



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, JANUARY 23, 2018

No. 16

House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, January 25, 2018, at 4 p.m.

Senate

TUESDAY, JANUARY 23, 2018

The Senate met at 12:02 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.

Almighty God, the fountain of wisdom, thank You for hearing and answering our prayers.

Lord, You have given us so much, blessing us in immeasurable ways. You have exceeded our own expectations. For that, God, we are grateful. We thank You for this great country, for our leadership, and for the women and men who serve in this body. Help them to remember, God, that this is Your country and they are Your stewards but for a moment in time. We pray that You will help us move forward with faith in tomorrow, knowing You will transform our thoughts, words, and actions according to Your divine will.

We pray in Your heavenly 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. CRUZ). The majority leader is recognized.

MARSHALL COUNTY HIGH SCHOOL SHOOTING

Mr. MCCONNELL. Mr. President, first, this morning began with reports of the tragedy at Marshall County High School in Benton, KY. State officials have reported at least one confirmed death and several injuries. My staff in Western Kentucky is at the high school and is in close contact with local officials. They are monitoring the situation and will be providing me with updates throughout the day.

I know I speak for communities across my home State in sending prayers of comfort and healing to students, faculty, and everyone affected by this violence. Our hearts are with the entire community in Marshall County, and our gratitude is with the first responders who rushed into harm's way.

A FRESH START

Mr. MCCONNELL. Mr. President, we might call today the "first day of the rest of the 115th Congress." Yesterday, an overwhelming bipartisan majority of Senators voted to end a filibuster of government funding and conclude a short-lived shutdown of the Federal Government. This regrettable episode reminded all of us that, in the Senate, brinksmanship and hostage-taking simply do not work. The only path to

meaningful progress is the hard work of crafting legislation and persuading colleagues on both sides to support it.

Yesterday evening our agreement to reopen the government, secure funding for our men and women in uniform, extend health insurance for vulnerable children, and further delay three ObamaCare taxes was signed into law. Now serious negotiations can resume on key issues such as immigration and border security, disaster relief, healthcare, and providing adequate levels of defense spending to support the new national defense strategy—just to name a few. Because common sense and bipartisanship won out yesterday, we have a fresh start today. I challenge every one of us to make the most of it. The American people are watching.

Once again, I want to thank the bipartisan group of Senators—spearheaded by Senator GRAHAM, Senator COLLINS, Senator FLAKE, and several of our Democratic colleagues—who helped bring an end to this regrettable incident. I particularly wish to thank Senate Finance Committee Chairman ORRIN HATCH for his powerful advocacy for the 9 million children and low-income families who rely on the State Children's Health Insurance Program.

Senator HATCH co-created SCHIP with Senator Ted Kennedy on a bipartisan basis more than 20 years ago. I know he counts this program among his proudest legislative accomplishments, and with a career like Senator HATCH's, that is really saying something.

I understand the 6-year SCHIP extension the Senate passed yesterday will

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



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be the longest extension in the program's history. Its passage offers just one more testament, as if we needed one, to Senator HATCH's moral conviction, political skill, and care for the most vulnerable in our society. It reminds us how much we will miss his work when he retires at the end of this Congress.

NOMINATIONS

Mr. MCCONNELL. Mr. President, on another matter, we have a long list of legislative priorities to tackle in the coming weeks, but legislation is not the only bipartisan business that the Senate needs to handle. Yesterday afternoon I filed cloture on three nominees to fill important positions in the administration: Alex Azar, to serve as Secretary of Health and Human Services; Sam Brownback, to serve as Ambassador at Large for International Religious Freedom; and Jerome Powell, to serve as Chairman of the Federal Reserve.

Today the Senate is considering the nomination of Mr. Powell, who brings with him degrees from Princeton and Georgetown and a record of high achievement in both the public and private sectors. Since his nomination to the Board of Governors of the Federal Reserve System in 2011, which received strong, bipartisan support, he has served as a steady voice and a thoughtful leader. I very much look forward to supporting his confirmation as Chairman.

TAX REFORM

Mr. MCCONNELL. Mr. President, on one final matter, while the press was focused on the unfortunate lapse in government funding, the good news about last month's historic tax reform law continued to pile up. The number of Americans preparing to receive pay raises, special bonuses, and other benefits, thanks to the historic tax cuts passed last month, continues to grow. These are just the first fruits of a law that also lays a long-term foundation for better job opportunities, higher wages, and more investment.

