floor.

The PRESIDING OFFICER (Mr. BARRASSO). The Senator from Texas.

#### WORKING TOGETHER

Mr. CORNYN. Mr. President, let me start by offering my congratulations to my friend and colleague Senator SCHUMER from New York. He is a worthy adversary when we see things differently, as we frequently do, but he is also somebody with whom I have found I can work productively. I understand he has a new role to play as the Democratic leader. I am sure we will see a lot of that worthy adversarial part of his character in the forefront. But in this new year, with a new Congress, I do hope we can work together.

I became a little concerned, though, as I heard him go on. He had already declared the Trump Presidency over, and he is not even going to be sworn in until 17 days from now, by my calculations. Of course, we just swore in the new Members of the 115th Congress.

Let me also congratulate my colleagues across the aisle who were elected to join us here in what historically has been known as the world's greatest deliberative body. But if there is anything any one of us who have been here a while has learned, it is that neither party gets everything they want. It just was not designed that way.

For example in 2009, when one party controlled the White House, had 60 votes in the Senate, and had a majority in the House of Representatives, ostensibly you could get what you want since you didn't need to rely on any votes from the opposing party. But if there is one great historic example of why it is a mistake to try to do things alone or without bipartisan support, it is the example of ObamaCare, which we will be talking more about in the coming days.

The media, of course, is still trying to figure out what happened on November 8—how the pundits, all the experts, all the pollsters got it wrong. It is still not hard to find articles from those

pundits and the mainstream media giving their diagnosis on exactly what the American voter was saying to us on November 8.

I personally don't think it is all that complicated; I think it is pretty straightforward. After 8 years of an Obama White House, the American people wanted a change. They spoke up loudly and clearly, demanding a new direction that would actually deliver results for the American people. I think those of us on both sides of the aisle ought to have enough humility to say it was not exactly a ringing affirmation of either political party.

I am grateful for one thing, though, and that is that the American people decided they did not want to change the Republican majority in the House and the Senate. We do take the responsibility of being in the majority seriously. We believe it is our duty to bring real help to the American people.

I would digress for just a moment and say to my colleague from New York, the Democratic leader, that I remember when I came to the Senate, MIKE ENZI, conservative Republican from Wyoming, and Teddy Kennedy, whom you identified as your mentor, the liberal lion of the Senate—they worked so productively together on the HELP Committee, the Health, Education, Labor, and Pensions Committee. I remember one time asking Senator ENZI: How is it that somebody as conservative as you are can work with someone as liberal as Teddy Kennedy is and do so in good faith, good spirits, and so productively?

Senator ENZI said: It is easy. It is the 80–20 rule. The 80 percent that we can agree on, we do. The 20 percent we will never agree on, we simply leave for another fight another day. Actually, I think that is a pretty good rule of thumb.

The first job the new Congress will have is to repeal ObamaCare. I alluded to that earlier. It is simple. I think if history teaches anything about taking advantage of a supermajority in Senate, it is that you should not do that because if we did that with Social Security, Medicare, or other programs widely supported by the American people, it simply would not be sustainable. That is the case with ObamaCare, voted through the Senate—jammed through with 60 votes on the other side in the Senate, and then a majority in the House, signed by President Obama. Actually, after Republicans picked up a vacant Senate seat in Massachusetts, it caused our Democratic colleagues to have to use the budget reconciliation process to pass it.

But we know the broken promises of ObamaCare, and we will revisit those more and more in coming days. There are higher premiums with less coverage. Many lost their insurance all together after being promised by the President himself that if you like what you have, you can keep it. We know that many folks no longer have access to the doctor or health care plan of

their choice because their doctor has either quit accepting that insurance or retired or health plans have simply pulled up stakes because they can't compete under the provisions of ObamaCare.

I believe the verdict for the American people has been that ObamaCare has failed the American people. I would ask our Democratic colleagues to look at the fact that they passed it originally with 60 votes. Now they are at 48. We have all been in the majority and the minority if we have been around here for very long, but I think ObamaCare is one of the big reasons our Democratic colleagues find themselves currently in the minority.

