

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 74) congratulating the State of Nebraska on the 150th anniversary of the admission of that State into the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mrs. FISCHER. Mr. President, I yield the floor.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The assistant Democratic leader.

PRESIDENT'S ADDRESS TO CONGRESS AND RUSSIA INVESTIGATION

Mr. DURBIN. Mr. President, last night, I joined most of the Members of Congress to hear President Trump give his first address to a joint session. His speech lasted about 60 minutes, and I listened carefully, as did everyone in the Chamber, to the President's first remarks from that historic setting as he addressed a joint session of Congress.

There were some omissions, which I found very interesting. Not once—not one time—in the course of an hour did President Trump ever say the word "Russia"—not one time—even though we have been told by 17 of our intelligence agencies that Russia made an overt effort to influence the outcome of the last Presidential campaign. That has never happened before in American history. A foreign country attacked the sovereignty of the United States in the election process for the highest office in the land. I think that is noteworthy. It is certainly historic. It would certainly be worth at least a mention when a President speaks to a joint session of Congress just a few months after that election. Instead, there was radio silence, mute button, crickets—nothing about Russia.

What do we have in terms of congressional response to the possibility that Vladimir Putin was trying to pick our next President? We have the suggestion by the Republican leaders in the Senate and the House that this matter should be taken up by the Intelligence Committees.

It sounds reasonable on its face. Having served on Intelligence Committees, I can tell you it is an awesome responsibility and assignment. I can also tell you we have some extraordinarily gift-

ed, talented, patriotic members of those committees from both political parties in the Senate and in the House, but there is a fundamental flaw to this approach. If you went searching on Capitol Hill to find the room in which the Senate Intelligence Committee meets, you would come up empty. There is no sign on the door. It is basically kept clandestine, confidential, and secret. For 4 years, I entered that door, sat down in closed hearings, with no one from the public able to hear or even appreciate what we were doing. It is a lonely assignment—unlike any other committee on Capitol Hill.

I wonder: Is that what we want to do to explore the involvement of Vladimir Putin in our Presidential campaign—to go behind closed doors in secret and meet clandestinely? I think not.

There is an aspect of this that will require some intelligence gathering, some discussion of intelligence—and certainly that would be secret—but there is much more of it that is public in nature that will never be disclosed if we rely on the Senate Intelligence Committee. It is an invisible process, and that invisible process does not serve the needs of a democracy that wants the truth—the straight talk, the answers.

Secondly, the work of an Intelligence Committee ends up in a report that is classified, which means the public doesn't get to see it. We have seen some renditions of it—heavily redacted pages, where one or two words might escape being crossed out.

How do you move from a classified document on Putin's involvement in our Presidential campaign to a public document the people can understand? It takes declassification. Who makes the decision on whether we declassify the information from the Intelligence Committee investigation? The White House.

So, with the possibility—and I underline that word—with the possibility that some people in the President's campaign may or may not have been involved in this, the President has the last word as to the American people ever hearing the results of an Intelligence Committee report.

Many of us believe this is serious, and many of us believe there should be an independent, transparent commission, just like the 9/11 Commission. Let's call on people we respect, such as GEN Colin L. Powell, Sandra Day O'Connor, a former Supreme Court Justice, and many others just like them, who could get to the bottom of this and answer the basic questions: What were the Russians up to? We hear they had 1,000 trolls sitting in offices in Moscow dreaming up ways to hack into the computers and Internet of the United States and to disclose information to try to influence the outcome of the election. It is not a new tactic from Russia. They have done it over and over again.

The last couple of weeks I visited Poland, Lithuania, Ukraine. They know

these tactics oh so well. Under Soviet times and since, Russia has tried to invade their space when it comes to election decisions—overtly, covertly, through propaganda, through cyber attacks. They have done it in many countries around the world. Sadly, they are good at it. Now they have decided they can do it in the United States. They can decide who our President will be or at least try to. Are we going to take this sitting down?

November 8, 2016, election day, was a day that will live in cyber infamy in the United States. The Russians invaded the U.S. election process. The President of the United States spoke to the American people last night and never mentioned one word—not a single word—about this.

How many Republican Senators and Congressmen have come to the floor? I don't know about in the House, but I can tell my colleagues I know about the Senate. None. Not one has come to the floor to even address this issue.

So when President Trump ignored it last night, refused to even mention it, I wasn't surprised, but it is not going away. It is a fact.

We currently have an investigation underway in our intelligence agencies. I just met with former Senator Dan Coats of Indiana. He has been designated by the President to be the DNI—the Director of National Intelligence. He made a statement publicly yesterday before a hearing in Congress that he is going to cooperate with the committees and with Congress in disclosing information they have accumulated in our intelligence agencies as to this Russian involvement in our election.

