

also known as GEAR UP. That program is working to change the landscape and the educational opportunity for many young people still in middle school and high school.

This grant program is designed to increase college and career readiness through a range of academic, social, and planning support.

Starting in seventh grade, you have to start making decisions about what your middle school and high school education will be. If you guess wrong and don't take the appropriate math class, for example, then you can't finish the curriculum you need in order to go to the college you want to go to.

One reason GEAR UP has been so successful is that it recognizes that college and career readiness begins early, not when you are graduating from high school but when you are in seventh grade, literally.

GEAR UP is also unique because it doesn't use a blanket approach to support students. What works well in one State or in one school district may not be the best in another, so local leaders and parents have the flexibility to cater to their students' needs.

The best part of GEAR UP is that it actually works. It is a government program that works. GEAR UP students graduate from high school at a higher rate than their peers, regardless of ethnicity or income, and they attend college at a higher rate.

Texans have benefited from \$885 million in GEAR UP grants over the last 20 years. We have seen incredible results, but I believe there are additional steps we can take to ensure that local leaders and parents have the increased flexibility they need to tailor the programs to the needs of these students.

Over the last few weeks, I have had a chance to travel my State and talk to students, teachers, administrators, and community leaders in Texas about the legislation I have mentioned, the GEAR UP for Success Act.

In Harlingen, for example, in the Rio Grande Valley, I held a roundtable with superintendents and community leaders from across that area to learn about the impact of GEAR UP there. They say that they have seen great results in terms of improved graduation and participation in postsecondary education, and they are full of ideas about how to build on the progress they have already seen.

I also got a chance to spend some time with the students themselves. As I mentioned, this program begins with seventh graders, and I had a chance to meet several members of the class of 2024—you heard that right, 2024—who have just begun their journey because they are in seventh grade. You can see the excitement in their eyes and that hunger for success.

Particularly in the Rio Grande Valley, with a large Hispanic population, as I have said, many students whose parents did not go to college realize that college and education generally is the key to the American dream. Be-

cause of GEAR UP, these students don't view college now as a farfetched fantasy. They view it as part of their life plan, and they are excited about it. That is no doubt, at least in part, due to the older students I was able to meet. We talked about where they were hoping to go to college and what they want to major in.

One of the neatest things about the GEAR UP program is that the older students will actually mentor some of the younger students in the GEAR UP program and talk about what a difference it made in their lives and in their education.

All of these students have bright careers ahead of them. One of them told me he wants to be a U.S. Senator. I said: You realize that you have to wait until you are 30 years old to do that. He is willing to wait. It was a pleasure to spend time with all of them.

Last month I was in my hometown of San Antonio at Gus Garcia Middle School, and I held another roundtable with students and school administrators to learn about how GEAR UP has impacted their communities. There was one student, in particular, whose life story illustrates just how much this program can help.

Francisco Hernandez told me that he and his family were once homeless, but with the support he received from GEAR UP and Sam Houston High School, he was able to turn his life around and make his dream of going to college a reality.

Not only is Francisco now a student at San Antonio College with a promising career ahead of him, he is also, as I suggested a moment ago, a mentor for younger students. Students like Francisco are a reminder of how important it is to support programs like GEAR UP.

These pieces of legislation, these programs, and these grants we vote on here in the Senate have an impact on the lives of real people, but they are also reminders of how we must find ways to do more and to better serve these students.

This bill, as I said, the GEAR UP for Success Act, will provide greater flexibility to school districts on how they use GEAR UP funds. In some instances, they told me that the local match was a prohibitive problem. So what we intend to do is to cut that local match requirement in half.

There is, as I said, no one-size-fits-all program to prepare all students for life after high school. Each school district knows its students' needs better than Washington ever could. So they should have the flexibility to design and implement programs that will work best.

This legislation will also improve GEAR UP research and evaluation at both local and national levels so we can figure out what the best practices are and what is working and what isn't, and it will reduce the administrative burdens for those who receive the grant so they can focus less on paperwork and more on successful student outcomes.

