

NOT VOTING—1

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The joint resolution (H.J. Res. 42) was passed.

The PRESIDING OFFICER. The Senator from Texas.

MORNING BUSINESS

Mr. CRUZ. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Texas.

Mr. INHOFE. Mr. President, will the Senator yield for a unanimous consent request?

Mr. CRUZ. I am happy to yield to my friend from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that following the remarks of the Senator from Texas and the Senator from Florida, I be recognized for such time as I may consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Texas.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. CRUZ. Mr. President, I rise to commend the Senate for passing S.J. Res. 23, the legislation I introduced that has now passed both Houses of Congress, which reins in yet another example of the Obama administration's Executive overreach, gives power and flexibility to the States, and enables States to deal with the problem of drug use—the epidemic of drug use—and to craft solutions that help people escape addiction and dependence on drugs.

This resolution was introduced in the House by Chairman KEVIN BRADY, a fellow Texan. It passed the House 236 to 189, with bipartisan support. With the Senate's passage of the resolution, we will now be sending it to President Trump for his signature.

This resolution restores congressional intent behind the bipartisan Middle Class Tax Relief and Job Creation Act of 2012. The job creation act of 2012 permitted, but did not require, States to assess State unemployment compensation or insurance program applicants for drug usage under two circumstances: where workers had been discharged from their last job because of unlawful drug use, or where workers were looking for jobs in occupations where applicants and employees are subject to drug testing.

The wording of the 2012 job creation act clearly demonstrated that Congress intended to provide States the ability to determine how to best implement these plans. A number of States, including my home State of Texas, did precisely that, establishing testing and programs to help people who had drug dependency and addiction escape from that addiction.

However, years after the law's passage, the Obama Department of Labor substantially narrowed the law beyond congressional intent to circumstances where testing is legally required, not where it is merely permitted. That narrow definition undermined congressional intent and it undermined the flexibility of the States. Now, together, we have reversed that interpretation.

I commend my colleagues, and I thank Chairman BRADY for his leadership in the House and introducing the resolution, and I commend all of us for restoring the authority of the States.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Florida.

TRUMP CARE

Mr. NELSON. Mr. President, I want to talk about TrumpCare. In my State of Florida, there are nearly 2 million people who are covered through the Affordable Care Act, through healthcare.gov. The State of Florida leads the way with the highest ACA marketplace enrollment numbers. In my State, there are another 9 million people who get their health coverage from their employers.

This group also benefits from the ACA's protections, like prohibitions against lifetime limits on insurance and discriminating against people with preexisting conditions. In our State, almost 8 million people have preexisting conditions, which includes something as common as asthma.

Before the ACA, people undergoing lifesaving cancer treatments were being told by their insurance companies they would no longer cover those treatments. Now, under the current law, the ACA, insurance companies can no longer discriminate against preexisting conditions, and your children are going to be able to stay on your family policy until they are age 26. By the way, that is another 4 million people in the United States. Four million young people up to age 26 now get health insurance who didn't get it before the ACA.

What has come out of the House of Representatives—what I will refer to as TrumpCare—called the American Health Care Act—has some very troubling provisions. The House plan would mean 14 million people would lose coverage next year. That number, according to the CBO, would rise to 24 million people who have healthcare coverage now and would lose it—24 million people.

TrumpCare would also mean an end to Medicaid as we know it because it comes in and caps Medicaid. It shifts the cost of Medicaid from the Federal Government to the State governments. If you happen to be a State that has not expanded Medicaid—as is allowed under the ACA, expanding it up to 138 percent of poverty—and if you are one of the 16 States, like my State, that hasn't expanded it, you are going to get a double whammy. You are going

to have your Medicaid amount from the Federal Government, called the block grant, capped, and it is going to be capped at your level instead of the higher level because you hadn't expanded your Medicaid.

The TrumpCare out of the House of Representatives is going to get rid of the financial assistance that has helped so many get health coverage. The bottom line is—and this is what the CBO says—folks are going to pay more, and they are going to get less. They are going to get less coverage.

