serves in the Navy, was deployed in Afghanistan. Ms. Millett has been a literacy tutor for more than two decades, and volunteers at her church's homeless shelter. She has the support of law enforcement officials, legal professionals, and military organizations from across the political spectrum. Her colleagues have called her fair-minded, principled, and exceptionally gifted, with unwavering integrity. So it is truly a shame that some Republicans would filibuster this exceedingly qualified nominee for unrelated political reasons.

Patricia Millett is nominated to what many call the second most important court in the land—the DC Circuit. This court reviews the complicated decisions and rulemakings of Federal agencies, and since September 11, 2001, has handled some of the most important terrorism and detention cases in the history of our country.

This is what former DC Chief Judge Patricia Wald said about the court's caseload:

> The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, healthcare reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions. . . . The nature of the D.C. Circuit's caseload is what sets it apart from other courts.

Unfortunately, today the court is functioning far below its full complement of judges. The number of judges was chosen legislatively a long time ago. Today, only 8 of the 11 seats on the DC Circuit are full. The three remaining vacancies are due in part to Republican obstruction of qualified nominees such as Caitlin Halligan, an extremely qualified woman. Twice she was defeated.

Republicans claim that filling these three remaining vacancies on the DC Circuit would amount to court packing. This is ridiculous. We are not changing any law. We are filling vacancies. Circuit court nominees, including nominees for the DC Circuit, have waited seven times longer for confirmation under President Obama than they did under the last President Bush. So it is no mystery why we have a judiciary crisis in America. Making nominations to vacant judgeships is not court packing. It is the President's job.

I repeat, filling vacant judgeships is the President's job. It has nothing to do with court packing.

Senate Republicans were happy to confirm judges to the DC Circuit when President Reagan and President George W. Bush were in office, but now that a Democrat serves in the White House, they want to eliminate the remaining three DC Circuit seats, although the court's workload has actually grown since President Bush was in office.

Republicans are using convenient but flawed political arguments to hamstring our Nation's court and deny highly qualified nominees such as Ms. Millett a fair up-or-down vote. But she deserves better. She deserves a return to the days when all Senators—including Republicans—took their duty to advise and consent seriously.

I am cautiously optimistic that enough Republicans understand their responsibilities and will allow us to move forward on this very important nomination. She deserves a return to the days when qualified nominees were guaranteed a full and fair confirmation process to avoid the political games. It is basically fairness.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

OBAMACARE

Mr. MCCONNELL. Mr. President, each of us was sent here to serve and protect our constituents. That is why Republicans voted unanimously against ObamaCare in 2009, because we believed it was our job to stand for middle-class families we were sent here to represent, because we—and not just us, but countless health care professionals, policy experts, and citizens across the country—saw this train wreck coming literally years ago, knew the pain it would cause, and warned against it.

I wish the President and Washington Democrats had listened back then. I really do. I wish we had been wrong about ObamaCare too, because the failings of this law are about so much more than a Web site. They are about real people.

Yes, the healthcare.gov fiasco can seem almost comical at times—like a surreal parody of government bungling. But as the President says, this is about so much more than a Web site. He is right about that. The pain this law is causing is not digital—it is real.

Workers first began to feel the pain when employers started cutting hours, and then benefits, and some jobs altogether. Spouses felt it when they lost their health coverage they had had through their husband's or wife's job. College graduates felt it when they could only find part-time work, if they could find anything at all in the Obama economy. And this was before basically anyone had even heard of this ObamaCare Web site.

Now that the health care law is actually coming online, many Americans are finding they will be seeing premium increases or that they will be getting hit with higher copays and deductibles or that they can no longer see the doctors who use the hospitals of their choice. In fact, I have been hearing from constituents in western Kentucky that a number of the hospitals and health care providers they have relied upon will no longer be available in their network—and, in many cases, they will be responsible for 100 percent of the costs associated with services performed at those facilities they used to use.

Let me repeat. One hundred percent of the costs. How is that an improvement? How is that reform?

Many in the middle class are also learning that the health plans they were promised they could keep are being taken away from them anyway. They feel absolutely betrayed. They feel hurt. And they feel vulnerable. When these folks are offered ''comparable'' plans at all, they are often completely unaffordable. And if they poke around on the exchanges—assuming they could even log on—many are finding that ObamaCare coverage is going to cost them way too much, not offer them what they want, or both.

Here is a note I recently received from a constituent in Caldwell County:

> According to . . . our health insurance provider, we can elect to stay on our current plan for this year with less coverage or switch to the 'Affordable' Care Plan that provides a little more coverage but at a cost increase that is almost double. We currently pay $653 per month and it would increase to over $1100 . . . after talking to the insurance company today, it seems . . . I was lied to by the President and Congress when we were told that the 'Affordable' Care Act would not require us to switch from our current insurance provider. My husband and I work hard, pay a lot in taxes and ask for little from our government. Is it asking too much for government to stay out of my health insurance?

Her family is not alone. A CNN report this morning estimates that roughly one-half of the 600,000 people in Kentucky's private insurance market will have their current insurance plans discontinued by the end of the year.

This is not right and it is certainly not fair. It is even more unfair when you consider that the administration chose to exempt businesses from this law for a year but did not think the middle class deserved the same treatment.

Republicans do. We think the middle class actually deserves a permanent exemption from this law. But as long as partisans in Washington continue to jealously defend ObamaCare, we will do at least whatever we can to fight for greater fairness for the middle class.

I hope more Democrats will join us to make that happen because a Web site can be fixed but the pain this law is causing—higher premiums, canceled coverage—that is what is really important, and that is what Democrats need to work with us to address by starting over, completely over, with true bipartisan health care reform.

I yield the floor.

RESERVATION OF LEADER TIME

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