

be sure of with Attorney General nominee JEFF SESSIONS, and that is that he will remove the political orientation of the Department of Justice and make sure that it is not just another political branch of the White House. I look forward to confirming him as Attorney General, and I am confident that he will be prepared to answer the questions from our colleagues.

As we have seen over the last few days, President-Elect Trump continues to announce the nominations of many other qualified candidates who, I am confident, will serve the American people, including people like my friend the former Governor of Texas, Rick Perry, as Energy Secretary, and Rex Tillerson as Secretary of State. I hope all of our colleagues will understand how integral it is to the administration's ability to govern to get well-qualified people confirmed to the President's Cabinet. They, of course, have a responsibility to be forthcoming and to answer questions and cooperate with the process here in the Senate, but I look forward to working with our colleagues in getting the President's nominees confirmed. I know we have a lot of work ahead of us, and I don't have any doubt that, with a little cooperation, we can make the 115th Congress a productive one that meets the needs of the American people.

I would just conclude, perhaps, as I started, by saying that all of us who have worked here in the Senate for a while know Senator SCHUMER. We also understand he has taken on a new and more challenging role, because, frankly, the Democratic conference is a lot more left-leaning than it has ever been since I, certainly, have been here, and he has to work with all of his Members. But I hope there is one thing we can all agree with—that we have an obligation beyond party, and that is to our country and to the people we represent. We are blessed to work in a great American institution—a unique institution—and I believe it is our obligation and duty to try to find areas we can agree on and build consensus to move the country forward for the American people. While surely we will have our fights—and they will be glorious fights—we shouldn't shy away from those differences, but let's not let our desire just to fight for fighting's sake get in the way of our ability to work together and try to find consensus where we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AFFORDABLE CARE ACT AND DACA

Mr. DURBIN. Mr. President, I thank the Senator from Texas, and I think the closing remarks were spot-on. We will disagree, we will debate, and we will have our differences, but we need to strive for common ground. That is what the American people sent us here to do. I hope we can find the common

ground in this Chamber and in the House and with the new President after January 20. It is a challenge.

It is interesting to listen to the remarks from the Republican side of the aisle. There has been this appetite for so long to repeal ObamaCare. I have lost track of how many times the Republican House of Representatives voted to repeal ObamaCare over the last 6 years. I believe it is over 60 times that they have voted to repeal it. Wouldn't you think that over a span of 6 years, with 60 different votes, they would have in their back pocket an alternative, a replacement? They don't. They still don't today.

For all of the speeches on the floor that have been given by my illustrious colleagues asking for a second opinion, most second opinions are something tangible that you can read, understand. But when it comes to a second opinion on ObamaCare, they have nothing to offer. Why is that? Why is it that they are so focused on this one issue—ObamaCare—and the Republicans have not come up with an alternative? It is hard. It is hard work. There are tough, difficult choices.

If we stick to the basic principles of the Affordable Care Act, or ObamaCare, we run into some problems in a hurry. The first basic principle accepted by President-Elect Trump is that we want to make sure that no health insurance company can ever discriminate against you or your family because of a preexisting condition—a baby born with cancer, a child with diabetes, a spouse who survives a cancer scare. In the old days before ObamaCare, that meant that you either were disqualified from insurance for your family or you couldn't afford it. So we said as part of the Affordable Care Act: No more—they cannot discriminate against those who are less than perfect when it comes to health because so many of us are less than perfect. OK, my friends in the Grand Old Party, how are you going to deal with that? How are we going to make sure that every family is protected with their health insurance plan? We haven't heard a word.

President-Elect Trump said he is going to stick by that basic principle. But there comes with that principle a requirement as well—that you have a large pool of insured people that includes those who are healthy and those who may be less than healthy. If we are going to have a large pool of people, we must make insurance mandatory for many Americans. The Republicans have said they want to eliminate that requirement automatically. So the first issue is the preexisting condition. This is a Republican problem—an issue they can't answer and one that they have refused to respond to.

What about lifetime limits on health insurance policies? What if there is a policy that you buy for \$100,000 and then you get a cancer diagnosis and the treatment is going to cost \$1 million? What then? We say that there cannot

be a lifetime limit on a health insurance policy. The Republicans want to repeal that. What would they replace that with? There is no suggestion.

