



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, FRIDAY, JANUARY 20, 2017

No. 11

## Senate

The Senate met at 4 p.m. and was called to order by the Honorable DAN SULLIVAN, a Senator from the State of Alaska.

### 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. Increase our faith and teach us to trust You even during life's storms.

Today we have witnessed the peaceful transition of power, and we are grateful for this great land. Guide our lawmakers. May they find strength and joy in Your presence. Lord, give them the wisdom to claim Your promise that You will never leave or forsake them and that nothing can separate them from Your love. Empower them to seek in every undertaking to know Your will, daily claiming the promise of Your wisdom. Keep them without stumbling or slipping, as You continue to do for them more than they can ask or imagine.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 20, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAN SULLIVAN, a Senator from the State of Alaska, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. SULLIVAN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### INAUGURATION AND CABINET NOMINEES

Mr. MCCONNELL. Mr. President, in November's election, the people called for a new direction, a change from the last 8 years. Today, we took a meaningful step toward that new direction as we inaugurated a new President of the United States.

I think it is important for all Americans—regardless of party—to remember the significance of inauguration day. As we celebrate our Nation's rich electoral tradition, we can begin to move our country forward together.

It is always an honor to participate in the historical transition of power and the ceremonies surrounding it. Today was certainly no exception. On behalf of the Senate, I wish to express our gratitude to each individual, from law enforcement personnel to Inaugural Committee staff, to congressional staff of volunteers whose efforts made this event a success.

I wish to again congratulate President Trump and Vice President PENCE on today's inauguration. We are eager to work with you and the administration in advancing policies that can improve the lives of the American people.

Today marks a new beginning. We are faced with many new opportunities. We are faced with some new challenges too. I will have more to say on that in the coming days. For now, the Senate remains hard at work as we move forward with the confirmation process on President Trump's nominees. We will have an opportunity to confirm some today.

It is imperative to proceed with confirmations without delay, especially when it comes to key national and economic security needs. I urge colleagues to remember that we worked with the administration of former President Obama after he was first inaugurated. We confirmed seven—seven—members of his Cabinet on the day he took office and nearly the entire Cabinet was filled within 2 weeks.

I wish to say, parenthetically, there is a lot the minority can do at the very beginning by refusing to give consent to drag this out, and that is what apparently is occurring here. The nominations we are not doing are not even controversial.

I would hope the feeling around here would be at least on day one to have some level of cooperation. We should work in the same spirit with the current administration and put the rest of President Trump's team in place as soon as possible. Specifically, it is important that we confirm General Mattis and General Kelly to their crucial positions as the Secretaries of Defense and Homeland Security.

That is not enough. We live in dangerous times. As the Democratic leader noted earlier just today, "We face threats foreign and domestic." It is critical for the President to have a full national security team today, day one. That includes, in particular, the Director of the CIA. It makes no sense to

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



Printed on recycled paper.

S347

leave the post open, not for another week, not for another day, not for another hour. America's enemies will not pause in plotting, planning, and training simply because the Democrats refuse to vote. The American people expect more.

Earlier today, the Director and Deputy Director of the CIA resigned. They left. They are gone. The Director's job is open and unfilled. We need to confirm a new Director today. We need to confirm the rest of the Cabinet as quickly as we can.

Republicans treated a newly inaugurated President Obama's nominees fairly, and our Democratic friends should do so now. Our country is counting on it. I am told we want to have some debate about this. We will have as much debate time, starting right now, as our Democratic colleagues would like, but at the end of the debate, today—not Monday—we should install a new CIA Director.

#### THANKING FORMER PRESIDENT OBAMA

Mr. MCCONNELL. Mr. President, I wish to offer a few words regarding our outgoing President. I had a chance, as some others did yesterday, to receive a call from him, which I appreciated. I want to say farewell to President Obama. I think it is worth, once again, reflecting on the significance of his election and the historic achievement it represented in terms of our country's past. That is something both he and our country should be very proud of.

It is no secret that the President and I and other Members of my party have not always seen eye to eye. Over the years, we have pursued totally different legislative priorities. Everybody around here knows that. The American people know that too. It is a big country. We have different views about what ought to be done.

Let me say this. I think I speak for all Americans when I thank our former President for his tremendous service to our Nation. As can be said of all First Families, he and his family have made many personal sacrifices over the past 8 years. Through it all, they have done so with dignity and with grace.