As one of our colleagues put it this morning, if we can't do better than ObamaCare, we might as well look for another line of work. What we owe the American people, I believe, is coverage that they choose, at a price they can afford.

Of course, that is just the beginning. Under President Obama's leadership, his administration has imposed thousands of rules and regulations, running up the pricetag of hundreds of billions of dollars, which has put a stranglehold on the American economy. Many of these are job-killing regulations that make it harder for small businesses, which are the very lifeblood of our economy, to make ends meet, to make a profit, to hire additional employees—things that we desperately need in this country—more well-paying jobs.

I look forward to working with the new administration to roll back those regulations and rules that don't make sense. With ObamaCare repealed and replaced with coverage you can afford from a provider that you choose and with the better economic climate for the country, we can help more Americans achieve their dreams. That should be the top priority for every one of us here in this Chamber.

Finally, I look forward to working with the incoming administration to consider President-Elect Trump's nominees to fill his posts in his Cabinet. If I am not mistaken, on the day that President Obama was sworn into office, January 20, 2009, there were seven Cabinet members of his incoming cabinet that were confirmed that day. That demonstrates the sort of good faith and accommodation that this Senate should continue because we understand the importance of the President's Cabinet members. Whether it is the Secretary of Defense, the Secretary of State, or the Attorney General, they hold critical positions, not only in terms of national security but in terms of making sure the government works for the American people.

I have already spoken about one of our colleagues, Senator SESSIONS, the President-elect's nominee to be the chief law enforcement officer for the country. I think Senator SESSIONS is an excellent choice. Our colleagues will have a chance to ask all the questions they want, but there is one thing I can

be sure of with Attorney General nominee JEFF SESSIONS, and that is that he will remove the political orientation of the Department of Justice and make sure that it is not just another political branch of the White House. I look forward to confirming him as Attorney General, and I am confident that he will be prepared to answer the questions from our colleagues.

As we have seen over the last few days, President-Elect Trump continues to announce the nominations of many other qualified candidates who, I am confident, will serve the American people, including people like my friend the former Governor of Texas, Rick Perry, as Energy Secretary, and Rex Tillerson as Secretary of State. I hope all of our colleagues will understand how integral it is to the administration's ability to govern to get well-qualified people confirmed to the President's Cabinet. They, of course, have a responsibility to be forthcoming and to answer questions and cooperate with the process here in the Senate, but I look forward to working with our colleagues in getting the President's nominees confirmed. I know we have a lot of work ahead of us, and I don't have any doubt that, with a little cooperation, we can make the 115th Congress a productive one that meets the needs of the American people.

I would just conclude, perhaps, as I started, by saying that all of us who have worked here in the Senate for a while know Senator SCHUMER. We also understand he has taken on a new and more challenging role, because, frankly, the Democratic conference is a lot more left-leaning than it has ever been since I, certainly, have been here, and he has to work with all of his Members. But I hope there is one thing we can all agree with—that we have an obligation beyond party, and that is to our country and to the people we represent. We are blessed to work in a great American institution—a unique institution—and I believe it is our obligation and duty to try to find areas we can agree on and build consensus to move the country forward for the American people. While surely we will have our fights—and they will be glorious fights—we shouldn't shy away from those differences, but let's not let our desire just to fight for fighting's sake get in the way of our ability to work together and try to find consensus where we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### AFFORDABLE CARE ACT AND DACA

Mr. DURBIN. Mr. President, I thank the Senator from Texas, and I think the closing remarks were spot-on. We will disagree, we will debate, and we will have our differences, but we need to strive for common ground. That is what the American people sent us here to do. I hope we can find the common

ground in this Chamber and in the House and with the new President after January 20. It is a challenge.

It is interesting to listen to the remarks from the Republican side of the aisle. There has been this appetite for so long to repeal ObamaCare. I have lost track of how many times the Republican House of Representatives voted to repeal ObamaCare over the last 6 years. I believe it is over 60 times that they have voted to repeal it. Wouldn't you think that over a span of 6 years, with 60 different votes, they would have in their back pocket an alternative, a replacement? They don't. They still don't today.