The list goes on and on. What if you have a child who just graduated from college who is looking for a job or maybe has a part-time job that doesn't have benefits and doesn't have health insurance? We keep them under the family health insurance plan until they are 26, which gives peace of mind to thousands of families across Illinois and America. The Republicans want to repeal that. What will they replace that with?

I say to those who are receiving Medicare today—40-plus million in America: We closed the prescription drug loophole that stated they had to start paying out of pocket for prescriptions during the course of the year—the so-called doughnut hole. Republicans want to repeal that. Will that make Illinois's seniors and millions of seniors across the country vulnerable to higher prices? When you get beyond the 144 characters of a tweet, get beyond a sign on the Senate floor, and when you get beyond the facile political speech and get into real policy, it gets exceedingly difficult.

The bottom line is that 29 million Americans now have health insurance because of the Affordable Care Act. We have the lowest rate of uninsured Americans in modern history, and now the Republicans want to repeal this. They say they are going to replace it. I think it is not repeal and replace they are looking for. It is repeal and retreat. They don't know where to turn. They are running away from the mess they will create by repealing ObamaCare. We have a right to demand that if they have a better way, they present it and bring it up for a vote. Let's have some certainty about our future.

Already I have been warned by hospitals all across Illinois that repealing ObamaCare—repealing the Affordable Care Act—will be devastating to hospitals, particularly in rural areas in my State and to inner city hospitals. What are we going to do about that? Will there be special funds to help those hospitals stay in business? They will need it.

It isn't the only issue we will take up. There is another issue equally compelling, and that is the issue of immigration. I remember the speeches, and you do too—the excerpts at night on the news—that the President-elect talked about building a wall to the high heavens and making the Mexicans pay for it, and he talked about all those who are coming across the border and the dangers they presented to America. When it comes to immigration, there are 11 million people living in this country. The overwhelming majority of them are law-abiding. They are working. They want to be part of America's future.

The group I have tried to focus on is a group we call the DREAMers. Fifteen years ago, I introduced the first

DREAM Act. It was a bill that addressed the following situation: A child or an infant, brought to the United States by an undocumented family, who grew up here, literally has no home, no country. They are undocumented in America and brought here as babies, infants, toddlers, children, teenagers. Now they are graduating high school, and they don't know where to turn. The law in America is graphic, and it is grim. It says that if someone is found in that position, they are required to leave America for 10 years and must petition to return. We have 15-, 16-, and 17-year-olds who know no other country, who get up in the classroom every morning and pledge allegiance to the flag, just as the Members of the Senate do, and who believe in their heart of hearts that this is home. Yet they are undocumented.

So we introduced the DREAM Act, and we couldn't pass it. We passed it once in the Senate, and they passed it in the House. But we never could quite reach that super majority that we needed to pass it at the right moment. So President Obama stepped up and created DACA, or the Deferred Action for Childhood Arrivals Program, which, under Executive order, allowed those who would be eligible for the DREAM Act to apply, pay a fee of almost \$500, go through a criminal background check, and, if they were approved, receive temporary authority to stay in the United States without fear of deportation and to work in this country. As of today, over 750,000 have done that.

During the campaign, President-Elect Trump said that he would abolish this program. Fortunately, after the election, he had a more moderate position, which I would like to quote from *Time* magazine. He said:

We're going to work something out that's going to make people happy and proud. They got brought here at a very young age, they've worked here, they've gone to school here. Some were good students. Some have wonderful jobs. And they're in never-never land because they don't know what is going to happen.

That is a very thoughtful, sensitive, and promising statement. I appreciate it. I hope the President-elect will keep DACA in place until we have something that can work to succeed it.

I want to salute my colleague on the other side of the aisle, Republican LINDSEY GRAHAM of South Carolina. He and I have joined in introducing the BRIDGE Act, which would give President-Elect Trump an opportunity to allow these young people to stay subject to the same approval, the same criminal background check, the same filing fee, and the same tax liability to stay on a temporary basis until we do our work in the Senate and the House on the issue of immigration. The BRIDGE Act is also cosponsored by Senators LISA MURKOWSKI and JEFF FLAKE, Republicans from Alaska and Arizona, as well as by my colleague Senator SCHUMER, the leader on the

Democratic side, and Senator DIANNE FEINSTEIN. Other Democrats want to join as well. We hope to have a very strong bipartisan bill.