To our 44th President, I wish to say, for your leadership, we are grateful. We wish you, Michelle, Malia, and Sasha all the best as you embark on this new chapter of your lives.

The ACTING PRESIDENT pro tempore. The Democratic whip is recognized.

#### NOMINATIONS

Mr. DURBIN. Mr. President, I listened carefully to the statement by the Republican leader on the floor, and I am hoping we can reach some agreement later today as to the nominations to be considered this day and very quickly next week. I will, for the record, make it clear that the seven nominees who moved through on the

first day of the Obama administration were people who had their ethics statements filed on time, had filed all the legally required papers on time for review.

Unfortunately, that is not the case for all of the nominees by the new Trump administration. Some of them bring to this nomination some extraordinarily challenging financial data, and because of their companies, because of their lifestyles, because of their wealth, it takes longer to go through these documents than it does for people of modest means. When we proposed, by the Obama administration, Penny Pritzker, of Chicago, to serve as Secretary of Commerce, it took 6 months to clear the paperwork on her financial background. The more complex the financial data, the more difficult and challenging it is for the committees of the Senate to do their work and to do it properly.

We want to make certain we don't cut any corners. We don't want to create any advantage for any single nominee. They have to be held to the same standard as the nominees under the Obama administration. I am hoping we can move on it with dispatch on some of these nominees, and I don't quarrel with the Republican leader's premise that there are some noncontroversial nominees who would be easier to handle than others.

Let me quickly add, for those who have forgotten the record of the Republicans in the Senate when it comes to delaying nominations, exhibit A will continue to be the vacancy on the U.S. Supreme Court. For the first time in the history of the United States of America, the Republican majority in the U.S. Senate refused a hearing and a vote on a nominee to fill a vacancy on the U.S. Supreme Court. That went on for the entire duration of the Obama Presidency. Some 11 months, that position on the highest Court in the land remained vacant because of the specific political strategy of the Republican leader on the other side.

He said: We will keep this open in the hopes that a Republican President will be able to fill it. He had a grin and a smile and, I guess, a feeling of accomplishment on election day when a Republican was elected President. That vacancy continued for political reasons, regardless of the fact that it created at least a hardship and some confusion on the highest Court of the land. It went on for 10, 11 months, and it continues to this day.

I might also remind him that the nomination of Loretta Lynch for the highest law enforcement position in America sat on that Senate calendar for months, with no objection stated by any Member on the other side. They refused to call her name and allow a vote for the Attorney General of the United States of America. Similarly, an Assistant Secretary of the Department of Treasury, a key position to deal with terrorism financing, was held on that calendar, I believe, for a year or more

with no controversy. They had the power to do it, and they did it. So this notion that we slowed things down really negates and ignores the reality of the record before us.

Mr. President, I yield the floor.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### PEACEFUL TRANSFER OF POWER AND HOMEOWNER INSURANCE PREMIUMS

Mr. SCHUMER. Mr. President, today we celebrate one of our democracy's core attributes: the peaceful transfer of power. It is remarkable. I am always amazed how voters, on a cold November evening in my State, come home from work—they would like to serve dinner to their kids or sit in their favorite chair and watch their favorite TV show, but in quiet dignity, they wait in line and wait their turn to cast their vote. Then everyone awaits the decision. And the next morning, we all abide by it. It is an amazing thing about this democracy. There are no riots and tanks in the streets. It is a great thing. And although I regret the outcome of the election obviously—deeply—I still am awed by how the wellspring of democracy continues to work for 225 years after the Founders put together the remarkable document, the Constitution.

Now it falls to us—Senators from both parties—to promote and defend these principles, as we must every day: the rule of law, equal protection for all Americans under it, and freedom of speech, press, and religion. We must also endeavor to expand opportunity and increase prosperity while broadening the circle of Americans who share in it. The peaceful transfer of power occurred, and our work starts now.

President Trump said in his inaugural address this afternoon:

For too long, a small group in our Nation's capital has reaped the rewards of government while the people have borne the cost. Washington flourished—but the people did not share its wealth.

He promised to combat that trend, but in one of his first acts as President, President Trump made it harder for Americans to afford a mortgage. For working-class Americans, struggling Americans, now it is harder for them