On this subject, here is something that not many have realized yet. Even the Democrats' government shutdown couldn't keep this Congress from finding new ways to cut taxes and let the American people keep more of their hard-earned money. Included in yesterday's bipartisan bill was an additional \$31 billion in tax cuts. Specifically, we delayed three onerous taxes that were created as part of ObamaCare.

Last year, as part of comprehensive tax reform, we repealed the unfair individual mandate tax at the heart of ObamaCare. Now we have taken care of three more. One was ObamaCare's deeply unpopular tax on medical devices. Another was the so-called "Cadillac tax," which Senator HELLER of Nevada has worked hard to delay. That tax penalizes employers who offer gen-

erous benefits. The third, simply called the "health insurance tax," makes plans more expensive.

All three of these taxes are unpopular. All are key pieces of the failing ObamaCare health law. Now, because this Congress is so intent on saving the American people money, all three of them will be delayed.

Personally, I liked the way the New York Times put it. Their headline read: "There's a Surprise in the Government Funding Bill: More Tax Cuts."

Here is the story's first line: "Congress is apparently not done cutting taxes, even after passing a \$1.5 trillion tax overhaul last year." I couldn't say it better than the New York Times.

The Senate is never done looking for new ways to take money out of Washington's pocket and to put it back in the pockets of the American people.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DACA, CHIP, AND OTHER ISSUES BEFORE THE SENATE

Mr. SCHUMER. Mr. President, yesterday the Senate passed a continuing resolution to reopen the government and provide for a 6-year reauthorization of the Children's Health Insurance Program. The majority leader and I were also able to agree on a path forward for the DACA legislation. The continuing resolution extends government funding until February 8.

If an agreement on DACA isn't reached by February 8, the Senate will immediately proceed to immigration under a neutral process that is fair to all sides. This is the first guarantee that the Republican majority will give the DACA bill a fair consideration and an up-or-down vote on the floor, and it means we can hopefully resolve the fate of the Dreamers much sooner than the March 5 deadline.

The Republican majority now has 16 days to work with us to write a bill

that can get 60 votes and prevent the Dreamers from being deported. The clock is ticking. Sixteen days—that is not much time. They have to get moving. Leader MCCONNELL, his Republican colleagues, and all of us should hear the countdown clock ticking to protect the 800,000 Dreamers from deportation. We can get it done. Every Democrat—all 49 of us—supports DACA. Now the pressure is on Leader MCCONNELL and the Republican moderate caucus to help find us a solution that protects the 800,000 Dreamers and can pass the Senate.

Over the weekend, a bipartisan group of Senate moderates came together and helped renew the urgency of the immigration debate. After talking with Senator DURBIN, it is my understanding that this bipartisan group, which includes several Republican moderates, expressed a sincere desire to protect the Dreamers in the upcoming legislation—more so than before the weekend. Leader MCCONNELL's promise to consider DACA legislation was made just as much to this bipartisan group as it was made to me. If he does not honor our agreement, it will be a breach of trust with not only the Democratic Senators but with several Members of his own party as well.

Democrats will continue to fight as hard as ever for the Dreamers, but I am more hopeful today than last week that we can assemble 60 votes for a DACA bill in the Senate, and we now have a real pathway to get such a bill through the Senate.

I am also very glad that a 6-year reauthorization of CHIP passed alongside yesterday's bill to reopen the government. It was a long time coming. Despite bipartisan majorities that support CHIP in both Houses, the Republican majority allowed CHIP to expire, leaving 9 million sick children in the lurch. That shameful wrong has been made right, but we should extend CHIP for an even longer period of time. The CBO projected that 10 years of CHIP or a permanent authorization would actually save the government \$6 billion. How could that be? Because fewer children will go into the exchange and fewer will need subsidies because CHIP is an efficient, well-run, and successful program. So it is a no-brainer. We should make it happen.

Still, the Senate has 3 weeks in which to conclude a lot of work. A consensus has not yet been found on the budget, on healthcare legislation, on disaster aid, and, as I mentioned, on immigration. On each of these issues, the President has been either impossible to pin down or completely absent. This hokey that President Trump was involved in the negotiations—he was pretty invisible to me. President Trump's inability to negotiate with Congress is what caused the 3-day government shutdown from which we have just emerged. If we are going to get all of these things done, the Senate—the Senate—will have to work its will.

On the budget, we must lift the spending caps for defense and urgent