

## NOMINATION OF CHAD A. READLER

Mr. President, the second nominee is Chad Readler, a 46-year-old attorney in the Trump Justice Department. When he was nominated to another circuit court of appeals, the Sixth Circuit, it was a clear sign of the Trump administration's strong negative feelings about the Affordable Care Act and the fact that that act covers preexisting conditions.

Mr. Readler filed the Trump administration's brief in the *Texas v. United States* case, in which he opposed the Affordable Care Act's preexisting coverage requirement. Do you remember that issue from the last election? It was a big one. It might have been the biggest one.

We basically said that we think health insurance should be available to you even if you don't have a perfect medical record. And who does? Hardly any of us. Certainly, each of us knows someone in their family who struggles with a medical challenge, and without a perfect medical record, you can be denied insurance or charged premiums you can't pay, unless you have the protection of the law. The law is known as the Affordable Care Act, or ObamaCare.

Mr. Readler argued that this requirement of covering people with preexisting conditions, which benefits tens of millions of Americans, had to be stricken from the law. The brief Mr. Readler signed was deeply controversial. Our colleague Senator LAMAR ALEXANDER, Republican from Tennessee, called the argument that Mr. Readler made in his brief opposing ObamaCare "as far-fetched as any I ever heard." Thank you, LAMAR.

Two Department of Justice attorneys withdrew from the case when they were asked to sign the crazy arguments in this brief, and a senior Department of Justice litigator resigned in protest of the bizarre arguments that Mr. Readler signed up for.

However, almost immediately, after Mr. Readler signed this crazy brief, he was nominated by the White House for a lifetime appointment to a Federal judiciary.

What message is the Trump administration sending with this nomination? They are doubling down on their attack on coverage of people with preexisting conditions. They are putting in a lifetime appointment a circuit court judge who will be watching for vindication. They are rewarding those who have led the fight against the preexisting coverage requirement. This is deeply troubling.

That is not my only concern with Mr. Readler. He has also defended the Trump administration's unconscionable family separation policy. Do you remember that one? Remember when, in March of last year, Attorney General Sessions came forward and proudly announced the family separation policy? Do you remember then that 2,800 infants, toddlers, and children were forcibly, physically removed from their

parents and placed in detention and that these infants, toddlers, and children were then lost in the system? They didn't keep a computer check on where they were sent or who their parents were.

It took a Federal judge in San Diego, CA, to mandate and require this administration to account for these children. It is one of the most shameful chapters in recent American history, and, of course, Mr. Readler, this nominee, defended it.

He argued in favor of the Trump administration's efforts to end the DACA Program—790,000 young people brought here as children to this country, who went through all of the hoops and paid the fees and qualified to have a chance to stay in America without fear of deportation. Well, it turns out Mr. Readler thinks that is a bad idea.

He litigated against the rights of same-sex couples and opposed anti-discrimination protections for LGBTQ Americans. He advocated for making the death penalty more widely available and applying it to children. He argued for denying Byrne JAG violence prevention funds to a city I represent: Chicago.

It is hard to imagine a more controversial partisan nominee than Mr. Readler. Yet his nomination is going to be rammed through this week.

## NOMINATION OF ERIC E. MURPHY

Mr. President, Senate Republicans have also scheduled to vote this week on Eric Murphy, a 39-year-old nominee to another Ohio-based seat on the Sixth Circuit. Mr. Murphy is well known for his advocacy against LGBTQ rights, including the landmark *Obergefell* case, in which he argued against the right of same-sex couples to marry.

He has a lengthy record of defending restrictive voting laws. He has fought for laws to make it more difficult for Ohioans to exercise their fundamental right to vote, including voter purge laws and laws limiting the ability of poll workers to assist voters.

I know a little bit about Ohio's experience because, a few years ago, I chaired a subcommittee that held a hearing in Cleveland, OH, discussing their decision as a State to start limiting the opportunity of people to vote in Ohio. I called those witnesses before my subcommittee—election officials from both political parties, Democrats and Republicans—put them under oath and asked them a basic question: What was the incidence of voter fraud in Ohio that led you to restrict the access of people to vote, to require voter IDs, to limit early voting? What were the instances which led to that conclusion? They could tell me none, not one. I asked them: How many people have been prosecuted for voter fraud in Ohio that led to this? Well, maybe one several years ago—here or there—despite millions of votes being cast. Let's call this for what it is: voter suppression authored by Republicans at every level of government, even here in Congress, designed to fight demography.

