

beyond Hong Kong. It matters to us. It should matter to us. What is happening in Hong Kong is not just important for those residents but for the rest of the world. Today the people of Hong Kong are fighting against an unpopular and unfair extradition bill. They are really fighting for a future in which they can enjoy basic human rights, natural rights that everyone should have, including the right to free speech, the right to a fair trial, the right to be confident that your government will follow the laws of the society in which it exists, and participation in a just and fair representative system of government.

If the Chinese officials in Beijing and the Communist Chinese who rule mainland China have their way, they will extinguish these rights for the people of Hong Kong. If the extradition bill were to become law, it would threaten all of those rights because of the chilling effect of the threat of being extradited to the lawlessness of the Chinese judicial system.

In some important ways, I think Hong Kong can be seen as a canary in a coal mine for Asia. What happens in Hong Kong will at least set expectations, create a climate that will maybe affect what happens in Taiwan over time, other Asian nations that are struggling for freedom in the shadow of China. The fact is, China itself is controlled by an authoritarian government, interested primarily in its own survival. That is the top priority of Beijing's leadership. They have created a modern-day police state. They use mass surveillance, censorship, internet applications in order to control their own citizens. They have imprisoned over a million of their own citizens, the Muslim Uighur minorities, in concentration camps.

China's authoritarianism threatens free and open societies all around the world. A democratic Hong Kong is a direct threat to the Communist regime in Beijing because people across China, naturally, ask the question: Why do Hongkongers get to have more rights and a better life and more freedom than we have? That is the threat the government in Beijing is trying to extinguish.

We, of course, recently had the blessing of being able to celebrate our own Independence Day, when Americans reflect on our own struggle against tyranny, against an unjust government, and our successful effort to throw that off and establish this, the world's greatest, most vibrant, and freest democratic society.

In many ways, the Hongkongers are fighting for some of the very same values as our Founding Fathers did during the American Revolution. I think it is important that we in the United States not turn a blind eye to the struggle for freedom that is happening outside our borders. I think it is important that Americans continue to stand in support of the voices in Hong Kong calling for freedom, for democracy, and re-

spect for basic human rights. I will do what I can in the Senate to support the people of Hong Kong in their peaceful protests for their own freedom, and I call on my colleagues in this administration to join me.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, if I understand the procedure, are we in morning business?

The PRESIDING OFFICER. We are postcloture on the Bress nomination.

Mrs. FEINSTEIN. I ask unanimous consent to speak as in morning business.

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

Mrs. FEINSTEIN. Madam President, I rise today to oppose the nomination of Daniel Bress to the Ninth Circuit in California.

First, by history and tradition, this is a California seat on the Ninth Circuit. The fact is that Mr. Bress is neither a California attorney nor a California resident. In fact, he has not been a resident of the State for over a decade. He has lived and practiced in the Washington, DC, area for almost his entire adult life.

As California Senators, Senator HARRIS and I know that experience and connection to California are really necessary for a Ninth Circuit judge to be effective on the bench. We know our State, we know our constituents, and we know the challenges they face.

That is why the blue slip is so important. Honoring the blue slip ensures that Senators who understand and are accountable to their constituents have a say in judicial nominations for their home States.

Senator HARRIS's and my blue slips were not returned. That ultimately symbolizes our objections. I was also very disappointed that the White House ignored that and moved forward with Mr. Bress's nomination.

Senator HARRIS and I worked in good faith with the White House to find nominees acceptable to the President and to us. During our negotiations that took place, we informed the White House that we could support several other nominees who were, in fact, selected by the White House. Yet the White House and the Republican members of the Judiciary Committee have claimed we were at an impasse. That is simply not true. For reasons still unknown to us, the White House abandoned our negotiations and nominated Mr. Bress for this seat instead.

I am very disappointed that Republican leadership decided to schedule a vote on Mr. Bress's nomination, given both of our objections to his nomination and our concerns about a lack of connection to our State.

