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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, the source of all our praise, we magnify Your Name. We place our trust in You, for You are our helper throughout life's seasons.

Be mindful of our Senators and bless them. Keep them on the path that leads to life. May Your peace stay with them, guarding their hearts and minds.

Lord, give them the wisdom to practice integrity in all of their conduct. Keep them from stumbling and slipping as You prepare them to stand before Your presence with great joy.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. STRANGE). The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that following the cloture vote on the Branstad nomination, the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 56 and 57.

I ask unanimous consent that the Senate vote on the nominations en bloc

with no intervening action or debate; that, if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE INTERNET

Mr. McCONNELL. Mr. President, I don't have to tell colleagues how important the internet and other wireless technologies have been in our modern society. From the way students learn to the way we do business and even the way we as Senators keep in touch with our constituents, these advancements have in many ways fundamentally changed how we operate. It is important to remember that these groundbreaking technological advances didn't just come about because of government mandates or heavy-handed bureaucracy; they grew out of an environment that allowed for, and actually encouraged, innovation.

From the Clinton years onward, there was a bipartisan consensus that we should maintain the kind of light regulatory touch that allows this innovation to thrive in the first place in order to open the door to further advancements.

Unfortunately, that changed under the Obama administration, which used the FCC to force through antiquated regulations designed for an age of rotary phones and switchboards. Today, however, we finally have an FCC chairman who recognizes that we live in an entirely new era—an era of smartphones and laptops and other mobile devices. We have a chairman who believes that innovation, ingenuity, growth, and job creation aren't dirty words to be stifled with unnecessary redtape.

Today, it is expected that Chairman Pai and Commissioner O'Rielly will take the first necessary step to address a deeply flawed Obama-era diktat that empowered bureaucrats with vast new powers to control the internet through archaic rotary telephone regulations from nearly a century ago. No matter how well intended, this overreach threatened the very innovation that brought us the internet and other technological advancements in the first place.

I want to commend Chairman Pai for taking this preliminary step to address the issue, which will also open the door for bipartisan congressional action to keep the internet open for consumers permanently. Later today, Senator THUNE and others will come to the floor to talk more about this issue. I look forward to hearing what they have to say and thank them for continuing this important conversation.

HEALTHCARE LEGISLATION

Mr. McCONNELL. Mr. President, on another matter, too many Americans woke up this morning worried about the rising costs and limited options they are experiencing under ObamaCare. As they went to work, too many struggled with the reality that their ObamaCare premiums could take an even larger bite out of their paycheck next year.

This afternoon, as they pick up their kids, too many will worry that they may have a hard time finding an ObamaCare plan at all for next year, with many counties having only one option left on the exchanges. Unfortunately, these are the realities for far too many Americans under ObamaCare, and they are miles away from what Democrats promised.

In my home State, we endured large premium hikes this year of up to 47 percent. For many working families, a spike in premiums like that can make it nearly impossible to afford health

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



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insurance at all. To make matters worse, under ObamaCare, many Kentuckians don't have the option to select the best provider for themselves and their families.

Let's take a look at the chart behind me. In Kentucky, under ObamaCare, 49 percent of our counties—49 percent—have one insurer, one. For Kentuckians in half of our counties, half have one choice. Really, when you have one choice, you have no choice at all.

It is not as though this situation is unique to my State either. This year, there are 26 States with at least one county where residents have only a single insurance option under ObamaCare. That means millions of Americans living in more than 1,000 counties across the country really have no choice at all—no choice at all—when it comes to ObamaCare.

Those families didn't get the increased choices they were promised under that law. They have been left to shoulder the burden nonetheless, and things have only gotten worse over time.

In fact, just this week, people on the ObamaCare exchanges in three more States—Vermont, Virginia, and Oregon—learned they could face double-digit premium increases as high as 20 percent next year. I would ask our Democratic friends, are they really OK—are you really OK with ObamaCare's continuing attacks on the middle class?

One constituent from Lexington in my State wrote me about her frustration with the status quo under ObamaCare. Here is what she had to say:

My insurance is way more than what I can afford. I can't imagine many others who can pay more for health insurance than their mortgage.

She and her husband had shopped on the exchanges for healthcare, but the lowest premium options were around \$1,000 a month—listen to this—\$1,000 a month, and that got them a \$10,000 deductible; \$1,000 a month would only get a policy with a \$10,000 deductible. So they decided to go uninsured and pay the penalty. She said:

The cost will be minor compared to the useless premium cost.