Republicans understand they are not doing well with growing segments of the U.S. population, so they are trying to restrict and limit the rights of some groups who may vote against them to actually show up and vote. They go to ridiculous lengths. It turns out that Mr. Eric Murphy—a nominee we will have before us this week for a circuit court position—agrees with their position on voter suppression.

My Republican colleagues are largely silent about the outrageous incident that occurred in North Carolina last week. There was a glaring case of election fraud, and it involved their party, not the Democrats. It involved a gentleman whose conduct was so outrageous and criminal, they voided the congressional election. I can't remember that ever occurring. Why would the Republican Party ignore that occurrence in their own ranks and then try to restrict voting for people who, frankly, have a right, as all of us do, to legally vote in this country? Why are they appointing judges who would defend that approach? I think it is because of the endgame. The endgame is to restrict the number of people who are going to vote in the future and try to limit those who might vote against the Republican Party.

I also am troubled that Mr. Murphy, the nominee before us, has declined to commit to recuse himself from matters involving tobacco. As the Campaign for Tobacco-Free Kids noted, Mr. Murphy personally and extensively represented the tobacco company R.J. Reynolds when he was in private practice. For example, Mr. Murphy was the attorney to R.J. Reynolds on a series of petitions to the Supreme Court that sought to limit that tobacco company's liability from a landmark lawsuit in Florida. Mr. Murphy's refusal to commit to recuse himself from matters where he clearly has expressed his opinions and has gotten paid for it raises serious questions about whether he can serve the cause of justice.

The nominations of Eric Murphy and Chad Readler are being pushed through this week over the opposition of Ohio Senator SHERROD BROWN. Senator BROWN testified before the Senate Judiciary Committee about his opposition to Murphy and Readler. He said: "I cannot support nominees who have actively work to strip Ohioans of their . . . rights." I hope my colleagues will listen to Senator BROWN. No one has fought harder for the rights and opportunities of Ohioans than that Senator.

It is shameful that circuit court nominees like Murphy and Readler are being moved forward over the legitimate objections of their home State Senators. Each of us as Senators knows our State. We know when our State's legal community lacks confidence in a nominee's qualifications.

The blue-slip procedure is the mechanism Senators use for each State to speak as to these nominees. This last week, when it came to a circuit court position in the Ninth Circuit, two Senators from the State of Washington

were denied their blue-slip rights, which have traditionally been given to them in the Senate. That broke the precedent last week and continues this week. The Republican Senate leadership will break every rule, every precedent—whatever is necessary—to fill these vacancies. Without blue slips, the White House can ignore home State interests and pick extreme judges like the ones before us this week.

It pains me to watch my Republican colleagues systematically dismantling guardrail after guardrail in the judicial nomination process, all for the sake of stuffing the court with their ideologues. The nomination process in the Senate is breaking down before our eyes. Our ability to fulfill our constitutional responsibility to advise and consent is diminished under the Constitution we have all sworn to uphold and defend. That is a shameful chapter in the history of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### GOVERNMENT FUNDING

Mr. LANKFORD. Mr. President, the number 22 trillion should matter to us. That is our current debt in the United States. Not to be confused, we have debts, and we have deficits. You will hear those names get thrown around together. Deficit is the amount of overspending in a single year—1 year of overspending—and debt is the collection of all of those deficits.

As a nation, our current debt is \$22 trillion. To give some perspective on 22 trillion, if you were to take the total distance of 22 trillion miles, you would have to fly from Earth to Pluto and back 3,081 times to get to 22 trillion miles. This is heavy debt.

We are used to hearing about debts and deficits in relationship to things like home mortgages. Many of us think about taking 30 years to pay off our mortgage. Well, for us to pay off our national mortgage, this \$22 trillion—if we were to balance our budget, which is way out of balance right now, and then have a \$100 billion surplus—so let's say that by next year, we have a balanced budget and a \$100 billion surplus. That would be a very large surplus for us. How many years of \$100 billion surpluses in total revenue would it take to pay off \$22 trillion? The quick math on that is 220 years. That is approximately as long as we have been a republic. If we had a \$100 billion surplus every single year for the next 220 years, we could pay off our mortgage. Does anyone think that every single year over the next 220 years, we are going to both balance our budget and have a \$100 billion surplus?