For all of the speeches on the floor that have been given by my illustrious colleagues asking for a second opinion, most second opinions are something tangible that you can read, understand. But when it comes to a second opinion on ObamaCare, they have nothing to offer. Why is that? Why is it that they are so focused on this one issue—ObamaCare—and the Republicans have not come up with an alternative? It is hard. It is hard work. There are tough, difficult choices.

If we stick to the basic principles of the Affordable Care Act, or ObamaCare, we run into some problems in a hurry. The first basic principle accepted by President-Elect Trump is that we want to make sure that no health insurance company can ever discriminate against you or your family because of a preexisting condition—a baby born with cancer, a child with diabetes, a spouse who survives a cancer scare. In the old days before ObamaCare, that meant that you either were disqualified from insurance for your family or you couldn't afford it. So we said as part of the Affordable Care Act: No more—they cannot discriminate against those who are less than perfect when it comes to health because so many of us are less than perfect. OK, my friends in the Grand Old Party, how are you going to deal with that? How are we going to make sure that every family is protected with their health insurance plan? We haven't heard a word.

President-Elect Trump said he is going to stick by that basic principle. But there comes with that principle a requirement as well—that you have a large pool of insured people that includes those who are healthy and those who may be less than healthy. If we are going to have a large pool of people, we must make insurance mandatory for many Americans. The Republicans have said they want to eliminate that requirement automatically. So the first issue is the preexisting condition. This is a Republican problem—an issue they can't answer and one that they have refused to respond to.

What about lifetime limits on health insurance policies? What if there is a policy that you buy for \$100,000 and then you get a cancer diagnosis and the treatment is going to cost \$1 million? What then? We say that there cannot

be a lifetime limit on a health insurance policy. The Republicans want to repeal that. What would they replace that with? There is no suggestion.

The list goes on and on. What if you have a child who just graduated from college who is looking for a job or maybe has a part-time job that doesn't have benefits and doesn't have health insurance? We keep them under the family health insurance plan until they are 26, which gives peace of mind to thousands of families across Illinois and America. The Republicans want to repeal that. What will they replace that with?

I say to those who are receiving Medicare today—40-plus million in America: We closed the prescription drug loophole that stated they had to start paying out of pocket for prescriptions during the course of the year—the so-called doughnut hole. Republicans want to repeal that. Will that make Illinois's seniors and millions of seniors across the country vulnerable to higher prices? When you get beyond the 144 characters of a tweet, get beyond a sign on the Senate floor, and when you get beyond the facile political speech and get into real policy, it gets exceedingly difficult.

The bottom line is that 29 million Americans now have health insurance because of the Affordable Care Act. We have the lowest rate of uninsured Americans in modern history, and now the Republicans want to repeal this. They say they are going to replace it. I think it is not repeal and replace they are looking for. It is repeal and retreat. They don't know where to turn. They are running away from the mess they will create by repealing ObamaCare. We have a right to demand that if they have a better way, they present it and bring it up for a vote. Let's have some certainty about our future.

Already I have been warned by hospitals all across Illinois that repealing ObamaCare—repealing the Affordable Care Act—will be devastating to hospitals, particularly in rural areas in my State and to inner city hospitals. What are we going to do about that? Will there be special funds to help those hospitals stay in business? They will need it.

It isn't the only issue we will take up. There is another issue equally compelling, and that is the issue of immigration. I remember the speeches, and you do too—the excerpts at night on the news—that the President-elect talked about building a wall to the high heavens and making the Mexicans pay for it, and he talked about all those who are coming across the border and the dangers they presented to America. When it comes to immigration, there are 11 million people living in this country. The overwhelming majority of them are law-abiding. They are working. They want to be part of America's future.

The group I have tried to focus on is a group we call the DREAMers. Fifteen years ago, I introduced the first