

to the American people: We are no longer committed to making sure your family has the peace of mind of good health insurance. So I thank them for the efforts they have put into this, and I look forward to working with them.

#### PRESIDENT OBAMA'S LEGACY

Mr. DURBIN. Mr. President, yesterday I went to the White House. It was a great celebration of the World Series champion Chicago Cubs being recognized in the White House by our President from Illinois, Barack Obama. Of course, he is a White Sox fan, and he didn't apologize or change his stripes, but it was a great day of celebration. During the course of it, he said it was his last public event in the White House, and I came to realize that we are only days away from a new President and President Obama leaving.

I think back to a memorable moment in my life which most people wouldn't have remembered, but I will never forget. It was July 27, 2004. The place was Boston, MA. At the last minute, I was called on to introduce a friend of mine, a skinny lawyer and State senator from Illinois who was about to deliver the keynote address at the 2004 Democratic National Convention. His name was Barack Obama. I had known him for several years. I knew he was an extraordinarily gifted politician, and I knew he was a very good person.

I had seen him inspire many audiences back home, including some in the most unlikely places. I once saw him hold spellbound a group of blue-collar workers and farmers in Carroll, IL—a town which in the 1960s was completely devastated by racial tension and the presence of a local branch of the Ku Klux Klan—but even I was not prepared for the powerfully moving speech Barack Obama gave after I introduced him in Boston. It has been quoted in the Times. He told us:

There is not a liberal America and a conservative America—there is the United States of America. There is not a Black America and a White America and Latino America and Asian America—there's the United States of America.

He went on to say:

The pundits like to slice and dice our country into red States and blue States; red States for Republicans, blue States for Democrats. But I've got news for them, too. We worship an awesome God in the blue States, and we don't like Federal agents poking around in our libraries in the red States. We coach Little League in the blue States, and, yes, we've got some gay friends in the red States. There are patriots who opposed the war in Iraq, and there are patriots who supported the war in Iraq.

He only spoke for 17 minutes at that Boston convention—17 minutes—and in that time, he gave voice to what another tall, lanky lawyer from Illinois once called “the better angels of our nature.” He touched a longing deep within the hearts of millions of Americans who wanted to believe in those better angels, who wanted to believe in what Barack Obama called “the audac-

ity of hope,” the audacity to believe that America, which had achieved so many miracles, was capable of even greater goodness. People inside the convention hall and millions outside who heard that speech all had the same reaction: I have seen America's future.

I remember going back to Illinois a few days after that convention and campaigning with Barack as he was running for the U.S. Senate. He went to the most unlikely downstate towns—Calumet, IL; Freeport, IL. Huge crowds were coming in from adjoining States because they had seen him give that speech at the Democratic Convention. I knew there was something special about him.

His grandmother called him after he gave the speech. She gave him some advice. “You did well,” she said. “I just kind of worry about you. I hope you keep your head on straight.” Good advice for all of us.

A little over 4 years later, my friend—then the U.S. Senator from Illinois—was elected the 44th President. On inauguration day 2009, 2 million Americans stood shoulder to shoulder outside on the Mall near the Capitol dome and cheered as the son of a father from Kenya and a mother from Kansas placed his hand on the family Bible of Abraham Lincoln and swore to uphold and defend the Constitution of the United States.

For the last 8 years, President Barack Obama, First Lady Michelle Obama, their daughters Malia and Sasha, and First Grandmother Marian Robinson have made their home in the White House. What an irony—they were living in a house originally built by slaves.

The audacity of hope. The awe-inspiring strength of America to continually seek and stretch to be that “more perfect Union.”

Part of the miracle of America is also the peaceful transition of power from one President to the next. As we prepare for the transition to a new President, we would do well to look back on the historic Presidency of Barack Obama. He was elected and reelected President both times convincingly.

His grandmother would be proud that he has not only kept his head on straight, he has held his head high, kept his priorities straight even amidst often unprecedented, unyielding opposition and searingly personal attacks. As First Lady Michelle Obama told us, the motto for the entire Obama family has been “When they go low, we go high.” We have seen that grace in them time and time again.

President Obama is a profoundly good and decent man who has served America with dignity and integrity. He has been thoughtful, calm, and resolute—never rash or impulsive. He is a disciplined leader who has grappled honestly with complex challenges facing America and the world, and he has delivered solutions that improved lives.

In his farewell speech in Chicago, President Obama quoted the fictional

hero Atticus Finch, reminding us: “You never really understand a person until you consider things from his point of view . . . until you climb into his skin and walk around in it.” Putting himself in another person's shoes, seeing life through another person's eyes, and finding shared hopes is a lifelong habit and a special gift of this President.

He has tried his level best to heal and unite our divided Nation. His accomplishments are significant, and history will record many of them as profound.