Next, I want to discuss what I mean by a lack of connection to our State.

The White House has greatly exaggerated Mr. Bress's connections to California to justify their decision to move forward with a non-California nominee.

I have studied Mr. Bress's record extensively, and I would like to run through some of what I have found.

Mr. Bress claims to spend a substantial amount of time working in his law firm's San Francisco office. However, as recently as November 2018, Mr. Bress's profile on the Kirkland & Ellis LLP website listed him as an attorney working exclusively in the firm's Washington, DC, office. His profile page likewise provided contact information—phone and fax—only for the Washington, DC, office.

Just before he was nominated, Mr. Bress's Kirkland & Ellis profile was revised to list him as an attorney in both the Washington, DC, and San Francisco, CA, offices of the firm.

In addition, according to a review conducted by my staff, every public legal filing signed by Mr. Bress lists his office as Washington, DC. This includes legal filings submitted in California courts. Mr. Bress has never had an oral argument before the Ninth Circuit—never had an oral argument before the Ninth Circuit.

The chairman of the Judiciary Committee entered a letter into the record at Mr. Bress's hearing identifying 26 cases in California courts that Mr. Bress has been involved in. However, according to Mr. Bress's Senate Judiciary questionnaire, 11 of these 26 cases were asbestos lawsuits for a single client, the chemical company BASF Catalyst. Another four cases were products liability lawsuits involving another single client, the air conditioning manufacturer United Technologies Corporation. So those are two clients. This is hardly the wide breadth of California court experience that one would expect of a Ninth Circuit court appointee.

Mr. Bress does not belong to any legal organizations in California. His children do not attend school in our State. He has voted only once since high school in a California election. And he does not have a California driver's license. Finally, Mr. Bress does not own any property in California outside of one share in a family business venture.

These facts, along with Mr. Bress's residency in the Washington, DC, area—he lives here; his family lives here—make clear to us that he is not a Californian, nor is he suited for the Ninth Circuit.

This is something we have never experienced before; that is, bringing a judge from one coast to put him on the Ninth Circuit on the other coast.

Some of my Republican colleagues have cited past instances when an attorney living and practicing in one State has been nominated and confirmed to a seat in another State. This is highly unusual.

Republicans have been able to provide examples of this occurring only 4 times in the past 20 years, and in each case, it was with the support of the home State Senators. This support is simply not here in this case; this is not the case with this nominee.

California is a diverse and complex State. We have over 40 million people. It is the fifth largest economy in the world. It makes up 14 percent of the U.S. economy. There are 53 Fortune 500 companies that are based in our State. We have the largest ag industry in the country. We produce more manufacturing revenue than any other State. And California technology companies produce 53 percent of all tech revenues in the United States.

This vast and diverse nature of California's people and economy means the Ninth Circuit regularly considers challenging and complex issues of fact and law. These cases require not only the sharpest legal minds but lawyers and judges who know and understand the complexities facing the State of California.

We have an imported judge now coming to the Ninth Circuit. One of our most critical tasks as Senators is to ensure that lifetime appointments to the Federal courts are well qualified and well suited to the seats to which they have been nominated.

Home State Senators are a crucial part of this evaluation process. The Presiding Officer knows this very well. I am so disappointed that the majority has disregarded this.

This disregard of blue slips represents another breakdown of Senate traditions. It is really very disturbing. One thing I have learned over 20 years here is that what goes around comes around. By doing this, it is a major violation of a precedent that this Senate has followed, I believe, to its absolute.

I will vote against Mr. Bress's confirmation, and I urge my colleagues to do the same.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

REMEMBERING JIM TARICANI

Mr. REED. Madam President, I rise today to salute a hometown hero, a dedicated journalist, and a trusted newsmen, Jim Taricani, who sadly passed away last month after decades of contributions to Rhode Island and the field of journalism throughout this country.

This is just an example of the tributes that he won by a very, very enthusiastic population of Rhode Island. This is the front page of the Providence Journal on the day of his funeral service.

