



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, MONDAY, JULY 24, 2017

No. 124

Senate

The Senate met at 4 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.

Eternal Father, our souls long for You, for we find strength and joy in Your presence. Guide our lawmakers to put their trust in You, seeking in every undertaking to know Your will. Lord, when they go through difficulties, may they remember that with Your help they can accomplish the seemingly impossible. Give them a faith that will trust You even when the darkness is blacker than a hundred midnights. May they renew their commitment to You, finding strength and courage from Your guidance. Inspire them to always trust You to direct their steps.

We pray in Your strong 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 (Mrs. ERNST). The majority leader is recognized.

HEALTHCARE

Mr. MCCONNELL. Madam President, 7 years ago, Democrats forced ObamaCare on the American people. It was supposed to lower health costs, but, of course, they skyrocketed. It was supposed to provide more health options, but they plummeted.

At ObamaCare's launch, millions lost the health plans they liked and were

promised they could keep. In the years since, Americans have continued to lose access to plans, hospitals, and doctors they know and they trust.

Now ObamaCare teeters on the edge of total collapse, threatening to drag even more of the men and women we represent right down with it. That shouldn't be an acceptable outcome to any of us. It certainly is not acceptable to me.

I made a commitment to the people I represent. I told the people of Kentucky that I would vote to move beyond the failures of ObamaCare. The Senate did so in 2015, but President Obama wielded his veto pen. The Senate can do so again now, and President Trump will use his pen to sign such legislation.

The first step this time, the first vote we will take soon, is on whether or not to begin the debate at all—whether to have the debate. I believe my mandate from the people of Kentucky is to vote yes, and I certainly intend to do so.

I know many colleagues feel the same. I know many of us have waited literally years for this moment to finally arrive, and, at long last, it has. I urge every colleague to join me.

I know many have ideas on how to improve healthcare. Some of these ideas have real potential. Others, like applying temporary band-aids or quadrupling down on ObamaCare, are not going to move us forward. That doesn't mean Senators shouldn't have the chance to offer those ideas.

The only way we will have an opportunity to consider ideas is if Senators are allowed to offer and debate them. That means voting to begin the open amendment process. That means voting to kick off a robust debate in which Senators from all parties can represent the views of their constituents. It means voting to proceed, and that will occur tomorrow.

ObamaCare has been a disaster from the start. The added tragedy is the utter predictability of it all. Repub-

licans warned about higher costs and fewer choices. We warned that Americans would lose their plans. We warned that ObamaCare would inevitably collapse under its own weight.

Our concerns were all waved away all the time. It turns out that we were right to be concerned. ObamaCare has hurt the people we represent. We have seen all the statistics—the higher costs and the reduced choices—but this is about more than just numbers on a page. What we are talking about here are the lives of real people, constituents of ours who have struggled under this failed leftwing experiment literally for years.

Through calls, letters, meetings, and dozens of healthcare forums across my State, thousands of Kentuckians have shared their ObamaCare horror stories. I have seen the pain in their eyes. I have heard their struggles to make ends meet. I have come to the Senate floor time and again to relay their heartbreaking stories. I know many colleagues have done the same.

Our constituents deserve better than the pain ObamaCare has brought them. They deserve a new direction on healthcare. When that vote comes, I will keep my commitment to vote to move beyond the failures of ObamaCare. I will vote yes on the motion to proceed. I urge all of our colleagues to do the same.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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



Printed on recycled paper.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bernhardt nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, July 24 marks a significant milestone in the history of my home State of Utah. On this day, 170 years ago, Brigham Young and the Mormon pioneers first entered the Salt Lake Valley. Facing violence and discrimination at every turn, Utah's early settlers crossed the Nation in search of a land where they could practice their religion free from prejudice and abuse. In the cradle of the Rocky Mountains, they found a home.

Each year, we remember the sacrifice of these courageous men and women and the miraculous events that led to the founding of our State by observing Pioneer Day. This special holiday is a celebration of the pioneer spirit, that unique mix of industry, ingenuity, and innovation that transformed an arid desert plain into one of the most prosperous States in the Nation.

Pioneer Day is a perennial reminder of how a people—left to their own devices and empowered to follow their dreams—can accomplish incredible things. It is a testament to what westerners can achieve when the government steps out of the way and allows the human spirit to flourish.

It seems only fitting then that on Pioneer Day I speak in support of David Bernhardt, a man who immediately understands the western way of life and has dedicated his career to defending it.

As my colleagues know, Mr. Bernhardt has been nominated to serve as the next Deputy Secretary of the Department of the Interior. Today, I wish to express my support for his confirmation in the strongest possible terms.

