

practice of rendition, secret detention, and interrogation by torture. We cannot go back to those practices if we value maintaining the perception and the reality of the United States of America as a beacon of justice, law, and human rights for the world.

Make no mistake, this approach, like the immigration Executive order, endangers American citizens and personnel abroad and is a boon to ISIS and like-minded groups. It validates their propaganda, aids their recruitment and incitement of homegrown terrorism in the United States and the West, and encourages attacks against America abroad. General Mattis gets it; why can't the President?

President Trump must never let this Executive order see the light of day. This is not the kind of America that the American people deserve.

Let me turn now to our relationship with our neighbors, our most important international relationships.

Since entering the political arena 18 months ago, candidate Trump was consistent in his treatment of Mexican immigrants and refugees, referring to them on day one of his Presidential campaign as drug users, criminals, and rapists.

So Mr. Tillerson's job was shaping up to be difficult enough. It got even harder last week. In the last 5 days, President Trump has insulted the Mexican President and people with his Executive orders on border wall construction and the treatment of immigrants and refugees at our border, as well as stoked fear throughout sanctuary and welcoming cities in the United States that resources could be cut and innocent people could be apprehended, breaking up and devastating families.

The President's new Secretary of Homeland Security said pointedly that a wall will not work, and Mr. Trump missed a real opportunity at the outset of his Presidency to advance both comprehensive immigration reform and border security, which go hand in hand.

We did that a few years ago. That is what the President should have come in with and used his Presidency to pass comprehensive immigration reform, as we did. Instead, he wants to build a wall.

Turning away legitimate asylum seekers at the border or requiring mandatory detention of families and children will do nothing to make America safer. Such cruel actions will inevitably bring harm and potential death to survivors of violence and torture, including many women and children, while undermining America's values and damaging our relationships with our allies.

Why the President would deliberately pick a fight with the President of Mexico is truly puzzling.

Not to be outdone after being embarrassed by the President of Mexico's cancellation of his visit to Washington, the President doubled down and had the audacity to suggest that the cost of constructing a border wall should be

passed on to the hardworking American families, not once but twice. The first is by inserting it in the budget. That is taxpayer dollars paying to build a wall that won't work. The second is through a tax on Mexican imports which will, in turn, be paid for by American consumers. All the while, he continues to blow smoke and say that we will continue to find a way for Mexico to ultimately pay for this dream wall.

It won't happen. This is not the kind of America that the American people deserve.

Lastly, I want to point out that, in his third day of office, just one day after the 44th anniversary of the landmark Roe v. Wade Supreme Court decision, President Trump reinstated the controversial global gag rule that would cut off U.S. family planning funding to any nonprofit group overseas that provides any information about abortion in their health care services for women and families in need.

In other words, this is not about U.S. money supporting abortion services. It is about working with organizations.

Now, Republican Presidents routinely reinstate this harmful rule, but President Trump's global gag order is even more extreme. It massively expands his already harmful policy to threaten all U.S. foreign aid assistance to nonprofit groups engaged in health in the developing world. That will significantly increase the jeopardy of cutting off U.S. funding to international health efforts.

We are talking about millions of more women and families. Without funding these organizations, we will not be able to provide HIV prevention, care and treatment services to those in need, provide integrated maternal health care with contraceptive services, or counsel women on the potential risk of Zika infection, among many other activities. This is very counterproductive to U.S. goals and interests.

This is not the kind of America the American people deserve. The American people deserve leadership that will make them safer and more secure, that will increase our prosperity, and that will advance our values and serve as an example to the world. That America, Mr. President, is also an America that can lead the world and that the world will want to work with.

The state of world affairs has been precarious for some time now. Almost single-handedly, President Trump is inflaming previously simmering situations, while creating new problems where they previously did not exist.

World leaders are chastising us. Innocent people are looking at us in fear. Terrorists are gearing up to use Trump's hate-mongering in their recruitment and anti-American propaganda. We will be less safe, not safer. He will be putting Americans at risk here at home and those traveling abroad.