We also know the Federal Bureau of Investigation is involved in this same exercise to find out exactly what happened and to disclose as much as possible and take action—prosecutorial action—if necessary.

There is a problem, though. The Federal Bureau of Investigation works for the Attorney General. The Department of Justice has the power to impede or stop any FBI investigation. Our former colleague Jeff Sessions was deeply and personally involved in the Trump Presidential campaign. He should recuse himself. He has an obvious conflict of interest on this issue. For the integrity of the office and for his own personal integrity, he should step aside and appoint a special prosecutor who can follow up, if necessary, with this FBI investigation.

This is a serious matter that was not addressed at all last night by the President of the United States speaking to a joint session of Congress.

The Associated Press went through some of the claims that were made by the President last night, and I want to give them credit for their homework on this. It is important for the RECORD that some of the things the President said be explained.

The President said:

According to the National Academy of Sciences, our current immigration system

costs American taxpayers many billions of dollars a year.

The Associated Press writes:

That's not exactly what the report says. It says immigrants "contribute to government finances by paying taxes and add expenditures by consuming public service."

The report found that while first-generation immigrants are more expensive to governments than their native-born counterparts, primarily at the state and local level, immigrants' children "are among the strongest economic and fiscal contributors in the population." This second generation contributed more in taxes on a per capita basis, for example, than non-immigrants in the period, 1994–2013.

The report [that the President unfortunately mischaracterized] found that the "long-run fiscal impact" of immigrants and their children would probably be seen as more positive "if their role in sustaining labor force growth and contributing to innovation and entrepreneurial activity were taken into account."

So to argue, as the President did yesterday, that the National Academy of Sciences, as he said, stated that our current immigration system costs American taxpayers many billions of dollars is, at best, incomplete and misleading.

The President then went on to say during the course of his speech last night:

We've saved taxpayers hundreds of millions of dollars by bringing down the price of the F-35 jet fighter.

I remember when he said that.

The Associated Press says as follows:

The cost savings he persists in bragging about were secured in full or large part before he became President.

He has taken credit for something he didn't do.

According to the AP:

The head of the Air Force program announced significant price reductions in the contract for the Lockheed F-35 fighter on December 19—after [candidate] Trump, [President-Elect Trump] had tweeted about the cost but weeks before he met with the company's CEO.

The AP goes on:

Pentagon managers took action even before the election to save [this] money. . . . Richard Aboulafia, an analyst with the aerospace consulting firm Teal Group, said there is no evidence of any additional cost savings as a result of President Trump's actions.

Here is another statement made by the President last night:

We will provide massive tax relief for the middle class.

I remember that one. That is something I hope we all can aspire to, but let me tell my colleagues what the Associated Press says about that claim.

Trump has provided little detail on how this would happen. Independent analyses of his campaign tax proposals found that most of the benefits would flow to the wealthiest families. The richest 1 percent would see an average tax cut of nearly \$215,000 a year, while the middle one-fifth of the population would get a tax cut of just \$1,010, according to the Tax Policy Center, a joint project with the Brookings Institution and Urban Institute.

Here is another statement the President made last night:

Ninety-four million Americans are out of the labor force.

The Associated Press says:

That's true, but for the vast majority of them, it's because they choose to be. That 94 million figure includes everyone aged 16 and older who doesn't have a job and isn't looking for one. So it includes retirees, parents who are staying home to raise children, high school and college students who are studying rather than working.

They are unlikely to work regardless of the state of the economy. With the huge baby boomer generation reaching retirement age many of them retiring, the population of those out of the labor force is increasing and will continue to do so, most economists forecast.

It's true that some of those out of the workforce are of working age and have given up looking for work. But that number is probably a small fraction of the 94 million President Trump cited.

Another statement the President made: He said his budget plan will offer "one of the largest increases in national defense spending in American history."

I will not dwell on this other than to say that the absolute number—a \$54 billion increase, or about 10 percent, is the largest single number. On a percentage basis, there have been larger increases in previous years, like 2002, 2003, and 2008.

Here is another claim made by the President last night:

Since my election, Ford, Fiat-Chrysler, General Motors, Sprint, Softbank, Lockheed, Intel, Walmart, and many others have announced they will invest billions of dollars in the United States and will create tens of thousands of new American jobs.

The Associated Press reports that "many of the announcements reflect corporate decisions that predate [Trump's Presidential] election," making it unlikely his administration "is the sole or even primary reason for the expected hiring. . . . In the case of Intel, construction of the Chandler, Arizona, factory referred to by Trump actually began during Barack Obama's presidency. The project was delayed by insufficient demand for Intel's high-powered computer chips, but the company now expects to finish the factory within four years because it anticipates business growth.

