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Senate

The Senate met at 3 p.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.

God, our shield, look with favor upon us today. Enable us to go from strength to strength, as we strive to live in day-tight compartments. Guide our Senators around the obstacles that hinder them from living for Your glory, as they seek to fulfill Your purpose for their lives in this generation. As they strive to please You, empower them to stand for right and leave the consequences to You. Lord, give them the grace to seek You with their whole hearts, knowing that those who passionately pursue You will find You. May they daily yield themselves to You through prayer and obedience. May they grasp Your firm hand, depending on You to lead them through the darkness to the light.

We pray in Your powerful 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. ISAKSON). The majority leader is recognized.

COAL MINER RETIREES' HEALTH BENEFITS

Mr. MCCONNELL. Mr. President, in the days since President Obama took

office, too many coal miners have lost their jobs, including well over 10,000 in Kentucky, and more than 25 coal mining companies have filed for bankruptcy. This means that there are fewer active workers available to pay into an expanding retirement pool, leaving health benefits in jeopardy for thousands of retired miners.

Last year, I was proud to be able to secure an extension of these benefits past their year-end expiration date. While I advocated for a longer term solution, we did secure a 4-month plan. I made a commitment at that time to work with my colleagues on a long-term health care solution for these retired miners.

Today, I plan to introduce legislation to protect and permanently extend those benefits for thousands of coal miner retirees and their dependents. Recognizing the damage that has been done over the past 8 years, my legislation also calls on Congress to work with the incoming Trump administration to repeal regulations that are harming the coal industry and to support economic development efforts in coal country.

I highlighted those goals in a letter I sent to President-Elect Trump earlier in the year regarding ways in which I hope we can work together to provide relief to coal country. I look forward to continuing to work with my colleagues and the incoming administration on these important issues.

REMEMBERING TIM MITCHELL

Mr. MCCONNELL. Mr. President, we were all saddened by the news that Tim Mitchell, a longtime member of the Democratic floor staff, passed away this past weekend after his heart-breaking battle with brain cancer. I know the Democratic leader will have more to say in just a moment, but I wanted to take a moment myself to reflect on Tim's Senate service and express our condolences to his family.

Last September, the former Democratic leader and I had the opportunity to recognize Tim for a remarkable 25 years of Senate service. As we noted then, Tim has long been a critical member of the Senate team who worked tirelessly with his colleagues on both sides to ensure that the floor operated smoothly and efficiently.

Despite his passion for this institution, however, we know that Tim's family always remained his top priority. I know his wife Alicia and his young son Ben know this as well. Our prayers are with them at this immensely difficult time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

REMEMBERING TIM MITCHELL

Mr. SCHUMER. Mr. President, we received sad news yesterday. We lost a dear friend to many of us here in the Senate, a wonderful man, Tim Mitchell. He had a long battle with brain cancer. He was a member of the floor staff for many years. He did an amazingly outstanding job.

Every organization has what they call unsung heroes. On the battlefield, they are the soldiers, our infantry men and women. In the automobile plant, they are the assembly line workers. In the hospital, they may be the nurses, the clerical workers, or the folks who clean up the floors late at night. Those organizations can't go on without

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



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these people. They are the heart and soul of these organizations. They do their work quietly but proudly.

If you had to pick someone who personified the unsung hero of this body, it would be Tim. He did his job every day. When you talked to him, you could see the pride and the knowledge he had in doing his job and doing his job well. He will be sorely missed by every Member here today, Democrat and Republican.

Let's take a moment to remember Tim and send our best wishes and prayers to his family and his loved ones.

(Moment of silence.)

Thank you, Mr. President.

NOMINEE FOR SECRETARY OF HEALTH AND HUMAN SERVICES

Mr. SCHUMER. Mr. President, I wish to address a troubling report about the President-elect's nominee for Secretary of Health and Human Services that came out last night. We learned that Congressman PRICE bought shares in a medical device manufacturing company just days before introducing legislation in the House that would directly benefit that company.

His legislation wasn't broad legislation. It didn't affect health care in general. It specifically blocked a regulation on medical device companies that do hip and knee implants, including the very business he bought stock in. According to CNN, the company Representative PRICE bought stock in was one of two companies that would have been hardest hit by this new regulation—one of two—and he puts in legislation to repeal it just after buying stock in it.

Again, this is not someone who has Johnson & Johnson stock and then votes to cut Medicare. This is a narrow company that works on hip and knee implants—narrow legislation that deals with undoing some regulations on them. It is really troubling.

These revelations come on top of the report late last year by CQ and the Wall Street Journal that Congressman PRICE had traded stocks in dozens of health care companies valued at hundreds of thousands of dollars during his time in the House as chair on the Budget Committee, when he introduced, sponsored, or cosponsored several pieces of legislation that impacted these companies.

