

that there are now only three hearings scheduled for Wednesday: Secretary of State, Transportation, and the second day of the AG hearings. All of these nominees have their paperwork in. The nominee for Secretary of Education, who does not yet have a signed ethics agreement and whose paperwork is not close to complete, was moved. That hearing will take place next week, pending her paperwork being submitted with time for Senators to review.

It is still a busy week. It is a little too busy for my personal taste, but it is a good first step. I hope we can continue to negotiate in good faith, to sort out the schedule in a way that is acceptable to both of our caucuses.

I also want to make clear that this progress does not mean our caucus is any less intent on having the President-elect's nominees complete the standard ethics forms, questionnaires, and FBI background checks required of every nominee. To have all this information come in after the hearing is sort of like "Alice in Wonderland"—it makes no sense and has things upside down. I am still concerned, for example, that we don't have a completed FBI background check for the nominee for Secretary of State. His hearing starts tomorrow. And today there are reports in the media that under Rex Tillerson's leadership, Exxon conducted business with Iran, potentially in violation of U.S. sanctions law. There are serious questions that need to be answered.

In this particular case, Mr. Tillerson should release all his tax returns and promise to answer any questions on the Iran dealings that members ask. This is too serious a subject to have questions ducked. It demands a completely open airing of all relevant information. Did Mr. Tillerson go around our Iran sanctions simply to line Exxon's pockets? That would be a very bad thing. The American people ought to know about it before the Senate has to vote to confirm. For Rex Tillerson to answer the questions, and particularly questions about Exxon setting up a separate subsidiary to get around our Iran sanctions, is what the Founding Fathers wanted us to do when they enumerated in the advise and consent process.

This is not a partisan game. We are not doing this for sport. These aren't obscure procedural complaints. This is standard process. As I reminded my friend the majority leader yesterday, this is the same exact process my counterpart demanded in 2009 when the shoe was on the other foot. Just as then-Minority Leader MCCONNELL laid out in his 2009 letter to then-Majority Leader Reid, Democrats expect each nominee to have all the prerequisites, with time to review, before we move forward with the hearings. President Obama's nominees completed all of their paperwork in 2009 before the hearings. We expect nothing less from President-Elect Trump's nominees. Particularly, we expect the paperwork to be all in with

time to review. Having the paperwork in at 7 a.m. and holding a hearing at 10 a.m. is unacceptable. We expect there will be adequate time for followup questions on a second day of hearings if Senators are unable to finish their questions.

Today my colleague the majority leader said: Well, most of the Cabinet nominees were in already when this letter came out. But the letter doesn't specify who. It includes Cabinet members, and there were future Cabinet members who would come forward. It is a good standard. We are all for it. We are asking our friends on the other side of the aisle to stick with it. What was good for them in 2009 is good for the country in 2017.

We are insistent on the process because it is the right thing to do; it is the American thing to do. We don't hide nominees and rush them through. They have huge power. If the President-elect and our Republican colleagues are as proud of the nominees as they state, then they should be happy to have them answer a lot of questions in a hearing that is not rushed. It is how we will ensure that Cabinet officials, who are imbued with an immense power in our government, are ethically and substantively qualified for these positions.

If there is any group of Cabinet nominees that cries out for this process, it is this group of nominees. This proposed Cabinet is unlike any other. It is wealthier than any other. It has complex webs of corporate connections—so many of the nominees—that pose huge potential conflict of interest problems. Frankly, it is the most hard-right Cabinet in its ideology. It is quite different from the way President-Elect Trump campaigned. The potential conflicts of interest for multimillionaires such as Rex Tillerson or Betsy DeVos or Steve Mnuchin are enormous.

As I said, the nominees have views far to the right of what the President campaigned on. The most glaring example is Representative PRICE. His whole career has been focused on ending Medicare as we know it. My colleague the majority leader said the American people want us to move forward and give President-Elect Trump his nominees. If they knew that one of the nominees had been dedicated to basically getting rid of Medicare, would they want us to vote for him? I will bet not. It sure explains why they want to rush these nominees through.

