



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, THURSDAY, JANUARY 12, 2017

No. 8

## Senate

The Senate met at 12:30 p.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

### PRAYER

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

Let us pray.

Eternal God, in these challenging days, our hearts are steadfast toward You. Lift from our lawmakers all discouragement, cynicism, and mistrust. Lead them safely to the refuge of Your choosing, for You desire to give them a future and a hope.

Lord, give our Senators the power to do Your will, as they more fully realize that they are servants of Heaven and stewards of Your mysteries. Provide them with the wisdom to make faith the litmus test by which they evaluate each action, as they refuse to deviate from the path of integrity.

Lord, keep them from being careless about their spiritual and moral growth, as You give them the courage and the grace to fulfill Your purposes.

We pray in Your great 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 12, 2017.

To the Senate:

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

ORRIN G. HATCH,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### OBAMACARE REPEAL

Mr. MCCONNELL. Mr. President, the Senate just passed the legislative tools needed to repeal and replace ObamaCare. This is a critical step forward—the first step toward bringing relief from this failed law. The resolution now goes to the House. They will take it up soon. The next step will then be the legislation to finally repeal ObamaCare and move us toward smarter health policies.

The repeal legislation will include a stable transition period as we work toward patient-centered health care. We plan to take on the replace challenge in manageable pieces with step-by-step reforms. We can begin to make important progress within that repeal legislation, and we will continue to work with the incoming administration and the House in developing what comes next.

There are other steps we can take as well, including important administrative steps like confirming TOM PRICE as Secretary of Health and Human Services and Seema Verma as CMS Administrator. They can start stabilizing the health insurance markets that

ObamaCare has thrown into turmoil, and they can start bringing relief to the American people. There is a lot they can do.

There is lot we can do. We may not be responsible for ObamaCare and the harm it has done to so many, but we have been clear about our commitment to bringing relief from it. From skyrocketing premiums and deductibles to dwindling options on the exchanges, too many families don't know how they will continue to endure the consequences associated with ObamaCare. These families have called for a helping hand. They have called for Congress to listen to their concerns, and they have called for us to finally build a bridge away from ObamaCare and toward health policies that put them first. We just took a decisive step toward that goal last night.

Repealing and replacing ObamaCare is a big challenge. It isn't going to be easy. Nonetheless, we are committed to fulfilling our promise to the American people—and we will.

### RECOGNITION OF THE MINORITY LEADER

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

### NOMINATION OF REX TILLERSON

Mr. SCHUMER. Mr. President, I came to the floor yesterday to voice my serious concerns with some of the remarks made by the Secretary of State nominee, Rex Tillerson, in his hearing.

I was worried that his milquetoast posture toward Russia, especially his failure to support strong U.S. sanctions—existing or proposed—bespoke a fundamental misreading of the geopolitical climate and the true nature of our international security challenges.

I was worried that, as Secretary of State, he only promised to recuse himself from matters involving Exxon for a

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



Printed on recycled paper.

S297

period of 12 months. Exxon's interests overseas aren't going away after 1 year. That is not good enough to resolve what is, potentially, a massive conflict of interest.

I am worried that Mr. Tillerson, as CEO and chairman of ExxonMobil, conducted business with all three foreign state sponsors of terrorism through a foreign subsidiary in a way that allowed Exxon to evade U.S. sanctions. As the head of Exxon, Mr. Tillerson did business with the terrorism trifecta: Iran, Syria, and Sudan. This raises serious questions that the man who is nominated to be the face of the United States to the world has so much experience doing business with our most prominent and concerning adversaries.

At the hearing, under questions from the senior Senator from New Jersey and the Senator from Oregon, Mr. Tillerson denied having knowledge of these dealings and directed the Senators to seek more information from ExxonMobil itself. Three times he told the committee that he "did not recall" any of the details. Throughout the afternoon, it sounded like he was following the dodgeball rules for confirmation hearings: Dodge, dip, duck, dive, and dodge. In fact, he basically admitted it to the junior Senator from Virginia.

I just read in the Washington Post that, on three separate occasions, the SEC, or the Securities and Exchange Commission, wrote letters directed to Mr. Tillerson himself seeking more information on these undisclosed dealings during his tenure as CEO and chairman—once on January 6, 2006, once on May 4, 2006, and again on December 1, 2010.

In general, I like to give people the benefit of the doubt. But it gives me great concern that Mr. Tillerson says he has zero recollection of an SEC inquiry into his company's business dealings with foreign state sponsors of terrorism—real concern. He got three letters from the SEC on a matter of major, major importance that would concern the whole corporation—the giant ExxonMobil—and he says he doesn't recall. This is the kind of matter that should be handled and approved by an organization's most senior leader.