The issue we face as a nation is that we have fumbled a lot in our past. We fumbled our spending. We fumbled our handling of Federal tax dollars. We have to work our way out of this. Climbing out of this is not going to be a 1-year deal. This is not a short-term fix; this is an intentionally long-term fix.

There are two things we have to have. We have to have economic growth. If our economy is stagnant, we never catch up. The reason for that is, when the economy is stagnant, more people in our Nation need assistance. They need housing support. They need food support. They need other things to help them in those scarce times. Unemployment benefits go up significantly during the time period that our economy is down because people can't find jobs and our safety net kicks in larger amounts.

When we have economic growth, fewer people need housing assistance, fewer people need food assistance, and fewer people receive unemployment benefits. The economy itself grows. As more people have jobs and make money, more people pay taxes. So economic growth is essential to the growth of our economy and to working our way out of debt. That is why the tax reform bill was so incredibly important to us—to get a growing economy again. Our economy had been stagnant for a decade. We would literally have never gotten out of it if we had stayed in a stagnant economy.

Folks called me and said: When the tax revenue changed, when the tax reform bill happened, it also blew a hole in the budget. I have had folks throw all kinds of numbers around and say this is the giant hole that is in the budget.

Interestingly enough, we are now a fiscal year through. Our revenue for fiscal year 2017—the year before the tax reform—was \$3.315 trillion. Our revenue after the tax cut and the tax reform, for fiscal year 2018, is \$3.329 trillion. If you are doing the math in your head, that is \$14 billion more in revenue after the tax cuts. That means our revenue went up the next year.

Contrary to all the myths that were out there early on saying we were going to have this giant hole in the budget, our revenue went up after the tax cuts went into place. Why? More people had more money to invest. More people invested. As they invested, as they engaged in the economy, as they had more money in their pockets, they bought more products, and that stimulated more profits. That meant people got paid more. In this past year of our economy, wages have gone up—especially wages for the lowest income Americans. Their wages have gone up. Unemployment has come down. More people have a job. There are more opportunities to get a different job.

All those things are great benefits, but that doesn't solve \$22 trillion in debt. We need to have economic growth, but economic growth by itself is never going to solve the issue. We also have to deal with our spending and our plans.

Each year for the last 4 years, my office has released something we call "Federal Fumbles." It is ways we believe the Federal Government has dropped the ball. Each year, we take on different areas. Over the last 4 years,

we identified over \$800 billion in ways that we could save Federal tax dollars. For the specific problems we laid out, there is a solution. If we want to try to start attacking some of these things, here is a proposal. Our goal from our office is very simple: We believe all 100 offices should be looking for ways to save Federal tax dollars. We believe everyone should look for ways to be more efficient. What we are doing is not unique to our team; every team can do it. In fact, we believe that everyone wants to see the debt and deficit go down, but now there is the next step of actually identifying how to do it.

In the last 4 years, we have identified \$800 billion in ways to save Federal tax dollars. That is a start. That is a beginning point of how to actually get us there. That would get us back to balancing our budget, but we still have a ways to go to get to a surplus and paying off our debt and deficit.

We just released our "Federal Fumbles" report. It is actually out today online. People from any office or anyplace can go to [lankford.senate.gov](http://lankford.senate.gov) and download the free report. This report is a little bit different for us. We want to identify the major problems we have not only in overspending and blowing our deficit, but we want to identify ways that we are actually being inefficient in how we operate. We begin by talking about government shutdowns, as I think we should begin with. We just experienced the longest government shutdown in American history. It is not the first by far. People have short memories when they forget the government shutdowns that happened during the Carter administration, the three times Tip O'Neill shut down the government on President Reagan in the 1980s, or the multiple shutdowns that occurred on almost every Presidency in the modern day. But that is not solving the problems we have.

Last year, eight Republicans and eight Democrats met almost the entire year and talked about how to reform the budget process. I am a firm believer that we will never solve the problem with our budgeting until we solve the problem with how we do budgeting. We don't budget in a way that actually determines more efficient spending. We determine how to spend more but not how to spend less. That is an issue we have to solve.

The 1974 Budget Act has only worked four times since it was written in 1974. It is not gospel. It is not the Constitution. It needs to be redone. There are proposals we put into place specifically on how we can fix the budgeting process. Again, until we get a better budget process, we will never get a better budget product. We identified some simple things—how we can do a 2-year budgeting system; how we can avoid government shutdowns. There are simple solutions we put into place that I think would actually be effective.