As we do debate Mr. Tillerson's nomination, we cannot lose sight of the fact

that he will be carrying out the foreign policy of the most dangerous, unstable, thin-skinned, and inexperienced President we have seen on foreign policy issues and other issues.

Is he up to the job? Will he be a voice of reason and stability when times call for reason and stability? Will he resist the forces of war that so easily call out, rather than engage in the hard but necessary work of diplomacy and negotiation?

These are critical questions that we must ask and seek answers to as we debate and vote on the most important official in the President's Cabinet.

It is clear to me that, unfortunately, Mr. Tillerson will not be that voice of stability, reason, and diplomatic experience that the United States so desperately needs at this time of uncertainty and instability.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Louisiana.

#### PATIENT FREEDOM ACT

**MR. CASSIDY.** Mr. President, the big debate right now, as we all know in our country, is this: How do we repeal and replace ObamaCare?

It is pretty clear that the American people want something done. They voted, ever since the bill was passed, for those who opposed ObamaCare and had a desire to both repeal and replace, culminating in the election of President Trump.

Now, I and **SUSAN COLLINS**, as well as others, have introduced something called the Patient Freedom Act, which is our attempt to replace ObamaCare. But what I want to emphasize here is the bill's emphasis upon federalism. The key feature is that we take power from Washington, DC, and give it back to patients and back to State capitols.

We think that we find plenty of examples where Washington has done that, allowing States to be the laboratories of democracy. It has worked out well for all.

First, let's look at the parameters that President Trump has laid out. President Trump says he wants to repeal the Affordable Care Act but replace it with something which covers everyone, takes care of preexisting conditions, does not have mandates, and lowers cost. Those are the marching orders, as far as I am concerned. With the Patient Freedom Act, we attempt to achieve President Trump's goals.

Now, how do we do that? Under our bill, Congress would pass legislation this year which next year would give States one of three options.

The Patient Freedom Act has something we call the better choice. That would be one option that States could choose. But really, a State would have the choice to say nothing: We don't want anything from the Federal Government. Good-bye. Get out of here. That is one option the State has, and the last option the State has is to stay with the status quo—or the Affordable Care Act.

We have actually gotten a little bit of criticism for that from conservatives, and I am saying: Why? This is federalism.

We are going to repeal the ObamaCare taxes and penalties. We are repealing that. But if a State and a State capitol wants to reinstitute taxes and penalties upon the people in its State and upon the businesses in that State, God bless them. I think it is a mistake, but they should have that choice. In fact, they have that choice now. All we are saying is that you can exercise the right that you currently possess.

The States would choose in 2018. They would implement their choice in 2019. By 2020, ObamaCare would be repealed and replaced. That is our goal: to repeal and replace while achieving President Trump's goals of insuring all, taking care of those with pre-existing conditions, without mandates and at a lower cost.

Now, by the way, let's talk a little bit about federalism. Conservatives have always thought the 10th Amendment, which grants the States every responsibility not delegated to the Federal Government, is an important consideration. That is what we are embracing here—to allow the State to choose.

There are some States in which the Affordable Care Act, I am told, is working well. The folks in California and New York swear by it. It is not working in Louisiana.

A friend of mine got his quote for the renewal of his and his wife's policy. They are 60 and 61, or thereabouts. It was \$39,000 a year—\$39,000 a year for the renewal of a policy.

Yes, Mr. President, it is \$39,000 a year for the renewal of a policy. No one believes me. I put it on my Facebook page, holding up the quote sheet with their names darkened out, but you can see, it is \$39,000 a year. That is the "un-Affordable Care Act."

As you look around the country, you can see, for example, in Arizona, there was one county that for a while had no insurance company there, and when one came in, it raised the rates 116 percent in one year—more than doubled in one year, on top of the increases in all the previous years.

If California and New York say that the Affordable Care Act is working for them, keep it. It is not working for Arizona. It is not working for Louisiana. It is not working for other States in the Union. Why not take power from our Nation's capital and give it to the State capital, and allow the State capital to come up with a solution that works for that State?

I read an editorial today, and it was out of Rome, GA. It pointed to the Welfare Reform Act, in which a Republican Congress and President Clinton devolved to the States many of the reforms necessary for welfare. It has been considered a tremendous legislative success. They used that example as an endorsement of the approach to federalism we are taking now.