He was first elected at a time when America badly needed hope. President Obama inherited—inherited—the greatest financial and economic crisis since the Great Depression. The country had lost more than 2 million jobs in the previous 4 months before he was sworn in. By inauguration day, the country's top four banks had lost half their value in less than a year. There was an urgent danger that not only the American economy would collapse, but the economy of the Western world was teetering in the balance.

The American Recovery and Reinvestment Act, called the stimulus bill, saved the U.S. and global economy from a major crash and helped create the conditions for recovery. Unemployment today is at 4.9 percent. America has just seen the longest streak of private job creation in the Nation's history. To borrow a phrase, thanks, Obama.

Our friends across the aisle said: Let America's auto industry die. The Obama administration said: No way. They decided to place their bets on American manufacturing and workers instead. The Center for Automotive Research estimates that the special bankruptcy process for General Motors and Chrysler saved at least 1.5 million American jobs. Detroit has posted record profits for 7 years in a row. Barack Obama would not give up on American autoworkers or American auto companies, and it paid off.

Predatory lending and other systemic abuses were the cancer at the heart of the great financial meltdown of 2008 and 2009.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be recognized for an additional 5 minutes.

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

Mr. DURBIN. Thank you, Mr. President.

Under this President, Congress passed the most comprehensive overhaul of financial regulations since the Great Depression, protecting consumers and taxpayers.

President Obama inherited a Federal budget hemorrhaging red ink. Under his watch, the budget deficit has fallen \$1 trillion, despite record investments in education, green energy, broadband, high-speed rail, medical research, and other high-return priorities.

He brought us the Affordable Care Act. I am not going to dwell on it because I spoke on it before when the other Senators were on the floor.

There was a skit on “Saturday Night Live” last week that talked about, would the Republicans be happy if we banned the word “ObamaCare”? Can we stick with the Affordable Care Act since it is helping so many people? Sometimes we think that is what this is all about: We have to get rid of it because it has his name on it. Well, we shouldn’t. We should reflect on the good that it has done and make sure we do nothing less in the future. Health insurance costs are going down at the fastest rate in 50 years. Medicare gets an additional projected 10 years of solvency because of the Affordable Care Act. Numerous Republican Governors, including Vice President-Elect Mike Pence, have used Medicaid expansion of ObamaCare to reduce the uninsured in their States.

On the issue of climate, I will defer to my friend from Rhode Island, who has stepped off of the floor for a moment, but when it comes to this, President Obama has taken climate change seriously. He does not view it as an unproven theory or a Chinese-authored hoax; he believes it is a fact, and so do I. It is a threat to the existence of humanity, and we are running out of time to prevent a climate catastrophe.

Americans built on the historic breakthrough at the 2015 U.N. summit on climate change in Paris. When that summit ended, 195 countries joined the United States and agreed to lower greenhouse gas emissions.

The President once told a group of young people: “I refuse to condemn your generation and future generations to a planet that is beyond fixing.”

We have a safer and more secure America. This President brought troops home—massive numbers of troops—who were dispatched around the world in harm’s way. He understands we can’t fix all the world’s problems. We learned that the hard way. He banned the use of torture. We have seen the withdrawal of the majority of U.S. troops from Iraq and Afghanistan. Al Qaeda has been decimated, Osama bin Laden is history, and ISIS is on the run.

Under President Obama, Americans led the successful global effort to conquer an Ebola epidemic in West Africa, and he helped preserve a democratic Ukraine, despite the aggression of Vladimir Putin of Russia. He has restored relations with Cuba after 50 years of a failed policy. The President and John Kerry had enormous diplomatic success with the Iran agreement to protect our friend and ally Israel and many other states in the Middle East.

I want to close by saying that his efforts in two areas are personal to me. Criminal justice reform, this President is determined to make sure our sentencing laws are just. There are things going on now that are just indefensible.

We have been jailing people and imprisoning them for drug crimes for decades—unacceptable. The President is determined to get this done. We did part of it. I hope we can do more.

Finally, let me just say that this President, more than any, has really shown a caring for the DREAMers, a bill I introduced 16 years ago, so that those who came to the United States as children, through no fault of their own undocumented, would get a chance. That was it. He put together DACA, an Executive order which gave them that chance.

We have to work now to protect these bright, young people. I am so encouraged that Speaker PAUL RYAN, at the CNN town meeting last week, acknowledged this and said he was willing to work to make sure we protected them. Barack Obama was the one who gave them this opportunity, and now it is up to us to follow through and give them a fair shake in life.

Mr. President, to reiterate, the affordable Care and Patient Protection Act that our colleagues across the aisle are now rushing headlong to repeal—without anything to replace it—represents the greatest advance in economic fairness and security for most Americans since at least the creation of Medicare 50 years ago.