The young Texans I have heard from over the last few weeks are inspiring, and they are excited about their future. That is the way we want them to be. I hope Chairman ALEXANDER and Ranking Member MURRAY will include the GEAR UP for Success Act in their efforts to reauthorize the Higher Education Act this Congress so we can continue to support students like this across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

NOMINATION OF CHAD A. READLER

Mr. SCHATZ. Madam President, it is very important that the American people know that Republicans are still trying to take away their healthcare. Last year, Republicans filed a lawsuit arguing that the entire Affordable Care Act should be invalidated, and now they want to give a promotion to the person who led that effort at the Department of Justice. That person's name is Chad Readler, currently a Deputy Assistant Attorney General at the Justice Department.

Last year, he filed an argument on behalf of the Department of Justice to take away protections for people with preexisting conditions. The American Medical Association said that Mr. Readler's argument would "have a devastating impact on doctors, patients, and the American health system as a whole," that it "would cause 32 million people to become uninsured," and that it would double insurance premiums.

The American Medical Association was not alone here. Lawyers at the Justice Department refused to sign their names to Mr. Readler's brief. One senior career official actually resigned in protest, and Senator LAMAR ALEXANDER said that his arguments were "as farfetched as any I've ever heard."

On the same day that Mr. Readler filed his argument to take away people's healthcare, the White House nominated him to a lifetime appointment to the bench on the Sixth Circuit. They wanted to promote him because of his good work suing in Federal court trying to invalidate the entire healthcare system—the entire healthcare law.

We should not sign off on this nominee—not if we care about protecting the health of our constituents, especially those who have cancer, asthma, diabetes, or any other preexisting medical condition.

We should also be wary of putting someone on the Sixth Circuit who makes the kind of poor, farfetched argument that Mr. Readler made, because this isn't purely a question of public policy. If it were public policy, you would definitely say: Don't take 32 million people and take away their healthcare—right? If it were public policy, you would say: Don't do the thing that is going to double premiums.

This is about what kind of a lawyer he is. This is about what kind of a judge he would be. The White House may want to reward his efforts, but we don't have to.

If you look at Mr. Readler's record and feel that, OK, he tried to deport the Dreamers. Even if you concede past his defense of the Muslim ban or his discrimination against a gay couple who wanted to get married or even if you don't mind that he is trying to make it harder for people to vote or his argument to allow kids under 18 to be sentenced to death—even if none of that bothers you—it should bother you that a Senator in Mr. Readler's home State has not returned a blue slip. It should really bother you. If you say you are for protecting people with preexisting conditions, here is your opportunity.

It is one thing to say: Well, we would never do that. We would never take away protections for people with preexisting conditions. After all, we all know people with preexisting conditions.

I have no doubt that is the actual sentiment among Members of the Senate on both sides. Here is the thing. This week is the week to walk the talk. This week is the week to decide whether or not you are for protecting people with preexisting conditions, because you have a guy who led the effort to gut protections for people with preexisting conditions.

Mr. Readler is unqualified for other reasons, but now we have a litmus test on where you stand on preexisting conditions. It is not enough to say it in your campaign debate. It is not enough to say it in the hallway and say: Hey, we want to protect people.

Here is your moment. Someone who has dedicated some portion of his professional life to gut the American healthcare system is now being given a permanent job on the Sixth Circuit. Everybody should vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANCHIN. Madam President, I don't come to the floor that often to ask about or to talk about any person who is being recommended by our President, whether I agree or disagree. This is one time I feel very compelled to do so.

I rise today to urge my colleagues not to confirm Chad Readler to the U.S. Court of Appeals for the Sixth Circuit. I would say this: A vote for him, in my estimation, is a vote against every West Virginian and every American with a preexisting condition, and I will tell you why.

After 20 State attorneys general and Governors challenged the constitutionality of the Affordable Care Act and its protections for people with preexisting conditions in *Texas v. United*

*States*, as Acting Assistant Attorney General, Readler refused to defend the Affordable Care Act. That is his job. That is the law of the land. He refused, basically, to protect and defend it, which resulted in putting nearly 800,000 West Virginians with cancer, heart disease, asthma, or diabetes and women who care to have a baby at risk of financial jeopardy if they get sick.