They don't want all of these things brought to light, but that is the wrong thing to do. We are going to fight to get to the right thing to do. The American people have a right to know if they voted for a President who might be going back on one of his key campaign promises. They deserve nothing less than open and deliberate hearings going forward. Will Representative PRICE stick with what President-Elect Trump said—no cuts to Medicare, Medicaid—or will he pursue his lifelong dream of privatizing and limiting

them? We shall see, but we need answers at hearings before we vote. The American people are entitled to it.

Once again, I thank the majority leader for dealing in good faith and trying to address our concerns. I hope for the sake of the national interests that our two parties can come together on an agreement for the remainder of the process, as we have for the process so far.

AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, last night the Senate Democrats held the floor late into the night to demonstrate our solidarity and commitment to defending ACA, to defending the tens of millions of Americans who have been afforded the opportunity to access care for the first time and the tens of millions more whose coverage is fairer, more generous, and more affordable because of the law.

More than 35 Members participated on the floor or on Facebook Live, Snapchat, or Twitter. I thank each and every one of the Members on my side—the vast majority of our caucus—for participating. Many of them discussed the threat the Republican plan to make America sick again poses to the health care of 300 million Americans. Beyond that, the Republican budget resolution calls for a massive increase in the Federal debt.

Yesterday Shaun Donovan, the Director of the Office of Management and Budget, released a letter explaining that this budget resolution would allow publicly held debt to increase by \$9.5 trillion, from \$14.2 trillion in 2016 to \$23.7 trillion in 2026.

Our colleagues have talked about being deficit hawks. Democrats bring up ideas. They say: Can't do it; it increases the deficit. Well, is that going to apply to this, which increases the deficit by massive amounts? The deficit would exceed \$1.3 trillion in 2026. That is almost as high as the \$1.4 trillion at the depths of that recession and financial crisis President Obama had to meet. Are my colleagues now going to do a 180-degree reversal and say that now a debt increase of such dramatic numbers is OK? I hope not. It wouldn't be right. It wouldn't be fair. It wouldn't be consistent.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of Director Donovan's letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, January 9, 2017.

Hon. JOHN A. YARMUTH,
Ranking Member, House Budget Committee,
House of Representatives, Washington, DC.

Hon. RICHARD E. NEAL,
Ranking Member, House Ways and Means Committee,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN YARMUTH AND CONGRESSMAN NEAL: I am writing in response to

your letter requesting OMB's analysis of the Republican budget resolution and its impact on the budget outlook.

On January 3, 2017, Republicans in the Senate Budget Committee introduced an FY 2017 budget resolution. Based on the numbers provided in the resolution, the Republican budget includes virtually no deficit reduction and would allow debt held by the public to increase by roughly \$9.5 trillion, from

\$14.2 trillion in 2016 to \$23.7 trillion in 2026. After a sustained period of historically fast deficit reduction under the President's leadership, the Republican budget would allow for a relatively steady increase in annual deficits, with the annual on-budget deficit increasing to over \$1 trillion by 2026.

Assuming that Republicans will not make cuts to off-budget programs like Social Security, unified annual deficits will be even

larger: growing to over \$1 trillion by 2022 and reaching more than \$1.3 trillion by 2026.

Comparisons of debt and deficit totals over time are best viewed as a share of the economy. Based on the Congressional Budget Office's most recent economic projections, it is clear that the Republican budget would fail the key fiscal test of stabilizing debt as a share of the economy.

REPUBLICAN BUDGET RESOLUTION AND CBO ESTIMATES OF THE PRESIDENT'S 2017 BUDGET

(On-Budget Deficits, Unified Budget Deficits, and Debt Held by the Public, Billions of Dollars)

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
On-Budget Deficits:										
Resolution	-\$583	-\$542	-\$674	-\$729	-\$785	-\$897	-\$893	-\$863	-\$946	-\$1,009
PB17	-447	-386	-500	-536	-566	-671	-665	-614	-669	-675
Unified Budget Deficits:										
Resolutions	-571	-548	-710	-798	-891	-1,043	-1,080	-1,094	-1,226	-1,341
PB17	-433	-383	-518	-585	-651	-791	-826	-813	-917	-972
Debt Held by the Public:										
Resolution	14,593	15,199	15,955	16,792	17,714	18,787	19,901	21,033	22,302	23,692
PB17	14,454	14,906	15,484	16,121	16,818	17,656	18,532	19,402	20,379	21,417
Difference										2,275

Sources: <http://www.budget.senate.gov/imo/media/doc/S.Con.Res.RepealResolution.pdf>, pp. 5-6; <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51383-APB.pdf>, Table 2; Resolution unified deficits derived using off-budget deficits from <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51384-marchbaseline.pdf>, table 1

Compared to the President's Budget, which drives down deficits as a share of the economy and maintains our fiscal progress through smart savings from health care, immigration, and tax reforms while making critical investments in economic growth and opportunity, the Republican Budget would lead to significantly larger deficits in each year and add more than \$2 trillion in debt over the next decade.

