



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, MONDAY, SEPTEMBER 25, 2017

No. 153

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 Lord God, in these dangerous, divisive, and challenging times, You continue to be our refuge and strength. Deliver our lawmakers from fear, doubt, weariness, and impatience as they learn to trust the unfolding of Your powerful providence. Lord, eliminate from their lives the forces that would destroy their peace of mind. Give them Your mercy that will make them more forgiving, Your strength that will make them more resolute to do Your will, and Your grace that will empower them to experience the ultimate triumph of Your purposes.

Lord, remind our national and world leaders that words matter and that the power of life and death is in the tongue. Provide us all with the patience to continue to plant and water the seeds of justice and truth.

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. LANKFORD). The majority leader is recognized.

HEALTHCARE

Mr. MCCONNELL. Mr. President, by now, we all know the pain ObamaCare

continues to inflict on our families, our communities, and our country. Skyrocketing prices, disappearing choices, failing markets—that is the legacy of ObamaCare. It has hurt so many already. Without reforms, it will hurt even more Americans as it continues a year-long march toward total collapse.

Across the aisle, there are two basic schools of thought on what to do about this. One is essentially nothing. Two is to quadruple down on ObamaCare with a massive expansion of a failed idea—a fully government-run system that would strip even more Americans of their healthcare plans and take away even more of their health decisions.

Neither of these options is acceptable.

If ObamaCare's failure has shown us anything, it is that we need new ideas and a better approach. That is what the Senate pursued this summer. That is what Senators GRAHAM and CASSIDY are pursuing now. I would like to thank them for all of their dedicated work.

I would also like to thank the committees that worked so hard on this legislation as well, including the Budget Committee under Chairman ENZI, the HELP Committee under Chairman ALEXANDER, and the Finance Committee under Chairman HATCH, which just held a hearing on the bill this afternoon.

I would like to thank each of these committees, their chairs, their members, and their staffs for their hard work to provide the American people with a better way than ObamaCare and its years of failure.

NOMINATION OF WILLIAM EMANUEL

Mr. MCCONNELL. Mr. President, for more than 80 years, the NLRB has been responsible for the impartial resolution of labor disputes and for ensuring stable labor relations.

Under the Board majority appointed by the Obama administration, however,

the NLRB moved from fair administrator of the law to partisan activist—one that put leftwing ideology, deep-pocketed union bosses, and other special interest friends ahead of middle-class workers.

It pursued an ambush election rule that would weaken workers' rights. It implemented a joint employer mandate that would disadvantage small businesses. The list goes on, and the Obama administration pulled out every stop to get its way on the Board as well—everything from illegally appointing its Members to refusing to allow a Republican vacancy to be filled for nearly 2 years.

A new majority on the NLRB can begin to undo this severe damage and restore the Board's neutrality.

Confirming the nominee before us today, William Emanuel, is sure to mark a turning point in the NLRB's direction. His experience in labor law is deep, his credentials are impressive, and his confirmation will finally allow the NLRB to return to its important work with a full slate of Senate-confirmed Board Members—for the first time since 2015.

The National Labor Relations Board is supposed to be a neutral umpire in labor disputes. It is time it get back to that important original mission. Confirming Mr. Emanuel today will allow it to do just that.

Mr. President, 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.

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



Printed on recycled paper.

S5873

HURRICANE AND WILDFIRE RELIEF

Mr. SCHUMER. Mr. President, Puerto Rico and the nearby U.S. Virgin Islands have been buffeted by not one but two successive hurricanes, including a direct hit by the powerful Hurricane Maria. Many citizens have had their homes and businesses destroyed, tens of thousands—hundreds of thousands—are living without electricity, husbanding gas and food and water and their remaining cash. The situation is desperate. Puerto Rico has taken a serious punch to the gut. They need our help, and they need it now.

These are our fellow Americans—3.5 million of them. It is our duty in the Senate to speedily send aid to the people of Puerto Rico and to the U.S. Virgin Islands, just as we did for the people of Texas and Louisiana who were hit by Hurricane Harvey and the people of my own State when we suffered from Hurricane Sandy, as we will do for the people of Florida who were hit by Hurricane Irma.

So let's all work together to help the island of Puerto Rico rebuild and recover, just as we would anywhere else in America.

At the same time, we must bear in mind that much of the western part of our country is besieged by wildfires. The Senators from Oregon have come to the floor to remind us of our duty to help those parts of the country also.

The administration must quickly prepare an appropriate aid package for Florida, Puerto Rico, the U.S. Virgin Islands, and the Western States for Congress to act on in the near future. We Democrats will insist that any package of supplemental aid for Hurricanes Harvey and Irma also include aid for Puerto Rico, the U.S. Virgin Islands, and the Western States ravaged by forest fires. We owe it to every State and community impacted by these devastating hurricanes and these horrible firestorms.