What else does TrumpCare do? In fact, it cuts the taxes for the wealthy, and it shifts the financial burden of healthcare more to the poor. It would allow insurance companies to charge seniors up to five times more than younger Americans. Now, the existing law—the ACA—has age done in three groups. You can only charge an older person on their premiums, according to their age, three times more than you can charge a younger person. Under TrumpCare, out of the House of Representatives, they will be able to charge seniors five times more than young people in their health insurance premiums.

It would scrap Medicaid expansion and fundamentally change the Medicaid Program. According to CBO, the Republican House TrumpCare bill will cut Medicaid by \$880 billion over 10 years. They are saying it will reduce the deficit by some \$330 billion over 10 years. That is a good thing. But, oh, by the way, it cuts Medicaid by \$880 billion over 10 years. It is my understanding that as to the capping of Medicaid, you have to pay for it someplace. If the Federal Government is not paying for it, as it is under the ACA, it is going to shift the cost to the States, or else the State is not going to provide the Federal-State Medicaid. And what does that mean? That means poor people go without healthcare. I don't think we want to do that.

Obviously, the ACA isn't perfect. Instead of its being repealed, it ought to be fixed. But there doesn't seem to be an appetite over in the House of Representatives. They want to repeal it and create something new called TrumpCare, all of which I have just described.

The problem before was that poorer people could not afford health insurance, or they couldn't get it because of a preexisting condition. If you did have coverage and you got sick, your insurance company just could drop you. People who didn't have coverage were avoiding going to the doctor until their condition got so bad that, when they were in an emergency, they would end up at the most expensive place—emergency rooms—at the most expensive time. So they hadn't done the preventive care and, therefore, the emergency occurred.

The ACA isn't perfect, but it was needed to fix a system that was broken. We need to focus on fixing things that need to be fixed, while preserving

so many of the parts that are working—that now 24 million people in this country get healthcare who otherwise will have it taken away from them. That is not right. That is not the right thing to do. We don't want to treat our fellow human beings that way.

To recapitulate, what does the House of Representatives' TrumpCare plan do?

It cuts Medicaid. It has higher costs and less coverage. It cuts taxes for the wealthy, and it increases costs to seniors.

I think we want to do exactly the opposite of what it does.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me add one additional thing to the statement that was made by the Senator from Florida; and that is, what does the House version do?

I would like to first of all make it very clear that what we are going to see and ultimately vote on is what the House has right now. They have a starting place. But it does some things that I think are significant. One, it repeals the mandate and the Obama taxes. It changes the regulations back to the State—where most individuals prefer they be in—from Washington. HSAs are part of this plan. Preexisting conditions are there. It converts Medicaid.

So I think we need to keep our powder dry. We need to look and see. I think most of the people in my State of Oklahoma consider ObamaCare to be a disaster, and it needs to be changed and it is going to be changed.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, I think tomorrow President Trump is going—or at least is planning—to sign an Executive order rolling back the Obama Clean Power Plan. I will have a lot to say about that, but I think it is important at an appropriate time to discuss the history of this issue. It has been going on a long time.

At the start of the 114th Congress, the Senate voted 98 to 1 in support of the Inhofe-Whitehouse amendment, stating that climate change is real and not a hoax. That is something we can actually agree on; that climate has been changing since the beginning of time, and there is all the archeological evidence, there is the Scriptural evidence, the historic evidence. Climate has been changing and will continue to change.

The hoax is that some on the far left believe man controls changes in the climate. We have endured 8 years of an administration that buys into the alarmist mentality that the world is coming to an end, and it is due to man-made gases. That is what the hoax is. Even though individuals—occasionally you will find some scientists who agree with this, but they will say that there may be some contribution, but it is minimal. It is not even measurable.

The Obama administration has used climate change as justification for taking unauthorized actions, such as the so-called Clean Power Plan. Every administrative entity under Obama was forced to embrace his climate change agenda as a top priority and used it as a convenient sounding board.