He was a gentleman. He was a man of integrity, a man of fairness—the quali-

ties that define a great journalist. In fact, the words "great journalist" and "Jim Taricani" are synonymous.

He leaves behind an extraordinary legacy. He was an award-winning investigative journalist who earned multiple Emmys and the coveted Edward R. Murrow Award, and he was a true champion of the First Amendment.

Jim grew up in Connecticut and served the U.S. Air Force, where he was stationed in Europe as a military police officer. But he made his mark when he moved to Rhode Island and embarked on a career in broadcast journalism, first in radio, and then over a 30-year career at WJAR that spanned from the late 1970s through 2014.

Jim began his stint for NBC 10—WJAR—as a general assignment reporter but gained notoriety for covering big stories and uncovering the truth. He went on to found the station's investigative team in 1979.

He earned a reputation for taking on tough stories about organized crime and political corruption. In reporting on these difficult topics, Jim's own integrity, selflessness, and fairness shone through every day and every moment.

Indeed, Jim didn't just talk about principles; he lived them. In February 2001, Jim obtained an FBI surveillance video from a confidential source. It showed a public employee accepting a bribe in the famed Operation Plunder Dome case, which transfixed Rhode Island and Providence, its capital, for many, many months. It marked a significant moment when people could see and hear what corruption looked like. Rather than following a court order to reveal the source of the tape, Jim stood up for the First Amendment, and he was sentenced to 6 months of home confinement.

Several of Jim's friends and colleagues wrote letters to the judge on Jim's behalf, including Christiane Amanpour, who interned for Jim in the early 1980s, when she was a student at URI.

She noted that Jim Taricani taught her "that journalism when done right is a noble profession, that America's unique commitment to freedom of the press is vital to a functioning democracy, [and] that holding public officials to account is the imperative of a corruption-free society."

Indeed, that is what Jim set out to do through his reporting.

He became a strong advocate for other journalists, testifying before Congress about freedom of the press and the challenges journalists face in trying to keep the public informed about their government. His help, his actions, and his activity spurred action. The Senate Judiciary Committee advanced Senator SCHUMER's bipartisan media shield bill. But the work to protect journalists, and to ensure that they can responsibly do their job and inform the public, continues. We must find a bipartisan way forward that balances freedom of the press and public safety.

Jim was also a tremendous advocate for the American Heart Association. A survivor of cardiovascular disease and multiple heart attacks, Jim documented his own process of undergoing a heart transplant, from uncertainty to recovery. Here is how the Providence Journal's television critic described it:

Listed—the title refers to the word from doctors that every heart transplant candidate longs to hear—is the most powerful human interest story I have ever seen on local television. It is courageous first-person journalism, a story that you may never forget.

Taricani, who kept a diary throughout his hospital stay, wanted to have his experience videotaped in order to produce a donor awareness video for the American Heart Association. It was never his intention to broadcast the account, but when the news director, Dan Salamone, suggested it would reach a broader audience if televised, Taricani agreed.

That was Jim. He was not looking to be the story but was willing to share his story if it could help others. Thoughtful, tenacious, and tough—that was Jim Taricani. By the way, 32 days after receiving his new heart, Jim was back at work, which tells you everything you need to know about how passionate he was about journalism and how much he loved his job.

Undoubtedly, the love of his life was his wife, Laurie White, who is a force in her own right and has taken up Jim's cause of freedom of the press and encouraging the next generation of aspiring young journalists to go out and make a difference. She has endowed a lecture series on First Amendment rights at the University of Rhode Island in Jim's honor, which is a fitting tribute.

She said:

Journalists bring sunlight to the stories that otherwise may stay hidden in the shadows. It is my hope that this lecture series will continue his legacy of inspiring the next generation of ethical and responsible journalists.

I expect the series will help increase public understanding of the importance of a free press and the First Amendment for decades to come.

