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Senate

The Senate met at 12 noon and was called to order by the Honorable TED CRUZ, a Senator from the State of Texas.

PRAYER

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

Let us pray.

Eternal God, our hope for years to come, we worship You. Your Name is great, and we offer You our adoration and praise.

Bless our Senators. Open their eyes so that they can discern Your involvement in human affairs. Prepare their hearts and minds for today's challenges, inspiring them to conduct themselves with courtesy and honor. Keep their motives pure, their words true, and their actions constructive.

Almighty God, we acknowledge that our lives are in Your hands. So please keep our feet from stumbling.

We pray in Your merciful 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 10, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TED CRUZ, a Senator from the State of Texas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

CABINET NOMINATIONS

Mr. MCCONNELL. Mr. President, Senate committees have been working for many weeks to process President-Elect Trump's Cabinet nominations. I commend the committees and their staffs for their very hard work. Now we begin the next phase of this process with committee hearings. In fact, it just began this morning in the Senate Judiciary Committee.

I would like to say a word about our colleague from Alabama. Each of us knows Senator SESSIONS. We have worked with him. We know he cares about his country and the Department he will be tasked to lead. We know he is a forthright colleague, an experienced lawyer, and someone who believes strongly in the rule of law. We know that he will reach across the aisle as well.

He supported President Obama's first Attorney General nominee, Eric Holder. He worked with our late colleague Ted Kennedy on prison reform. He worked with our current colleague Senator DURBIN on sentencing reform.

Senator DURBIN, in fact, noted that Senator SESSIONS is "a man of his word." Senator LEAHY called him "wonderful to work with." Senator SCHUMER, the Democratic leader, said he is "straightforward and fair."

Let me quote from a former Democratic Senate colleague who knows

Senator SESSIONS after having served with him for 16 years:

I always found JEFF to be an honorable and trustworthy person, a smart and good lawyer, and a thoughtful and open-minded listener.

He then continued with this:

I believe that he will be a principled, fair, and capable Attorney General. If I was in the Senate today, I would vote "aye" on his nomination.

That is the former Democratic candidate for Vice President of the United States, Senator Joe Lieberman.

But it is not just our Democratic colleagues who have praise for Senator SESSIONS. Let me read another letter from one of Senator SESSIONS' constituents in Alabama, Albert F. Turner, Jr. Here is what he had to say:

My family and I have literally been on the front line of the fight for civil rights my whole life. I believe that [Senator SESSIONS] is someone with whom I, and others in the civil rights community, can work with if given the opportunity. I believe that he will listen, as he has in the past, to the concerns of my community. More than most I am very familiar with him. I believe he will be fair in his application of the law and the Constitution; as such I support his nomination to be the next Attorney General of the United States.

Now, a lot of unfair things have been said about our colleague from Alabama in recent weeks. I am glad he is finally getting the chance to show Americans and the committee the Senator SESSIONS we all know and serve with. I look forward to the Senate's fair treatment of our colleague's forthcoming nomination, just as it fairly processed an incoming President Obama's pick for Attorney General—a nominee, whom, as I noted, Senator SESSIONS supported.

So let me turn to a larger point. The nominations process for an incoming President is important. As President Obama recently said when he met with President-Elect Trump, the Presidency "is bigger than any one person, and that's why ensuring a smooth transition is so important."

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



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I certainly agree. When President Obama was elected, Republicans worked across the aisle to confirm seven—seven—of his nominees on inauguration day and five more by the end of his first week. These nominees were hardly centrists. We had reservations about many of them. But Democrats had won the Presidency and the Senate, and we hadn't. I ask our friends across the aisle to now demonstrate the same courtesy and seriousness for President-Elect Trump's nominees, especially his national security team.

The Senate has a longstanding tradition of confirming the Cabinet nominees of a newly elected administration in a timely fashion, and the Senate and its committees are now following the same standard for President-Elect Trump and his nominees as we have for past Presidents.

I know some are urging Democrats to play partisan games and needless delay. I hope they will not. The American people will see through it, anyway.

Here is a perfect example. The Democratic leader has been quoting a letter I sent to then-Senator Harry Reid in 2009. He apparently missed the fact that the letter he has been quoting was not only sent after every one of President Obama's eligible nominees had hearings but after all but one had been confirmed. So it is actually an important reminder of how Republicans fairly treated incoming President Obama's Cabinet nominees and how Democrats should now do the same.

This is time for serious consideration and cooperation. Americans aren't looking for partisan games. We are a nation at war. We are a nation grappling with a slow economy. Americans want the incoming President to have his national and economic security teams in place to get to work. They want us to work together across the aisle to get this done.