It isn't just that we give power back to the States; we also give power back to the patients. We let them choose the benefits they wish to have. We put in measures such as price transparency so that someone knows how much something costs before she has the tests performed, as opposed to being surprised by a huge bill 6 months later. With that and other means, we give power to patients.

We hope all those who wish to see President Trump's mandates fulfilled to cover everyone, take care of those with preexisting conditions, lower costs without mandates, in the process of repealing and replacing ObamaCare, will endorse the federalism of the Patient Freedom Act as well as those other provisions.

Mr. President, I yield back.

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

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

#### PRIORITIES OF THE REPUBLICAN-LED CONGRESS

Mr. THUNE. Mr. President, every year around this time, House and Senate Republicans get together for a joint conference to share ideas and develop our action plan for the year. Last week, we gathered in Philadelphia for this year's conference, and we had a very productive session. All of us came back energized and ready to achieve big things for the American people.

In November, the American people elected Republican majorities in the House and Senate and a Republican President. That was a tremendous show of trust, and Republicans know it. We are committed to living up to that trust by delivering on the promises we have made.

The last few years have been tough for American workers. Job creation has been sluggish. Wages have been stagnant. Economic growth has lagged far behind the pace of other recoveries, and opportunities for workers have been few and far between. It is no surprise that so many hard-working Americans feel as if they have been left behind. For millions of American workers discouraged over the past 8 years, I want to say this: We hear you. Republicans hear you, and we are going to act.

Republicans have outlined an agenda focused on growing our economy, creating jobs, increasing wages, and lifting the burdens that the Obama administration has placed on the American people.

One big issue that we will tackle this year is repealing and replacing ObamaCare. Seven years ago, ObamaCare was sold to the American people with a lot of promises. The law was going to reduce premiums for families. It was going to fix problems with our health care system without hurt-

ing anyone who was happy with their health coverage. If you like your health plan, you will be able to keep it, people were told. If you like your doctor, you will be able to keep your doctor, people were told. Well, as everyone knows, every one of these promises was broken.

Premiums for families continue to rise. Millions of Americans lost the coverage that they liked. Americans regularly discovered they couldn't keep their doctors, and their choice of replacement was often limited. These broken promises were just the tip of the iceberg. The law hasn't just failed to live up to its promises; it is actively collapsing, and the status quo is unsustainable. Premiums on the exchanges are soaring. Deductibles regularly run into the thousands of dollars. In fact, for 2017, the average deductible for a bronze level ObamaCare plan is rising from \$5,731 to \$6,092. With deductibles like that, it is no wonder that some Americans can't actually afford to use their ObamaCare insurance.

The problems on the exchanges are not limited to soaring costs. Insurers are pulling out of the exchanges right and left, and health care choices are rapidly dwindling. Narrow provider networks are the order of the day. One-third of American counties have just one choice of health insurer on the exchange. One-third of American counties have one option—one option. Tell me that is not a monopoly. This is not the health care reform that the American people were looking for.

Republicans are committed to replacing ObamaCare with real health care reform that focuses on personalized patient-centered health care. One massive problem with ObamaCare is that it puts Washington in charge of health care decisions that should be made at a much lower level. Any ObamaCare reform that Republicans pass will focus on fixing this. We are going to move control from Washington and give it back to States and individuals. Health care issues don't have one-size-fits-all solutions. It is time to stop acting as if they do. States should have power to innovate and embrace health care solutions that work for the individual employers in their State, and individuals should be able to make health care decisions in consultation with their doctors, not Washington, DC.

Another thing we are going to focus on is breaking down the ObamaCare barriers that have artificially restricted choice. As I said earlier, ObamaCare has defaulted to a one-size-fits-all solution when it comes to health care. That means many Americans have found themselves paying for health care that they don't need and don't want. We need much more flexibility in insurance plans. A thriving health care system would offer a wide variety of choices that would allow Americans to pick a plan that is tailored to their specific needs. We also need to give Americans tools to better manage their health care and to control costs. Of course, any reform plan