As a journalist and as a person, nothing stopped Jim from following the facts, uncovering the truth, sharing important stories, and enlightening his audience. We are all, in Rhode Island and across the country, deeply saddened by the loss of Jim Taricani, but his example and legacy endure. That legacy will sustain us and inspire us to continue working together to build a just and decent country, and for that we are all grateful to Jim.

Madam President, I yield the floor to my distinguished colleague from Rhode Island, Senator WHITEHOUSE.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, it is a great honor to join my senior colleague, Senator REED, on the Senate floor to remember someone we both knew very well, Jim Taricani, a

legendary investigative reporter, whom not only we knew well but so many Rhode Islanders knew well.

There was a rule in Rhode Island: When Jim called, you answered. He was also tough. He was always fair. He was the founder of WJAR's I-Team, a storied investigative unit for the NBC affiliate in Rhode Island.

Jim started working as a reporter in the 1970s, when the New England mafia was still active on the streets of Providence. He became known for segments exposing organized crime and for sniffing out public corruption, and, at times, a bit of a combination of both. Jim's news sense and his doggedness were legendary.

Jim was a Rhode Island icon. In a small State, with more than its share of stories to tell and plenty of larger-than-life characters, investigative journalists have always had a particular prominence. For more than three decades, Jim was among the best of them all.

He was brave. When a Federal judge ordered Jim to divulge who had provided him with a tape of a bribe being accepted at Providence City Hall, he opted for a prison sentence rather than give up his source. The courage of Jim Taricani made national headlines. He ended up serving 4 months of home confinement and testified before Congress in 2007 in support of a Federal shield law to protect the freedom of the press.

Rhode Islanders felt a personal connection to Jim for another reason. Jim needed a new heart in the 1990s. After having suffered two heart attacks in his thirties, he shared this health saga on the air, allowing WJAR cameras to follow along as he underwent a heart transplant and navigated his recovery.

From living rooms and kitchen tables across Rhode Island, Rhode Islanders rooted for Jim. As his health improved, he ultimately returned to the newsroom. The transplant would give him 23 more years, which he called his bonus.

Jim passed away last month at the age of 69. With the free press under more strain than almost any other point in our Nation's history, Jim's funeral became a really important moment. The photo Senator REED just showed on the front page of the Providence Journal the next day was a sight to behold. More than 50 journalists showed up to serve as Jim Taricani's honor guard. The honor guard had dozens of reporters from across Rhode Island—not just from WJAR but from all of its competitors too. Journalists came from other parts of the country who had crossed paths with Jim at channel 10 during time they spent in Rhode Island. They had come back to see off a friend, a hero, and a staunch defender of the First Amendment.

I join Senator REED today in thinking of Jim's beloved wife, Laurie White, and the many friends of theirs who mourn Jim's passing. He will be missed.

I yield the floor.

Mr. REED. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. YOUNG. 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.

(The remarks of Mr. YOUNG pertaining to the introduction of S. 2063 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. YOUNG. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

AFFORDABLE CARE ACT

Mr. MURPHY. Madam President, I am going to be joined on the floor over the next 45 minutes or so by a number of my colleagues to talk about an exceptional court case that is being heard today in New Orleans, LA.

This is a court case the Trump administration, along with a number of Republican attorneys general, has brought to obliterate the Affordable Care Act, all of it, overnight. The case, if successful, would result in a humanitarian catastrophe in this country.

Why do I say that? Because the plaintiffs in the case, backed by the Trump administration, are arguing that the court should throw out the entire Affordable Care Act, with nothing to replace it, despite the fact that for almost a decade now, I have listened to this President and my Republican colleagues in the Congress object to the Affordable Care Act on the premise that they will have something better to replace it with—in President Trump's words, a replacement that will insure more people, at lower cost, with all the protections the Affordable Care Act has. That plan has not materialized yet because it doesn't exist. It has never existed. It will never exist.

The choice today is between the Affordable Care Act, which insures over 20 million Americans, which guarantees that people with preexisting conditions cannot be discriminated against, and nothing—no protections, no expansion of Medicaid, no subsidies—for individuals to buy private insurance.