That is what Republicans did in 2009, it is what we are doing now, and it is what we invite our Democratic friends to join us in getting accomplished.

OBAMACARE

Mr. McCONNELL. Mr. President, families across the country have been hurt by ObamaCare's rising costs and limited choices, and we continue to hear the stories from constituents back home.

My own home State of Kentucky was once championed as a success story by ObamaCare supporters. That is hardly the case today. Too many Kentuckians are watching their insurance premiums grow higher and higher. They are struggling to meet deductibles so high that their insurance is almost useless. They are watching their friends and neighbors lose their plans or access to family doctors. They sit around the kitchen table and try to budget for their family's future. They know one thing for sure: The promises of ObamaCare have failed them.

ObamaCare promised lower costs, but premiums have skyrocketed. It promised families could keep their plans or doctors, but many have seen their options, in fact, limited. Kentuckians want to see lower costs, more choices, and better care. But after 7 long years of rising costs and diminishing options, ObamaCare has not delivered, and the people of Kentucky are demanding change. They have been loud and clear in their distaste for ObamaCare.

Like other Members here, I have received letters, emails, and phone calls. I have met with constituents directly who are feeling the pain of higher costs and fewer choices.

Consider this mom in Kentucky. She is facing a higher cost of health insurance, and she literally doesn't know what to do. Here is what she said:

My family is being pushed out of the middle class by the ObamaCare law. How can we pay almost \$1,200 a month on health insurance?

Listen to this veteran and father from Louisville. After his plan was discontinued, he tried to buy insurance through ObamaCare, only to find that his children's pediatrician wouldn't accept it. This dad worries that unless something is done, he will be "one of thousands of Kentuckians that will find that they do not have insurance options."

I have heard from many constituents expressing similar frustration, disappointment, and anger about the outcomes of ObamaCare. They expected the law to deliver on its promises, but, instead, they paid more and received less.

This year the cost of insurance premiums in Kentucky spiked up to 47 percent. These price increases are a direct result of instability injected into the market by ObamaCare. Families across Kentucky are scrambling to find ways to fit the extra expenses into their budgets.

To make matters worse, the choices that families once had for health insurance continue to disappear. Nearly half of the counties in Kentucky only have one option for a health insurance provider on the exchange, and, when there is only one choice, there is really no choice at all.

For the people of Kentucky and for people across the country, repeal means relief. The time to act is now.

However, our friends on the other side of the aisle are doing everything they can to stop us from fulfilling our promise to help the American people. Instead of continuing to push their political agenda, I urge them to help us. I ask them to listen to the American people, who are demanding change. A recent Gallup poll showed that 8 out of 10 Americans wanted to see ObamaCare significantly changed—significantly changed—or completely replaced.

It is time to admit it. ObamaCare has failed. This partisan experiment is hurting more than it is helping. It is time to finally move past it and replace it with something that works.

The repeal resolution is the first step to bring relief to hardworking Americans and to prevent health insurance markets from imploding. Next, we need to work together to replace ObamaCare with health care policies that actually work for families. Once we repeal ObamaCare, we can use the stable transition period to deliver on another promise.

I would encourage colleagues on both sides to offer their input as we work to lower costs, increase choices, and promote better care. But one thing is certain. Republicans will continue to follow through on our promises and act on behalf of our constituents to bring relief from ObamaCare.

RECOGNITION OF THE MINORITY LEADER

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

CABINET NOMINATIONS

Mr. SCHUMER. Mr. President, as hearings for the President-elect's nominees get underway starting today, I want to reiterate that a fair and thorough vetting process is a top priority, not only for my caucus but for the American people.

Chief to achieving that is a fair hearing schedule and process. First, it means hearings that are sufficiently spaced out so Members who sit on multiple committees can actually attend all the hearings. It means only holding hearings after the full committee paperwork—OGE review, FBI background check, and a full divestment plan—has been received and Senators have adequate time to review the information. That means, if there are Senators with remaining questions that weren't covered in a first hearing, they can have the nominee come back for a second day.

Our caucus and much of America was alarmed and disappointed by the announcements of the hearing schedule this week, which did not meet these basic courtesies and best practices that have always been extended in the past. However, I am happy to say that after negotiating with my friend the majority leader and his respective committee chairs, we have been able to make some progress on a fair hearing process.

I appreciate the majority leader's openness and efforts to accommodate our caucus in the last few days. Originally there were six hearings scheduled for this Wednesday, all especially important Cabinet posts: State, Attorney General, Education, Transportation, Homeland Security, CIA. That was largely unprecedented. We have looked back in history and can only find one instance where there were that many hearings of important Cabinet members on one day like that.

After negotiations with the majority leader, we have moved things around so