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Senate

The Senate met at 2 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of grace and truth, the center of our lives, hallowed be Your Name. Lord, help us to live in a way that will bring glory to You. May people see our passion for You and desire to know You more fully.

Continue to guide our lawmakers. Protect them in their work and lead them away from those things that bring dishonor. Surround them with the shield of Your protection and presence.

O God, support us all the day long, until the shadows lengthen and the evening comes, and the busy world lies hushed and the fever of life is over and our work is done. Then in Your mercy give us a safe lodging and a holy rest and peace at last.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. MCCONNELL. Mr. President, regulations aren't issued in a vacuum. They have real economic consequences that can harm the middle class. They can kill jobs, raise prices, depress wages, and lower opportunities. Yet the Obama administration went on a regulatory rampage at a time when we should have been looking to do just the opposite.

On its way out the door, the previous administration continued to push through more of these job-killing, partisan regulations against the advice of Congress, State and local officials, and policy experts. Fortunately, we now have the opportunity to provide relief from some of these costly, duplicative rules using the tools provided by the Congressional Review Act, or CRA.

We only have a short window of opportunity to use these CRA tools, however, which is why we have been working quickly to provide relief. The Senate has already advanced several proposals that repeal harmful regulations. Together with the new administration, we have embarked on what one national paper most recently called "the

most ambitious rollback since Reagan."

Three CRA resolutions have already become law, and we look forward to passing even more this week. In fact, we will have an opportunity to send the President another resolution as soon as this evening.

The proposal before us would block another duplicative, unnecessary eleventh hour regulation that hurts American businesses. This one is called the "blacklisting rule." Apparently, the last administration thought it would be a good idea to prevent American businesses from earning government contracts based on allegations, not facts. Unsurprisingly, Federal courts have blocked the rule because of its questionable legality. Now we have the opportunity to provide permanent relief.

Of course, we all agree that companies should be held accountable and that workers' rights should be protected. Current law already provides the tools to do just that. But the blacklisting rule isn't really about helping employers or workers. It is about empowering the powerful—like union bosses and entrenched bureaucrats—and it would actually make a system designed to protect workers even less efficient. More important for the American people, it would cost taxpayers hundreds of millions, generate millions of hours of paperwork, and, of course, threaten jobs. So, of course, it is time to move past this regulation.

I want to thank my colleague Senator JOHNSON, chairman of the Homeland Security and Governmental Affairs Committee, for working with the House to advance this resolution and protect the American people. I look forward to its final passage tonight.

After we take that vote, the Senate will continue working to advance even more regulatory relief measures to help get our country back on track.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, another important area where Congress is working to provide relief is ObamaCare.

In election after election, the American people have called for an end to ObamaCare. In the last election, they made their voices clear one more time. They elected a President and a Congress dedicated to bringing relief from this partisan law, and we are determined to do right by our constituents by doing just that.

Nearly 7 years after being signed into law, I continue to hear from Kentuckians who aren't sure how they can continue to manage under ObamaCare's broken promises. Take this Kentuckian from Morehead who wrote to my office earlier this year:

Prior to Obamacare, I had a manageable monthly healthcare premium that had enough coverage for myself with a reasonable deductible. Since Obamacare has been enforced, or should I say forced upon the American people, my premiums have increased each year significantly.

Now, under ObamaCare, this Kentuckian says keeping his same coverage for 2017 means facing a 300-percent increase in his premiums as compared to the plan he had before the broken law was implemented. "The general cost of healthcare has skyrocketed," he writes, and as a result "small business owners and [the] working middle class are suffering."

Unfortunately, his story is like so many others all across the country. Americans were promised that costs would go down. Americans were promised that choice would go up. Americans were promised that they could keep their healthcare plan. None of that was true—not a single one of those things.

Americans need relief. They deserve a new direction. That is why we are taking action to repeal and replace ObamaCare with healthcare solutions that can actually work for the American people.

As our efforts to move beyond ObamaCare continue, Senators came together last week for another important conversation on the way forward when it comes to our Nation's healthcare policies. I also had the opportunity to visit the White House and discuss the ways in which the administration and Congress can continue working together to bring relief from ObamaCare.