In my view, DACA is a lawful exercise of the President. In the view of many Republicans, it is not. The BRIDGE Act is the answer to both points of view. This is a fair, reasonable way to protect these young people until Congress comes up with better, more comprehensive answers when it comes to immigration reform.

Over the years, I have come to the floor, telling the story of the DREAMers. It is one thing for a Senator to give a speech and put it in the CONGRESSIONAL RECORD, but it really doesn't come home until you see and meet the young people I am talking about.

Let me introduce one today. This is Fernando Espino. He was brought to the United States from Mexico at the age of 18 months. He grew up in the city of Milwaukee, WI, and became an excellent student. At his Catholic high school, he received many academic awards. He was a member of the National Honor Society and the Jesuit Honor Society, and he received first honors all 4 years of high school.

Fernando was involved in many volunteer activities—the Latin club, math club, track and field team, and he was an instructor for a class preparing his classmates to take college entrance exams. He volunteered with the Youth Leadership Ministry. He also volunteered with his school's Key Club and Big Brother mentoring program and as a middle school soccer and basketball coach.

At his high school graduation, Fernando Espino of Milwaukee, WI—a DREAMer brought here from Mexico at the age of 18 months—received the Jesuit Secondary Education Association Award, the highest award given by a Jesuit high school, which is presented to one graduate who, in their words, is “intellectually competent, open to growth, religious, loving, and committed to justice.”

This amazing student was then accepted at Harvard University. He continued to give back to the community there. He volunteered as a tutor for kids in elementary schools and as a peer adviser to freshmen students at Harvard. He became a competitive ballroom dancer and worked on the Harvard Business School newspaper.

Thanks to DACA, the program I mentioned earlier, Fernando was able to support himself. You see, these DREAMers don't qualify for a penny of Federal assistance for education. They have to pay for it. They have to come up with the money.

With DACA, he could work. He worked as a bartender. In May 2015 he graduated from Harvard magna cum laude, the highest honors, with a degree in economics and sociology. He worked for an investment management firm in Los Angeles and then as a market research consultant in Chicago. He

is now preparing to pursue an MBA in business school. He wants to be a leader in a major corporation and start his own company. In a letter he sent to me, he wrote:

Optimistic hope, is ultimately, what I believe makes this country so great. Living as an undocumented immigrant, it is easy to lose that motivating influence. DACA was a refreshing and reinvigorating influx of that very same hope. DACA now allows me to look forward not with doubt but with confidence that the future is bright!

If DACA is eliminated, Fernando Espino may lose his hope. The day after DACA, Fernando Espino will no longer have official legal status. He will not be able to get his master's in business administration, and at any moment he could be deported back to Mexico, where he hasn't lived since he was 18 months old.

Fernando and so many other DREAMers can help America be a greater nation. That talent and determination he brought to his young life is a talent and determination America needs in its future. I hope President-Elect Trump will understand this and continue the DACA Program, but if he decides to end it, then his administration can work with Congress and make sure the BRIDGE Act is there as a protection.

CONGRATULATING SENATOR SCHUMER

Mr. DURBIN. Mr. President, I close by saluting my colleague, the new Democratic leader, Senator SCHUMER. He and I were roommates for a long, long time before we got our separate apartments—grew up and got our own places. I have come to know him, his family, and his political career. I am looking forward to working with his leadership team in the U.S. Senate. I think his statement today speaks for all the Members of the Senate Democratic caucus.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

(The remarks of Mr. MORAN pertaining to the submission of S. Res. 5 are printed in today's RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The Senator from Oregon.

THE ELECTION AND THE CONSTITUTION

Mr. MERKLEY. Mr. President, this is the first day in which a new Senate is assembled in which we ponder traditions of this body. Indeed, it has been described, as my colleague from Texas mentioned, as the world's greatest deliberative body. But over the time I have been familiar with the Senate, it has lost the ability to claim that title, the “greatest deliberative body.” It is a completely different institution from the one I first saw in 1976 when I came as an intern for Senator Mark Hatfield of Oregon, because at that point we