One beautiful thing about this country is, although we are 50 States with different ideas and politics and accents, we are also one Nation, bound together, and we will come to the aid of any individual State or territory whenever one of them is in need.

HEALTHCARE

Mr. SCHUMER. Mr. President, on healthcare, last night we began to see reports of a new version of the Graham-Cassidy bill. Faced with stern resistance from several Members of their own caucus, it appears that the authors of the legislation have tweaked the bill in an attempt to gain the support of the holdouts. Despite sending more money to the States of those Members, this new bill, if anything, is worse in many ways than before and, in the long run, will still result in a net cut for every single State in the country.

It still contains a massive cut to Medicaid, it still defunds Planned Par-

enthood, and it actually further weakens consumer protections, and almost completely does away with protections for those with preexisting conditions—even worse than in the first version.

The S&P has just come out with a study that estimates that Graham-Cassidy would result in 580,000 lost jobs and \$240 billion in lost economic activity by 2027. That is not a Democratic propaganda machine, that is Standard & Poor's; down the middle, 580,000 jobs lost and \$240 billion in lost economic activity if Graham-Cassidy is enacted.

Under the latest version, States would be able to lift the regulation that caps out-of-pocket costs, meaning insurance companies could offer barebones policies with sky-high deductibles and copays.

Under the latest version, States could do away with lifetime limits, meaning insurance companies could cap the amount of coverage you receive for a given illness. Imagine the parent of a child suffering with cancer being told your policy only covers 4 months of treatment; you are on your own after that—devastating to too many families in this country.

Under the latest version, States could remove the benefit of getting preventive services at no cost, such as birth control, cancer screening, and immunizations. Under the latest version, States could opt out of the preexisting condition without even applying for a waiver. So even more so than in the old bill, preexisting conditions are not protected.

States just have to submit a plan that allows for adequate and affordable insurance. In other words, the new Graham-Cassidy makes it even easier and even more likely that States will allow insurance companies to discriminate against Americans with preexisting conditions. Again, that parent of a child aching with cancer is in real jeopardy. Maybe they can't even get insurance at all.

In short, the new Graham-Cassidy tells every American with potentially high medical costs, you are on your own. If you have diabetes, cancer, congenital illness, or asthma, Graham-Cassidy says that you are on your own. It eviscerates the protections that make healthcare affordable for those who need it most.

It is no wonder that it is so unpopular with Americans. Recently, even though the bill has just been introduced, a majority of Americans say they don't like it. The more they learn—just like with the old TrumpCare—the less they like it.

Americans want good healthcare, lower premiums, and more coverage. This bill does the opposite—higher premiums, fewer people covered, and it makes it harder to get good insurance.

Guess what. We are expected to vote on this bill in just 2 or 3 days. There will have been only a single hearing, which Republicans scheduled almost as an afterthought, just to say they had one. Certainly, there will not be any

amendments to the bill. It is not going to go through the committee process. There will not be a shred of input from the minority, despite all the complaints that ObamaCare, which did have input from the minority, was passed by one party's vote.

The Senate's former Historian said he could not think of "anything comparable" to the process Republicans are employing in the entire history of the Senate. The Senate's former Historian, a scholar, said that there is nothing comparable to the process being employed now—one-sixth of the economy, no amendments, one hearing, no changes.

Add to that fact that the CBO will not have enough time to properly analyze this legislation. We will not know how it actually impacts our healthcare system. At most, we will get a barebones analysis sometime today that may not tell us a thing about how Graham-Cassidy would impact coverage—the cost of care, the quality of care, and the stability of marketplaces.

It is shockingly incomplete not to have our CBO tell the American people and tell us—the representatives of each State—how it affects their State and rush it through. Even after the minimal CBO report today, Republicans will still be voting on a healthcare bill with thick blindfolds on their eyes. They will not be able to see it. My guess is that I don't think they want to see it.

When the American people learn what is in this bill, they are going to dislike it intensely—intensely. The new TrumpCare is bad policy. It is being jammed through this body at an alarming, ludicrous pace. To say it is hastily constructed and considered barely scratches the surface.

New versions are coming out every few hours. The websites of the Senators from Louisiana and South Carolina keep saying: We are changing this; we are changing that.

It is Monday. We are voting this week. The Republicans are basically scrawling a healthcare law for 300 million people on the back of a bar napkin. The bill should go down. I believe my Republican colleagues who were skeptical about this policy and this process are too principled to be swayed by last-minute formula tweaks.

Governor Walker of Alaska, an Independent, has said he will not support a healthcare bill that is bad for the country, even if it might be good for his State, which the bill isn't. That is principled leadership. I believe the same kind of principled leadership exists in this body as well. I know it does.

I wish to say to all of my Republican colleagues directly: Vote down this bill. If it goes down, we Democrats are pledged to work in a bipartisan way to improve our healthcare system. We are pledged to work through committee, to support the efforts of Chairman ALEXANDER and Ranking Member MURRAY, and to find a bipartisan consensus on a healthcare package.