The House will keep working this week, as well, to move forward with legislation—under a new President who will actually sign it—that can finally help us pursue smarter healthcare solutions in place of this failed partisan experiment. We know the task before us is daunting, but, of course, it is just as necessary.

So I thank the Speaker for his continued leadership on this issue, along with each of our colleagues who have been working literally around the

clock on repeal and replace efforts. Let's keep working this week so that we can bring Americans much needed relief from ObamaCare as soon as possible.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. SCHUMER. Mr. President, I rise this afternoon on a few matters: first, Russia and the continuing investigation into Russian interference in our election and the ties between the Trump campaign, transition team, and Russia.

The events of this weekend, which included another troubling, baseless tweet from the President, highlight and, in fact, strengthen the argument for a special prosecutor to conduct the investigation. And the American people agree. A CNN/ORC poll this morning showed that about two-thirds of Americans think a special prosecutor should conduct the investigation—67 percent of the Independents and even 43 percent of the Republicans. The trend line suggests these numbers will continue to grow.

So my Republican colleagues should understand that what they know in their hearts is the right thing to do. Do a strong, impartial investigation and get to the bottom of this. That is where the American people want them to go. The American people disagree with President Trump and want a thorough and impartial investigation—even 43 percent of Republicans. They are right.

A special prosecutor is the best way to ensure that an investigation proceeds impartially for several reasons.

First, by Department of Justice guidelines that are set up for this purpose, a special counsel is not subject to day-to-day supervision by the Attorney General—now recused—or anyone else at the Justice Department. That means the special prosecutor would have much greater latitude in whom he can subpoena, which questions he can ask, and how to conduct the investigation. Second, the prosecutor can only be removed for good cause, such as misconduct, not to quash the investigation. So there is an insularity there. He or she is protected if they are moving forward on the investigation. Third,

there is built in congressional oversight. Congress is notified whenever a special counsel is appointed, removed, or finished with the investigation. Last, the special counsel has the independence to prosecute not only the subject of an investigation but anyone who attempts to interfere.

This is the right way to go. Let me quote Attorney General Jeff Sessions on this issue. Here is what he once said: "The appropriate response when the subject matter is public and it arises in a highly-charged political atmosphere is for the Attorney General to appoint a Special Counsel of great public stature and indisputable independence to assure the public the matter will be handled without partisanship."

If there were ever a case that fit exactly what then-Senator, now-Attorney General Sessions called for, this is it.

This week, the Senate Judiciary Committee is going to have a hearing on the nomination of Mr. Rosenstein to serve as the Deputy Attorney General. During that hearing, Mr. Rosenstein should commit to naming a special prosecutor to look into the Trump campaign's ties to Russia. Mr. Rosenstein, by reputation, is a fair man. He is a career prosecutor. Now that the Attorney General has recused himself, Mr. Rosenstein, pending confirmation, will have the duty to appoint a special prosecutor. If he will not appoint a special prosecutor, he will need a darn good reason. It is hard for me to see one right now.

Whether Mr. Rosenstein will appoint a special prosecutor will be front and center tomorrow at the Judiciary Committee's hearing and far and away the most important question he needs to answer. As I mentioned last week, if, pending confirmation, Mr. Rosenstetn delays or refuses to appoint a special prosecutor, Congress should consider reviving a narrower version of the independent counsel law.

Also, we should make sure, certain, that the investigation has not been interfered with thus far. I sent a letter today to the inspector general of the Department of Justice, Michael Horowitz, which was made public today, urging him to open an immediate investigation to determine if anyone has interfered with this investigation up to now, either attempting to influence the direction of the investigation or those conducting it.

The Attorney General should have recused himself on day one. I asked him to do it almost 3 weeks ago, on February 14. We need to know if he or anyone else has meddled in this investigation in any way. His misleading statements to the Judiciary Committee about his meetings with the Russian Ambassador only add suspicion.

Attorney General Sessions has been in charge of this investigation for 3 weeks. We need to know if he or anyone else did anything in that time to