ObamaCare has made the health coverage of all insured Americans more secure and more valuable by: outlawing discrimination based on pre-existing conditions; eliminating costs for checkups, mammograms and many other preventive measures; and allowing young people to stay on their parent’s policies until age 26—among other new protections.

It has reduced the ranks of uninsured Americans by 20 million, and it has saved money. That’s not a matter of opinion, it’s a fact.

According to an analysis by the respected, nonpartisan Brookings Institution, health insurance exchange premiums are 44 percent lower today than they would have been without ObamaCare.

Health insurance costs are going down at the fastest rate in 50 years.

Numerous Republican Governors—including Vice President-Elect Mike Pence—have used the Medicaid expansion in ObamaCare to reduce the uninsured in their States. That’s a good thing.

But now President-Elect Trump and our Republican colleagues tell us that they want to repeal ObamaCare, cancel those patient protections, go back to the days when insurance companies write all the rules, and leave 20 million Americans without insurance.

They say they will come up “fairly easily” with something better than ObamaCare.

I say to my friends: If it were easy, it would have happened already. Work with us to fix the things that can be improved, not kill it. Lives are at stake.

President Obama understands that climate change is not an unproven the-

ory or a Chinese-authored hoax, it is a fact. It is a threat to the very existence of humanity and we are running out of time to prevent a climate catastrophe.

Under Barack Obama, America went from being the chronic spoiler to being a world leader in global climate change negotiations.

We reached a sweeping bilateral climate pact with China to cut greenhouse gas emissions—something critics said could never happen.

America built on that historic breakthrough at the 2015 U.N. summit on climate change in Paris. When the summit ended, 195 countries had agreed to lower greenhouse-gas emissions.

The President once told a group of young people: “I refuse to condemn your generation and future generations to a planet that’s beyond fixing.”

He has done his part to keep that commitment. We should build on his progress, not reverse it.

The cornerstone of President Obama’s foreign policy is a recognition that America remains the world’s one indispensable nation and that we, and the world, are safer when America chooses engagement over either isolation or unilateralism.

He also understands that America cannot fix all of the world’s problems. We have to choose wisely, based on our ideals, our priorities and our limits.

He banned the use of torture. He has seen the withdrawal of the majority of U.S. troops from Iraq and Afghanistan. Al Qaeda has been decimated, ISIS is on the run, and Osama Bin Laden is dead.

Under President Obama, America led the successful global effort to contain and conquer an Ebola epidemic in West Africa.

And we helped preserve a democratic Ukraine against Russian aggression.

President Obama announced plans to restore normal relations with Cuba—reversing 50 years of a failed policy that done at least as much harm to America’s relations with our neighbors in this hemisphere as it had done to depose the Castro regime.

The President and Secretary of State John Kerry made a momentous diplomatic success in negotiating an agreement to prevent Iran from gaining nuclear weapons, protecting our ally Israel and many nations across the Mideast.

The Iran nuclear deal holds the promise of defusing a ticking time bomb. If Iran fails to live up to that promise, we will know quickly and we will take the steps to stop them.

I want to touch briefly on two other issues that I have worked on very closely and to which I am deeply committed.

The first is the growing, bipartisan movement to end America’s era of overincarceration.

America has 5 percent of the world’s population—and nearly 25 percent of the world’s prisoners. That ignominious fact is largely the result of inflexible antidrug laws that disproportionately punish people of color, especially poor people of color.

In 2010, President Obama signed a law that I introduced with Senator SESSIONS called the Fair Sentencing Act. It replaced a Federal law that demanded dramatically harsher sentences for convictions involving crack cocaine than powder cocaine.

I have worked with Democrats and some brave Republican colleagues for a few years to further reform Federal sentencing—to allow Federal judges some discretion in nonviolent drug cases, and eliminate “three strikes and you’re out law” and other overly harsh and inflexible laws that are overly harsh and hugely expensive to enforce.

In the absence of action from us, President Obama has used his powers to commute the sentences of more than 1,000 people—more than 50 times the number of people whose sentences were commuted by President George W. Bush and more than the past 11 Presidents combined.

We can’t have it both ways. If we don’t want President’s to use their lawful Executive authority to correct injustices, we need to correct those injustices ourselves. I hope we will do so in this new Congress.

Finally, we must—we must—fix America’s broken immigration system.

And let’s start by assuring DREAMers—those young people who were brought to this country as children and who are undocumented through no fault of their own—that we will not deport them from the only nation they have ever called home.

I have come to this floor dozens of times to tell you their stories. They are scholars, American soldiers, researchers, doctors, engineers, lawyers, clergy members.

DACA—the President’s Executive order—allows them to stay in this country temporarily while Congress works to pass a comprehensive immigration reform plan that meets the needs of our economy, and honors our values and our unique and powerful heritage as a nation of immigrants.