Another statement made by President Trump last night in his speech:

We will stop the drugs from pouring into our country and poisoning our youth, and we will expand treatment for those who have become so badly addicted.

The facts:

Addicts and mentally ill people who gain access to treatment programs for the first time as a result of ObamaCare—the Affordable Care Act—are worried about repeal that President Trump has called for. Repeal could end coverage for 1.8 million people who have undergone addiction or mental health treatment, cut \$5.5 billion on spending on such services according to estimates by economist Richard Frank, a former administration official under Barack Obama, now with the Harvard Medical School.

The AP goes on to say:

The key question is what will happen to Medicaid as a result of changes Republicans

are pursuing? Broadly speaking, Republicans want to transform the health insurance program for low-income people from an open-ended Federal entitlement to a system that provides States with a limited amount of financing and gives them latitude on how to spend it.

The AP goes on to say:

If Congress is too stingy with State allotments, States would be hampered dealing with the emergencies like the opioid epidemic.

The next statement by President Trump last night:

According to data provided by the Department of Justice, the vast majority of individuals convicted for terrorism-related offenses since 9/11 came here from outside of our country. We have seen the attacks at home, from Boston to San Bernardino to the Pentagon, and yes, even the World Trade Center.

The Associated Press responds:

It's unclear what Justice Department data the President is citing. The most recent government information that has come out doesn't back up his claim. Just over half the people President Trump talks about were actually born in the United States, according to Homeland Security Department research. That report said of 82 people the government determined were inspired by foreign terrorist groups to attempt to carry out an attack on the U.S., just over half [of them] were [born in the United States] native-born citizens.

The AP goes on to say:

Even the attacks Trump singled out weren't entirely the work of foreigners. Syed Rizwan Farook, who along with his Pakistani wife killed 14 people in the deadly 2015 attack in San Bernardino, California, was born in Chicago.

It's true that in the immediate aftermath of September 11, the FBI's primary concern was with terrorists from overseas feared to be plotting attacks in the United States. But that's no longer the case. The FBI and Justice Department have been preoccupied with violent extremists from inside the U.S. who are inspired by the calls to violence and mayhem of the Islamic State group. The Justice Department has prosecuted scores of Islamic State-related cases since 2014, and many of the defendants are U.S. citizens.

Another statement by President Trump last night:

ObamaCare is collapsing . . . imploding Obamacare disaster.

The AP writes:

There are problems with the 2010 health care law, but whether it's collapsing is hotly disputed.

One of the two major components of the Affordable Care Act has been a spike in premiums and a drop in participation from insurers. But the other component, equally important, seems to be working fairly well, even if its costs are a concern.

Trump and congressional Republicans want to repeal the whole thing, which risks leaving millions of people uninsured if the replacement plan has shortcomings. Some critics say GOP rhetoric itself is making things worse by creating uncertainty about the future.

The health law offers subsidized private health insurance along with a state option to expand Medicaid for low-income people. Together, the two arms of the program reach more than 20 million people.

Republican governors whose states have expanded Medicaid are trying to find a way to persuade Congress and the administration to keep this expansion, and maybe even build on it, while imposing limits on the long-term costs of Medicaid.

While the Medicaid expansion seems to be working, the markets for subsidized health insurance are stressed in many states. Also affected are millions of people who buy individual policies outside the government markets, and face the same high premiums with no financial help from the health law. Larry Levitt of the nonpartisan Kaiser Family Foundation says “implosion” is too strong a term. An AP count found that 12.2 million people signed up for this year, despite the Trump administration’s threats to repeal the law.

I might add, that it is despite all of the speeches made on the floor of the Senate and the House, promising that it would be repealed as well.

The last point I want to make is this. I was troubled last night by a recurring theme in the President’s speech. It was a theme about immigration in the United States. We are a nation of immigrants. My mother was an immigrant to this country. I am proud to serve as a Senator from the State where she and her family settled. I am proud of the struggle they went through—coming to this country, not knowing the language, going through some pretty rough times, facing poverty, taking the dirtiest and toughest jobs. Because of that, the second generation of my family—the one I represent—has brought some great people to this world in our own families and perhaps even added to the benefits of the United States for others.

Last night, if you listened to the characterization of immigrants, it was negative, virtually from start to finish.

In the audience last night, I had a young lady as my guest. She is an extraordinary lady. Her name is Aaima Sayed. She is Pakistani, and she was brought to the United States at the age of 3 by her parents from Pakistan. They settled in Chicago and eventually moved to New Jersey. It turns out the family had its difficulties and the mother and father split and separated. When the father left, he left behind his paperwork—which was in place or at least in the process—of trying to legalize the presence of his family, and nothing was done.