Yesterday's report makes it clear that this isn't just a couple of questionable trades but, rather, a clear and troubling pattern of Congressman PRICE trading stock and using his office to benefit the companies in which he was investing.

Our President-elect claims he wants to drain the swamp, but Congressman PRICE has spent his career filling it up. I have asked the Office of Congressional Ethics to investigate whether or not Congressman PRICE violated the STOCK Act during his time in office before his nomination moves forward in any way.

It may well be that this trade was illegal. This isn't a witch hunt. These are serious and disquieting allegations. The American people deserve to know if their potential Secretary of Health and Human Services violated a law against insider trading in Congress.

The facts here are a narrow company with hip and knee implants and legislation with hip and knee implants coming soon thereafter, after he bought stock—*whoa*. These questions cry out for answers before—let me underline “before”—Nominee PRICE goes before the Senate Finance Committee.

When the public faith in government is as low as it is today, when politics and campaigns are saturated by money, as they are today, when folks feel their representatives are beholden to special interests before their constituents, reports like the one that just came out about Congressman PRICE perpetuate that distrust. They add fuel to the fire.

We need to get to the bottom of these allegations and get to the bottom of them quickly. The only way to restore faith in our government and in our most important democratic institutions is to insist upon transparency and ethical behavior by those in positions of the highest public trust. Until a congressional ethics investigation can be completed, this report and his previous trades cast serious doubt on whether Congressman PRICE is fit to hold the office of Secretary of Health and Human Services.

CBO REPORT ON REPEALING THE AFFORDABLE CARE ACT

Mr. SCHUMER. Finally, Mr. President, I wish to turn to the CBO report that just came out today. The Congressional Budget Office today released a new report outlining the consequences of the Republican plan to repeal the Affordable Care Act. Remember, the CBO is a nonpartisan entity. The numbers don't lie. Try as they might, our Republican colleagues can't discredit them.

The numbers are even worse than experts could have imagined. Repealing the Affordable Care Act will mean tens of millions will lose their health insurance and individuals will see their premiums double. Let me repeat that. If the Republican bill passes—according to CBO, which is nonpartisan—tens of millions will lose their health insurance and individuals will see premiums double. Thirty-two million Americans would lose their health insurance, 18 million within the first year of repeal.

The report makes it crystal clear that the Republican effort to repeal the Affordable Care Act will increase health care costs for millions of Americans and kick millions more off their health insurance. No wonder President-Elect Trump realizes repeal without replace is the real disaster. No wonder he has admonished the Congress not to do plain repeal.

Some Republicans have tried to dismiss the CBO report as meaningless. I

would remind my Republican friends of two points. First, this is the CBO Director that Republicans handpicked. This is not some Democratic operative. He is a person who knows numbers, who was chosen by our Republican colleagues. You can't reject his findings.

Second, this is your repeal bill that the CBO is analyzing. They didn't make up the scenario. They took the exact bill we had on the floor and said: What are going to be the consequences? Devastating—over 30 million losing coverage, premiums doubling. All the things that our colleagues are complaining about with ACA are even worse under their bill. Their complaints on ACA are incorrect. We have gained numbers, and costs have gone down. The rate of costs have gone down—much lower than they would be under this report.

I say to my colleagues, this is your repeal bill. The CBO didn't make this up. It looked at the bill you sent to the President's desk, the bill you say your repeal bill will be modeled on. It isn't meaningless. It is your plan.

Now that repeal is real and not just a political exercise, the tide is turning. The American people are becoming roused by the prospects of dismantling health reform and leaving chaos in its wake. This is exactly why Republican Members of Congress are getting an earful back home from constituents who want them to turn back from their dangerous plan to make America sick again. I urge my Republican colleagues to listen to the growing outcry before it is too late.

CABINET NOMINEE HEARINGS

Mr. SCHUMER. One final issue: As the hearings continue this week on the President-elect's Cabinet nominees, I want to make a few points. As I have mentioned here on the floor several times, we Democrats want the process to be as fair and transparent as possible, abiding by all the ethics requirements demanded of nominees in the past. Yet the HELP Committee today will hold a hearing on Education Secretary nominee Betsy DeVos, who is worth \$5 billion and owns an investment company with untold financial entanglements, despite the fact that she doesn't have a signed ethics agreement in place. When somebody has such wealth and such complicated holdings, we have always made them sign an ethics agreement that says “Here is how I am going to divest so there is no conflict of interest,” so it is clear that the nominee is doing things for their country, not for their financial holdings. We don't have it, and we are rushing ahead with hearings in the HELP Committee. My dear friend whom I have so much respect for, the chair, the Senator from Tennessee, is just rushing forward, rushing forward. That is not a good way to start. It is not a good way for my Republican colleagues or the President-elect to start.