The last part of this Kentucky woman's message is something I think we should all remember throughout this debate. She said:

Please remember that there are many people depending on Congress to set this . . . right.

Americans like her are counting on all of us to leave ObamaCare's failures where they belong—in the past. For years, they have suffered under a collapsing system. Yet our friends across the aisle continued to defend the broken law regardless of its significant problems—problems that even many of them have, by the way, started to acknowledge.

Last week, Senate Democrats sent me a letter effectively admitting that the ObamaCare status quo is

unsustainable. I hope that means they are prepared to join us in moving beyond their failed law. Otherwise, Senate Democrats are essentially telling the American people that they are OK with the status quo and that ObamaCare's collapsing markets, double-digit premium increases, and counties with only one insurer represent the new normal for healthcare in our country. Surely, they are not comfortable with that.

My constituents refuse to accept the status quo. The only question that really remains is this: Will Senate Democrats work with us to move beyond the status quo?

The entire Senate Republican Conference has been at work debating ideas and making progress. We are pursuing smarter healthcare policies for Kentuckians like the couple in Lexington and the millions more like them across the Nation who know that ObamaCare just isn't working. I hope our friends on the other side of the aisle will agree to join us in bringing some relief to all of these families who desperately need it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

RUSSIA INVESTIGATION

Mr. SCHUMER. Mr. President, last night, Deputy Attorney General Rod Rosenstein appointed former FBI Director Robert Mueller as a special counsel to oversee the investigation into Russia's interference in the 2016 elections.

This was a very good first step. Mr. Rosenstein has done the right thing. I applaud his decision for both its correctness and its courage. A special counsel was much called for in this situation. Former Director Mueller is the right kind of individual for the job. I now have significantly greater confidence that the investigation will follow the facts wherever they lead. Additionally, as special counsel, Mr. Mueller must have broad latitude to pursue the Russia investigation. In the appointment order, it stipulates that the special counsel is authorized to investigate "any matters that arose or may arise directly from this investigation." That is a really important power, given recent reports about an active FBI investigation into General Flynn.

I am heartened by the news of Mr. Mueller's appointment, but it in no

way diminishes the need for Congress to play an active role in helping to get to the bottom of recent events. Intelligence Committee Chairman BURR and Ranking Member WARNER should still pursue the congressional investigation into these matters with just as much vigor. That investigation has been proceeding in a bipartisan way, and it absolutely should continue as such.

We should still seek testimony from Mr. Comey in both the Judiciary and Intelligence Committees to discuss the events surrounding his dismissal and be given access to memos and transcripts or tapes of his conversations with President Trump. Mr. Comey was central to the events of the past few weeks. We still need to hear from him. I thank the bipartisan leadership of both the Intelligence and Judiciary Committees for requesting both the records and public testimony of Director Comey.

Congress, specifically the Judiciary and Intelligence Committees, should still be given access to any transcripts or related summaries of the President's meeting with the Russian Foreign Minister and Ambassador, during which reports have alleged he may have divulged highly sensitive intelligence.

Finally, there is still a great need as before for the next FBI Director to be someone who is nonpartisan, independent, fearless, and of unimpeachable integrity. A career politician of either party or anyone who suggests a lack of impartiality, should not be considered. The appointment of Mr. Mueller is a great first step toward getting the Russia investigation back on solid ground, but these other things also need to happen: Mr. Comey testifying; the White House turning over to Congress the relevant tapes and transcripts, if they exist; and the selection of an independent, impartial FBI Director.

Later this afternoon, the Deputy Attorney General, Rod Rosenstein, will brief all 100 Senators at the request of the two leaders, the majority leader and myself. He can brief us on a great many things, including the events of Mr. Comey's dismissal and the status of the Russia investigation.

While the briefing itself will not take place in a public setting, I hope that much of what we learn today can be shared with the American public.

So in the interest of getting all the facts, we in Congress look forward to hearing from Mr. Rosenstein this afternoon. It is a sign that while we wholeheartedly applaud the appointment of a special counsel, we in Congress must continue to do our jobs as well.

CRIMINAL JUSTICE REFORM

Mr. SCHUMER. Now, on another matter, Mr. President, criminal justice reform. Last week, Attorney General Jeff Sessions ordered Federal prosecutors to "charge and pursue the most serious readily provable offense," even for low-level drug crimes. Functionally, this means Federal prosecutors