More than 750,000 DREAMers put their trust in our Government and came forward to register under DACA.

What will happen to them if—as many fear—DACA is not extended?

Immigrants are not a threat to America. Immigrants are America. The sooner we acknowledge that fact and align our laws with it, the better we will be.

Mr. President, I could go on for quite some time about what President Obama, Vice President Biden, and their administration have meant for America, but time precludes that so I will close with these last thoughts.

In that historic speech he delivered in Boston 12 years ago, President Obama told us that, in his father’s native tongue, the name “Barack” means “blessing.”

President Obama leaves office now as the most popular politician in America, and assured of his place in history. I believe that America has been fortunate—even blessed—by his service and sacrifice as our President.

President Obama has also warned us that “History travels not only forwards; history can travel backwards, history can travel sideways.” I hope that we can all pledge, regardless of party, to keep history moving forward.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at the conclusion of the majority whip’s remarks, I be recognized.

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

Mr. WHITEHOUSE. I thank the Presiding Officer, and I yield to the majority whip.

#### OBAMACARE REPLACEMENT

Mr. CORNYN. Mr. President, I thank my friend from Rhode Island for his courtesy.

Last week, the Senate took the first step in providing needed relief for the American people from a health care plan, the Affordable Care Act, that overpromised and underdelivered. Many people are hurting now as a result of the failed promises of ObamaCare. They were told their premiums would go down, that they would be able to keep the policy they had if they liked it, and that if they liked their doctor, they could keep their doctor, none of which has proved to be true. So it is important that we keep our commitment to the American people. I believe we have gotten a mandate as a result of the election on November 8 that we keep our promise to repeal the Affordable Care Act and to deliver health care that is affordable and is a matter of individual choice and freedom of choice.

The basic problem with ObamaCare is that it was command and control right out of Washington, DC, where people didn’t have sufficient humility when it comes to rearranging one-sixth of our national economy and believed that they could, in the process of writing a 2,700-page bill—that I doubt many of them read—take over and improve our health care delivery system.

It was sold on the basis of providing people access to affordable care, and in many instances, according to my constituents, they have seen their premiums skyrocket and deductibles skyrocket, effectively being insured but giving them no benefit of insurance coverage at all.

I realize there were some things that people liked to talk about when they talk about ObamaCare that were positive; for example, dealing with people with preexisting conditions. I agree that people should not lose their health insurance coverage when they change employers and be caught in a trap where your insurance company doesn’t cover your preexisting condition, but you don’t need ObamaCare in order to deal with that problem. People also like the idea that single adults living at home can continue to be listed on

their parents’ health insurance up to age 26. That is enormously popular on a bipartisan basis. Again, we don’t need a 2,700-page takeover of the health care system in order to deliver some of these consensus items of reform.

I believe, and we believe, that there are certain principles that ought to govern the replacement of ObamaCare that we will see unfold in the coming weeks; first and foremost, moving the health care decisions outside of Washington and back to where they belong—to patients, families, and their doctor.

We also believe patients ought to have more tools, such as health savings accounts which they can use to pay for their regular health care along with perhaps a catastrophic coverage which would help them in the event of an unexpected health care condition that would require hospitalization. If you are young and healthy and don’t need all the money you set aside in health savings accounts, you can keep that money and use it for your eventual retirement.

We also believe we ought to break down barriers that restrict choice and permit Americans to pick an insurance plan that is best for them and their family. One of the worst aspects of ObamaCare is that Washington, DC, said: Here is your health care coverage, and we are going to punish you with a penalty if you don’t buy it, forcing people to buy coverage that they didn’t want and didn’t need—for example, a single male being forced, in essence, to buy maternity coverage. That is just 1 of the 10 essential health benefits that was mandated in ObamaCare that drove the cost of insurance through the roof, not to mention the fact that the pools of people who were insured tended to be older and less well, thus driving premiums again through the roof.

Another principle that is really important to our health care reform replacement is empowering small businesses to provide employees with the kind of health care coverage that meets their needs through association health plans so they can pool their risks together to bring costs down and to increase their choices. We believe there ought to be flexibility on the part of the States when it comes to Medicaid spending. We ought to, in my book, give the States the money and the block grant and say: Come up with a health care delivery system for Medicaid’s low-income citizens that best suits their needs. We haven’t done that under ObamaCare. We have had a mandate and tied the hands of the States when it comes to coming up with alternatives to health care delivery.

Finally, when it comes to employers that provide 61 percent of the health care coverage for Americans, rather than tying their hands and driving up costs, what we ought to do is allow for increased flexibility for employer-sponsored plans that will help bring down the costs. We hear our colleagues on the other side of the aisle talking about ObamaCare like it was the gold