Mr. Tillerson presents himself as a hands-on manager. It defies credibility to believe he doesn't recall. This is extraordinarily troubling because either one of two things is true. Either Mr. Tillerson was aware of these SEC letters and was familiar with these dealings but didn't want to answer the questions honestly, or, indeed, he had no knowledge of consequential financial disclosures made by his own company. If we consider that, in concert with all the other things he claimed to have "no knowledge of"—including the widely reported extrajudicial killings in the Philippines, whether or not Saudi Arabia was a human rights violator—imagine, he had no knowledge of whether Saudi Arabia was a human

rights violator; people in a fifth grade world history class would know that—whether or not his company was engaged in lobbying against, or perhaps for, energy sanctions—then maybe Mr. Tillerson does not have the necessary management skills or knowledge base to be the chief diplomat of the United States of America, running a Department that is obviously worldwide, far-flung, and with thousands and thousands and thousands of employees.

Simply put, we need answers. What did Mr. Tillerson know and when did he know it? The American people expect their Secretary of State to be straightforward and honest with them—not coy, not dissembling. Most importantly, they expect him or her to have the interests of the American people and our friends and allies around the world at the forefront of their mind.

Unfortunately for Mr. Tillerson, and for this country, yesterday's hearings and today's reports raise more questions than answers. The American people deserve answers.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Democratic whip.

#### DACA AND BRIDGE ACT

Mr. DURBIN. Mr. President, in 8 days, just a short distance from this Senate Chamber, Donald Trump will be sworn in as the 45th President of the United States. On that date, January 20, 2017, the fate of more than 750,000 young American immigrants will hang in the balance. They will be waiting to learn if they have a place in America's future or whether they will lose their legal status to stay in the United States. For many of them, it is a period of the highest anxiety, wondering what is going to happen next.

It was 7 years ago that I sent a letter to President Obama. I had introduced the DREAM Act, which said that if you were brought to America as a child, an infant, or an adolescent, lived here all your life, went to school and did well, and had no criminal record of any consequences, we would give you a chance to stay. Over a period of time, you would be able to become legal in America—a citizen in America. Sixteen years ago, I introduced it, and we passed it once in the Senate, once in the House, and never, ever made it the law of the land.

I wrote to President Obama, with Senator Dick Lugar, Republican of In-

diana, and said: Find some way, if you can, as President, to protect these young DREAMers, as we call them. And he did. It is called DACA, Deferred Action for Childhood Arrivals.

What it basically said is that if you qualify under the DREAM Act, you could pay a filing fee of almost \$500, go through a criminal background check and interview, and, then, if you qualify, you will be given a 2-year temporary protection from deportation and the ability to work. So far, over 750,000 young people have come forward. They have made such a difference in their own lives, in the lives of their families, and even in our country.

I have come over 100 times to tell their stories, and I will tell another one today. But I want to also announce that today we have a significant bipartisan breakthrough for this Congress: Republican Senator LINDSEY GRAHAM of South Carolina and I have introduced the BRIDGE Act. The BRIDGE Act, which has bipartisan sponsorship, would say that even if we eliminated President Obama's Executive order, we would protect these young people from deportation and allow them to continue to work and study.

I want to thank Senator GRAHAM. He has been a terrific partner.

This is an issue which weighs heavily on my mind and conscience. We believe this is a reasonable way to extend this protection and to say to Congress in the meantime: Get to work. Roll up your sleeves. Pass a comprehensive immigration bill. Work with the new President, work with both sides, Democrats and Republicans, and come up with an approach.

I thank Senator GRAHAM for joining me in the introduction of this BRIDGE Act.

For the young people across America, I can tell you, I understand your fears. I understand your anxiety. There are many of us who are dedicated to making certain that this ends well for you and for your family.

There are pretty amazing young people who are in that category I have addressed. One of them is Jose Espinoza. At the age of 2, Jose Espinoza was brought here from Mexico. He grew up in the northwest suburbs of Chicago and became an excellent student. In high school, he was a member of the National Honor Society, and he graduated in the top 3 percent of his class. He was elected to the student council every year in high school, the treasurer, vice president, editor of the high school yearbook, mentored and taught physical education to a freshman class of 40 students. He was also captain of the varsity track and field team and a member of the soccer team and the school orchestra.

In his spare time, if there was any, Jose volunteered with the United Way, and as a result of his academic record and volunteer service, he received a college scholarship from the United Way.

Incidentally, DREAMers—undocumented—don't qualify for any Federal