Readler was not just a participant but the chief architect of the Department of Justice's decision to not defend the current law in the case. Let me make sure we all understand how devastating this could have been but also the intent. Coming from the Assistant Attorney General, he was not just a participant, but he was the chief architect of the Department of Justice's decision to not defend—to not do his job, to not defend—the current law in the case.

He wrote and filed a brief arguing that the Affordable Care Act's individual mandate is unconstitutional, and that if the mandate is stricken as unconstitutional, the Affordable Care Act's protections for the people with preexisting conditions should also be stricken.

He is taking the position as one person, not as an elected official, saying that it is unconstitutional when we voted in this body not to repeal it. We voted in this body, representing the people of the United States, not to repeal it. He made a decision as one person, not an elected official, saying it is unconstitutional.

This brief was so controversial and inhumane that several career lawyers with the Civil Division refused to sign their name to this brief, and one senior career Department of Justice official resigned because of his decision.

After the Department of Justice's announcement, I introduced a resolution to authorize the Senate legal counsel to intervene in this lawsuit on behalf of the Senate and defend all Americans' right to access affordable health insurance. Because of Readler and the Department of Justice's decision to abandon its responsibility, the court ruled against Americans with preexisting conditions in December.

This misguided and inhumane ruling will kick millions of Americans and tens of thousands of West Virginians off their health insurance. So 800,000 West Virginians with preexisting conditions will be at risk of losing their health insurance, and the thousands of West Virginians who gained health insurance through the Medicaid expansion will no longer qualify. This ruling is just plain wrong, and it is rightfully being appealed to a higher court.

While I continue to fight to pass my resolution to defend Americans and West Virginians with preexisting conditions, I must commend our colleagues in the House who passed a similar resolution earlier this year that allowed their legal counsel to intervene. I wish we had both legal counsel from the House and the Senate intervening together.

In this body, I am known for examining judicial nominees fairly, based on their qualifications, temperament, and judgment, which I take very seriously, but I cannot stand idly by and allow the Senate to confirm a person who singlehandedly tried to rip insurance away from West Virginians and Americans when he had no authority to do so. He was not an elected official, not speaking on behalf of the law, not defending the law but trying to represent his own beliefs or political agenda.

This vote today will show Americans and West Virginians with preexisting conditions who is really fighting for them and all of us who believe strongly in their right to be able to care for themselves. A vote for Mr. Readler is a vote against people with preexisting conditions, and I hope my colleagues on the other side of the aisle will join me in voting against his confirmation.

This is something I don't do often. I don't take it lightly. It is very serious. This gentleman has basically shown it is not about the law; it is not about the Constitution; it is about his politics and himself and not a man who should be sitting on a higher court.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

#### DECLARATION OF NATIONAL EMERGENCY

Ms. MURKOWSKI. Madam President, last week, I announced my intention to vote in favor of H.J. Res. 46. This is a resolution expressing disapproval of the President's February 15 proclamation of a national emergency. At that same time, I joined with my colleague, the Senator from New Mexico, along with the Senator from Maine, Ms. COLLINS, and the Senator from New Hampshire, Mrs. SHAHEEN, in the introduction of the Senate companion, S.J. Res. 10.

I want to take just a few moments this afternoon and speak to my rationale not only for my statements but for my support for terminating the national emergency. It is, certainly, not based on disagreement over the issue of border security on our southern border. I recognize full well, along with, I believe, all of our colleagues here, the situation on the border and the humanitarian issues that face us. The issue that faces us with the level of those coming across our borders is not a sustainable situation, and, certainly, the influx of drugs that we are seeing in this community must be addressed.

Rather, my concern is, really, about the institution of the Congress and the constitutional balance of powers that, I think, are just fundamental to our democracy. In my view, it really comes down to article I of the Constitution. Article I, section 7, clause 8 reads: "No