Mr. Bernhardt has a distinguished record of public service, having served for nearly 10 years in the Department of Interior as Solicitor, Deputy Solicitor, Deputy Chief of Staff, and Director of Congressional Affairs. Now that Mr. Bernhardt works in private practice, Mr. Bernhardt is regarded as one of the Nation's most experienced and authoritative legal minds on natural resource policy.

Broad support for Mr. Bernhardt's confirmation is a testament to the sterling reputation he has built over an accomplished career in both the public and private sectors. State wildlife management agencies, Native American Tribes, environmental conservation and wildlife protection groups, and the Congressional Western Caucus are

among the many organizations that have strongly endorsed Mr. Bernhardt's nomination. He has also garnered the support of hundreds of recreationists, sportsmen, anglers, agricultural producers, and ranchers.

Nominating Mr. Bernhardt is in keeping with the President's promise to restore trust between westerners and the Federal Government. After just 6 months in office, our President has already made tremendous progress in repairing the broken relationship between local communities and the executive branch.

Of course, significant challenges remain, especially in my home State of Utah, where reduced access to Federal land has hurt the rural economy. Fortunately, as a former Interior Solicitor, Mr. Bernhardt has the legal and political background necessary to tackle some of the greatest challenges facing Utah and the West. He is well-equipped to improve sage grouse management practices, streamline permitting on Federal lands, and increase recreational access.

Mr. Bernhardt is also committed to fostering cooperation between Interior agencies and State and Tribal governments, in addition to reducing the National Park Service's backlog. Reducing the maintenance backlog is critical to tourism in Utah, which is home to the Mighty 5 national parks.

I applaud the nomination of Mr. Bernhardt. His breadth of experience makes him uniquely qualified to serve as Deputy Secretary, and I look forward to working with him and Secretary Zinke to further the important work of the Department of the Interior.

In that regard, I also praise Secretary Zinke, who, I think, is doing a terrific job in that Department, understanding the needs of the West, especially the needs of all those areas that we know are supervised by the Interior Department. He is a terrific human being, and I have a great deal of respect for him. The reason he is so good is because he has had all the experience working in the West and living in the West and doing the things that really have made the West a great place to begin with.

Mr. Bernhardt is going to be a great addition to our government, and I want to applaud Secretary Zinke for helping to push him forward.

I suggest the absence of a quorum.

PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

HEALTHCARE

SCHUMER. Madam President, as soon as tomorrow, we could be voting on a motion to proceed to the Repub-

lican healthcare plan. What that plan is, I am not sure anybody really knows. My friend the majority whip, when reporters asked him if his own Members would know what they would be voting on, said: "That's a luxury we don't have."

We have been on the topic of healthcare for 7 months. Republicans have been talking about repealing and replacing the Affordable Care Act for over 7 years. Yet here we are, 1 or 2 days from a vote on the motion to proceed, and we don't even know what the Republicans plan is to vote on. We are potentially 1 or 2 days away from a vote on a bill that would reorganize one-sixth of the American economy and impacts tens of millions of American lives, and no one knows what it is. It is sort of like "Alice in Wonderland" around here. It comes down to this bizarre game where the Republican leader has basically said: Let's spin a wheel and see what we are going to vote on. This is no way to treat a matter as serious as healthcare—so near and dear to the lives of so many Americans.

I don't know how a single one of my Republican friends can in good conscience vote to proceed to a truncated debate on something as important as healthcare without knowing what bill they will ultimately be voting on. Isn't this the same party that shouted "Read the bill, read the bill" from the rafters when the Affordable Care Act was debated? It is completely bewildering.

Maybe we will be voting on the Republican repeal-and-replace bill, which will cause costs to go up and care to go down, which will cause 22 million Americans to lose their insurance, and which will so cruelly exchange healthcare for millions of working Americans for another tax break for the wealthy and the special interests. Maybe we will be voting on repeal without replace, which is even worse, which will cause our healthcare system to implode, creating chaos for 32 million Americans who would lose their insurance and chaos for millions more who would see their coverage diminish or their premiums rise. No one knows what we will be voting on. We know one thing: All the options are bad.

There is no good way out of this. The truth is, the Republicans are completely stuck when it comes to healthcare. Every single version of their repeal-and-replace bill is rotten at the core. Repeal without replace is even worse. The American people don't want tax breaks for the wealthy or the slashing of Medicaid. They don't want to repeal all the progress we made in healthcare without any plan to put in its place.

It is time to start over. It is time to go back to the drawing board—abandon tax cuts for the wealthy, abandon cuts to Medicaid, abandon repeal and run—and come together, both parties, around a set of nonideological proposals to improve our healthcare system. That is what we Democrats want to do.