We have seen agencies such as the Department of Defense divert resources away from their core responsibilities and instead spend them on finding ways to justify statements from the President that climate change is the greatest threat, a greater threat than terrorism.

So other agencies have spared no taxpayer expense in supporting the outcome-driven science in an attempt to bolster their claims. In fact, the Congressional Research Service has reported that the Obama administration spent \$120 billion on climate change issues. That is a total waste of money. I don't think anyone can tell me what that \$120 billion was spent for. It was not authorized, it was not appropriated, but it was spent.

This comes from the Congressional Research Service. So this is a total waste of money, money needed to defend America. Despite the administration's efforts, as research and data around climate change continue to improve, the results do not support their claims but instead call them into question. This is especially true for all of the "hottest month" or "hottest season" or "hottest year" in history. This is something that is often claimed by those who are reading the script and trying to make those claims.

So 2014 was previously the warmest year on record, until a reporter pressed NOAA and NASA on the claim and the agencies were forced to admit they were only 38 percent sure that claim was accurate. A December 2015 study from the American Geophysical Union concluded that after analyzing over 1,200 ground-based weather stations: "The warmest-ever claims by government scientists are inflated due to compromised U.S. temperature stations impacted by encroachment of artificial surfaces like concrete, asphalt, and heat sources like air conditioning exhaust."

Because of NOAA's methods, they failed to account for these factors. Additionally, surface thermometers continue to be at odds with satellite data, which shows essentially no warming for the past 18 years, continuing the hiatus the Economist magazine originally wrote about in 2013.

In fact, just a few weeks ago, a whistleblower alleged that a June 2015 NOAA report manipulated data in an attempt to discredit this 18-year pause. Now, the 18-year pause has been agreed to. People understand, this is what they call the hiatus. This is a time when temperature has not changed, but they have done this to influence the public debate surrounding the Clean Power Plan and the Paris climate conference. Conveniently, the computer

with the data suffered a complete failure and none of the data was saved.

It is not just the inflated temperature claims that can be called into question. A growing body of scientific study suggests variations in solar radiation and natural climate variability have a leading role in climate change. That is a novel idea, that the Sun has something to do with warming. A number of the incident studies assessing the impact of clouds have even suggested that water vapor feedback is entirely canceled out by cloud processes, as global data shows no increase in the number or the intensity of hurricanes, tornadoes, droughts or floods, in spite of what they say on the Senate floor.

Even the IPCC's 2013 report concluded that the current datasets indicate no significant observed trends in global tropical cyclone frequency over the past century. No robust trends in the annual numbers of tropical storms, hurricanes—major hurricane count—have been identified in the past 100 years in the North Atlantic Basin, but we still hear it over and over again.

When it comes to droughts, the IPCC report indicated that previous conclusions regarding global increase trends in drought since the 1970s were probably overstated.

The increasing observations from scientist Craig Idso suggests a much reduced and practically harmless climate response to the increased amount of atmospheric carbon dioxide. Further, there are benefits from the increase in carbon that have led to a greening of the planet and contributed to increased agricultural productivity. Now, this shows that the progression that has taken place—the green parts are the part where they have an increased amount of CO₂ activity.

The trend is in the annual gross productivity per decade by percentage. This is from 1982 to 2011. So you can see the great benefits. In fact, many people still remind us, over and over again, that CO₂ is actually a fertilizer. It helps things grow. But these points were kept out of the Obama administration's press releases, and the media has been more than willing to go along.

None of this is surprising. As I have given a lot of speeches on climate change, my message tends to be one that the alarmists on the far left do not want to hear and do not want to believe, but they have been proven wrong time and time again.

Despite millions of dollars of the Tom Steyers of the world, Americans do care about climate change, but it is not high on their list. Right now, which I will state in just a moment, some of the polling activity that has taken place has surprised a lot of people. This is Tom Steyer. We keep hearing about the Koch brothers and other people who are putting money in the campaign, but Tom Steyer is the one who has said—that was his statement—that prior to the 2014 races, he was going to put \$100 million in there to elect people to promote such things as Obama's plan.