It wasn’t until she was in high school that this young lady realized that she was undocumented. That creates obstacles for any young person. In her case, a special obstacle was the cost of higher education. As an undocumented child in America, she didn’t qualify for government assistance—Federal Government assistance—and limited State assistance. Yet she aspired to go on to school and to borrow the money, if necessary, at high interest rates from private sources in order to finish her education. She graduated from Rutgers University magna cum laude and then wanted to go to medical school.

There weren’t many medical schools accepting undocumented students, but there was one. I am proud to tell you that it was Loyola University of Chicago, the Stritch School of Medicine. There were about 65 undocumented young people in medical school in the United States, and 30 of them were at

Loyola in Chicago. I have met most of them. Each and every one of them is more inspiring than the next.

They opened up the competition. They didn’t give them slots to fill. They said: Compete with everyone. These students were so outstanding from across the United States that they made it to Loyola.

This young lady, in her third year, faces another 6 years of education before she completes her medical degree. When she is finished with those 6 years, it isn’t over. In Illinois, we told her she could go to school, but it was part of a contract. She could attend school, and we would reduce the interest payments at a later part in her life if she gave us 1 year of service in an underserved community in Illinois for each year of medical school. She has 6 years of school left and 4 years of serving in a rural community or an underserved neighborhood clinic in the city of Chicago or nearby.

She signed up for it. She is an amazing young person. She is determined to get this medical degree—despite the debt, despite the obstacles. The only reason she can do this is because she is protected by something called DACA.

Let me explain. Some 16 years ago, I introduced a bill called the DREAM Act. It said that if you were brought to the United States, like she was, under the age of 16, you had a good life, no criminal record or history of a problematic nature, and completed your education, you can stay in the United States and eventually work your way toward legalization.

President Obama took it up and created an Executive order called DACA and said to the young people in that situation: Come and apply, pay a \$600 filing fee, then go through a criminal background check, and if you make it, we will give you 2 years to live in the United States without fear of deportation, with a work permit.

She signed up. That is how she can go to medical school. You need to work to go to medical school. She is going through a clinical experience where she is actually working in these hospitals. Without a work permit, she wouldn’t be able to complete medical school.

The obvious question is this: What is going to happen to this program under President Trump? In fairness, the President has said positive things about DACA and DREAMers. I thanked him personally. I have only met him three times, but I thanked him personally twice for doing that. I hope that it means that ultimately there will be some path for the 750,000 young people, just like her, who are simply asking for a chance to be educated and be part of America’s future.

I hope that, as people who listened to the speech last night think about immigrants to the United States, they will think about this young woman, as well, who has worked so hard her entire life to better herself and to be able to help others at a later point in life.

She is an extraordinary person, and there are so many more just like her.

They are immigrants to this country. In this case it is Muslim immigrant to this country who someday will be an exceptional doctor, who is going to give 4 years of her life back to my home State and then is going to help others all across the United States. That, to me, is an image of immigrants that shouldn’t be lost with the negative connotations that were raised last night.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, I rise today to call for immediate action on the Miners Protection Act. Today, as we sit here, 22,600 miners have received letters. This is a copy of the letter, and I am going to read it to you. This is a letter they received today letting them know their healthcare benefits will be terminated at the end of April. This letter basically says:

The UMWA 1993 Benefit Plan notified you in December 2016—

This is one of multiple letters they received. Can you imagine getting a 4-month extension? Then by law you have to have 90 days before they can terminate you. Every time you get an extension, within 30 days you get another letter saying you are going to be terminated. That is the inhumane treatment our retired miners and mostly widows are receiving—

that the U.S. Congress had passed the Continuing Health Benefits for Miners Act, which provided for the transfer of federal funds to the Plan to cover the health care benefits you receive through April 30, 2017. The Plan cautioned that further Congressional action would be necessary in order for the Plan to provide health care coverage to you after April 30. At this time, Congress has not taken the action needed to continue your benefits. Unless Congress acts before the end of April, the 1993 Benefit Plan will not be able to provide you with the health benefits that you have been receiving from the 1993 Plan, and those benefits will terminate effective May 1, 2017. In addition, your Funds’ Health Service Card will no longer be valid.

Can you imagine a 75- or 80-year-old woman—a lady, a widow—who has lost her husband, probably because of black lung, and all the work he did for our country and for himself and his family, and she has received that three times or more now—not knowing what in the world or why they can’t do something that we promised, something that was done in 1946, where the Krug amendment and the Krug act basically said that we would take care of our miners so that they would have permanent healthcare and a pension. It was not done by taxpayers’ dollars. It was done by the coal they mined. For every ton of coal, there would be so much set aside. Then we had the bankruptcy laws happen in the 1980s, which basically destroyed a lot of companies for paying into it. Then we had the crash of 2008, which took it further down.

Now we stand here today, and we have a fix coming out of the AML, the