Notably, the budget resolution also contains exceptions to existing Congressional budget rules that seem targeted towards making it easier to pass legislation that would further increase deficits.

Sincerely,

SHAUN DONOVAN,
Director.

Mr. SCHUMER. Mr. President, many of my Republican colleagues like to claim they care about the deficit. During President Obama's administration, there was an obsession over deficit and debt reduction—and, by the way, no praise for the President for reducing the deficit by a dramatic amount. Now many of those same Members who chastised President Obama for much smaller deficits than proposed in their budget are supporting this budget resolution.

I wish to say to my colleagues, you can't claim to be a fiscal hawk and support a budget that piles on trillions in additional debt. That is not being fiscally conservative; it is being fiscally hypocritical in the extreme. So far, my friend Senator PAUL of Kentucky has made this point forcefully. My question is, Will other Republicans stand with him and stand up against this fiscal hypocrisy?

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 3, which the clerk will report.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026.

Pending:

Sanders amendment No. 19, relative to Social Security, Medicare, and Medicaid.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate recess from 1 p.m. to 2 p.m. for the weekly conference meetings and the time in recess count equally against S. Con. Res. 3; further, that Senator SANDERS or his designee control the time from 2 p.m. to 2:30 p.m.; and finally, that there be 2 minutes equally divided in the usual form prior to the vote on the Flake amendment.

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

Mr. THUNE. Mr. President, clarifying that recent request, I ask unanimous consent that the Senate recess from 1 p.m. to 2 p.m. for the weekly conference meetings but that that time not count against S. Con. Res. 3.

The ACTING PRESIDENT pro tempore. Without objection, the modified request is agreed to.

Mr. THUNE. Mr. President, last week the Senate began consideration of the ObamaCare repeal resolution, which is the first step in the process of repealing the law. It is time for repeal.

Seven years ago, ObamaCare was sold to the American people with a lot of promises. The law was going to reduce premiums for families. It was going to fix problems with our health care system without hurting anyone who was happy with their health coverage. If you like your health plan, you will be able to keep it, people all across this country were told over and over again. If you like your doctor, you will be able to keep your doctor—also a promise and claim that was made over and

over again. As everyone knows, every one of these promises was broken. Premiums for families have continued to rise. Millions of Americans lost health care plans that they liked. Americans regularly discovered that they couldn't keep their doctors and that choice of replacement was often limited.

These broken promises were just the tip of the iceberg. The law hasn't just failed to live up to its promises, it is actively collapsing, and the status quo is unsustainable. Premiums on the exchanges are soaring. Deductibles regularly run into the thousands of dollars. For 2017, the average deductible for a bronze-level ObamaCare plan is rising from \$5,731 to \$6,092. With deductibles like that, it is no wonder that some Americans can't afford to actually use their ObamaCare insurance.

I receive a lot of mail from constituents in my State struggling to pay for their health care. One constituent contacted me to say: "My ObamaCare premium went up from \$1,080 per month to \$1,775 per month," a 64-percent increase, \$21,300 a year for health insurance. Let me just repeat that, a 64-percent increase in premiums, \$21,300 a year for health insurance. That is like paying another mortgage. That is a lot more than many people pay for their mortgage, and of course that is before any deductibles or other out-of-pocket costs are considered.

Another constituent wrote to tell me, "Today I received a new premium notice from my ObamaCare insurance. My policy rate for myself, my wife and my teenage son has increased by 357 percent."

The problems on the exchanges aren't limited to soaring costs, unfortunately. Insurers are pulling out of the exchanges right and left. Health care choices are rapidly dwindling. Narrow provider networks are the order of the day. One-third of American counties have just one choice of health insurer on their exchange.

This is not the health care reform the American people were looking for.