

about healthcare reform in 2009, when the Affordable Care Act was being debated. He said—these are MITCH MCCONNELL's words:

We shouldn't try to do it in the dark. And whatever final bill is produced should be available to the American public and to Members of the Senate for enough time to come to grips with it. There should be and must be a CBO score.

Let me repeat that. "There should be and must be a CBO score." I would ask our leader, are we going to have one before he rushes this bill to the floor? I hope so. "We are going to insist," he said, "that it be done in a transparent and fair and open way."

Well, the majority leader delights in pointing out instances when Democrats seemed to go back on something they said. So I certainly hope he follows his own advice from 2009 now that he is majority leader. We hope to see a published bill, with Senators given time to review, and a CBO score before anything moves forward—a fair, open, and transparent process, as he said.

I know why he wants to move so quickly. The majority leader knows how bad the bill actually is. In fact, the consequences of TrumpCare are so bad that Republicans are talking about other phases of the plan, promising a second and third prong that will somehow make this bill better for American people down the road. They say to their colleagues: Well, this bill is bad, but we will change it in the second and third prongs.

Well, that is a diversion. If Republicans can't live with this bill, they should shelve it because those other prongs are either not going to happen or will make it worse.

I can speak with some authority on the third prong. It is going to require 60 votes. That is what will be needed for the Republican legislation to make more changes to our healthcare system—60 votes, which means at least 8 Democratic votes.

I warn my Republican colleagues: Once you repeal ACA in this fashion—just ripping it out, having nothing good to put in its place—our healthcare system is going to be too messed up to resuscitate it with piecemeal legislation down the road. Even my Republican friends, Senators on the other side of the aisle, said as much. My friend, the junior Senator from Texas, Senator CRUZ, said: "Anything placed in so-called bucket three won't pass." You are right, TED. If we want to pass real reforms, we have to do it now and on budget reconciliation. Senator CRUZ is right again.

My friend, the junior Senator from Arkansas, Senator COTTON, freely admits that "there is no three-phase process. There is no three-phase plan. That is just political talk. It's just politicians engaging in spin." Senator COTTON, I couldn't have said it better myself.

All Republicans in the House and Senate should hear this: Democrats will not help Republicans repeal and

replace the Affordable Care Act—in one phase, two phases, or three phases. This TrumpCare bill would cause such immense damage to our country, its citizens, average working families who are going to be paying more and getting less, we are not going to be complicit. But we will work with our Republican colleagues to improve the existing law.

If the President and the majority leader say "All right, we are not going to repeal; let's work on some changes," we will do it with them. Of course we will listen. But they have to drop repeal first.

Again, I urge my friends on the other side of the aisle to drop their repeal efforts, drop TrumpCare—non-negotiated, not a drop of bipartisanship in it—and come negotiate with Democrats on improvements to the Affordable Care Act. Turn back before it is too late—too late for the American people who will be hurt and too late for all of you who will also be hurt as you try to defend TrumpCare in the next few years.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. TOOMEY). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, equally divided, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from Missouri.

NOMINATION OF NEIL GORSUCH

Mr. BLUNT. Mr. President, I am here today to discuss the nomination of Neil Gorsuch to serve on the U.S. Supreme Court. So far this year, we have heard that it is too early to do everything, that the process of putting the President's Cabinet in place, which took longer than any administration since George Washington and is still not completed, was somehow too early. We heard that every single nominee was being handled too quickly, even though every previous President since the first President has managed to have a Cabinet confirmed by the Senate quicker than this one.

Clearly the process going on right now—hours of questioning beginning today for Judge Gorsuch, who has a 10-year record as an appeals judge on the Tenth Circuit, where all of the other judges in the district courts under the Tenth Circuit's jurisdiction see their cases go to be appealed.

The Supreme Court is "distinctly American in concept and function," according to Chief Justice Charles Evans

Hughes, and there is, frankly, nothing quite like it in any other constitutional government. It is a Court that was supposed to be part of this very unique at the time idea of a government that was so finely balanced that it would run itself, a machine that was so finely balanced that it didn't take a King, it didn't take the intervention of somebody to decide who would be the one person who would run the country.

The Supreme Court—the only Court mentioned in the Constitution—is a uniquely American court. In the history of the country, only 112 people have had the honor to serve on the Supreme Court. On the last day of January, President Trump nominated Judge Neil Gorsuch of the U.S. Court of Appeals for the Tenth Circuit to be one of those unique individuals who get to serve on this Court, to be an Associate Justice on the U.S. Supreme Court.

Since his nomination, he has visited individually with a significant majority of Members of the Senate. I think he has had 70 visits with Members of the Senate in their offices. Many of my colleagues on the other side—several of whom I will mention in a minute—voted for Judge Gorsuch to have the job he currently has. Many of my colleagues on the other side of the aisle left their meetings with Judge Gorsuch impressed by his character, by his intellect. Here is what just a couple of our colleagues on the other side said:

"He did a very good job in the meeting with me. He presents himself very well."

Another one of our colleagues said: "He's a very caring person, and he's obviously legally very smart. . . . I think we are dealing with someone who is impressive."

Another one of our colleagues said they "had a thorough conversation about the importance of the rule of law and of a judiciary that is independent of the executive and legislative branches of government."

As more Senators had a chance to meet Judge Gorsuch, they came to see him as an independent-minded judge who has a deep appreciation for the law and a real understanding of what a judge should do.

It was mentioned earlier that the judge should be required to talk about how he would rule on individual cases. Of course not. In fact, Ruth Bader Ginsburg, who is on the Court now, was very strident before the committee in pointing out that it would be wrong for a judge to explain how they would judge an individual case. She said that if a judge did that, a judge would actually have to recuse themselves, in her opinion, from the case, and others on the Court today have all said similar things when asked the kinds of questions that the minority leader just said that Judge Gorsuch would have to answer if he was going to be confirmed to the Court. If that was the test, there would be nobody on the Court today, and if that was the test, none of the 112 people who have served on the Court