Right now, with the support of Republicans in Congress, the Trump administration today is making the argument that the entire Affordable Care Act should be struck down, with nothing—nothing at all—to replace it.

This is my friend John from Middletown, CT. I had breakfast with John last week. That is a picture of John in

his younger years. John was 12 years old when he started to have flulike symptoms but was diagnosed—coincidentally, on the day of the tragedy in Sandy Hook, CT—with a rare form of soft-tissue cancer in the back of his throat.

The treatment process for John was, in his words, horrendous, bringing him to as little as 70 pounds for a period of time, rendering him unable to speak, eat, or drink. He was out of school and in and out of the hospital for almost 2 years.

Six years later, he can only open his jaw a small fraction of the normal range of motion; he can only chew foods out of one side of his mouth; and he has very limited healing ability for any jaw injury.

These issues will never go away for John. He has become an advocate for the Affordable Care Act because he knows—he knows that if the Trump administration's lawsuit is successful, his life as he knows it is over because, once again, insurance companies would deny him treatment. No insurance company would provide John Carlson with insurance, knowing his history of cancer, if they were allowed to make decisions for themselves on who gets coverage and who doesn't. The only reason John gets coverage is that we have said, through the Affordable Care Act, we are not going to hold you responsible for your childhood cancer. We are going to make sure you get insurance no matter what.

These are the stakes right now. These are the stakes for millions of Americans like John whose lives will be upended if this heartless, thoughtless, cruel lawsuit proceeds. We should be talking about how to make the healthcare system better. We should be talking about ways to lower costs. We shouldn't be talking about going backward with no safety net.

What if this lawsuit is successful? I haven't heard a single Republican in the Senate talk about what they would do. I haven't heard the President talk about what his plan is if his lawsuit is successful.

What happens to John? What are you going to do to make sure he still gets the treatment he needs? The answer is, you don't know. The answer is, you are jumping without a net, and you are playing with the lives of millions of Americans.

John is a remarkable young man also because his eyes were opened when he was in the hospital. I want to read you his words. He said this to me a couple of weeks ago, and I asked him to write it down because it is really remarkable the capacity of young people to see beyond their own suffering. He said:

I wanted to take this opportunity today to tell one more story about an experience I had in the hospital during my cancer treatment. This is a story about a young boy who received cancer treatment the same time as me. During my daily physical therapy walks around the childhood cancer floor, I started to notice a pattern. There was always one room—directly across from the nurses station—with the same patient inside. A small

boy, no older than three years old. I can remember asking my parents and nurses, "Why are that baby's parents not with him?" I felt so angry that such a tiny child was left alone and forgotten in a hospital room while going through cancer treatment. I remember seeing the tiny chemotherapy port embedded in his head through the glass door.

"Why would they abandon him like that?" I asked the nurse walking with me that day. She explained to me that he had not been abandoned at all, he was not forgotten nor neglected. She explained that he was left alone due to pure necessity and desperation.

This is John talking. He said:

I learned that both of his parents were working day and night to be able to afford his cancer treatment. Nobody deserves to go through this alone, especially not a three-year-old infant. I shared my story so that his story will not continue to take place in America. I shared my story so that patients fighting for their life will no longer be taken advantage of by the hospitals and insurance companies.

What a miracle that this young man, going through his own cancer treatments, would think of a 3-year-old child who has no parents there with him because his parents are working multiple jobs in order to afford the cancer treatments for their son.

Before the Affordable Care Act went into effect, 750,000 people in this country went into bankruptcy because of medical costs. That does not happen any longer. It doesn't mean our healthcare system is perfect. It doesn't mean it doesn't need more improvement, but why would we want to go back to the day in which a family lost everything simply because their 3-year-old son got cancer? Why would we take this chance with these people's lives?

I, once again, come to the floor to beg my colleagues to stand with us, to stand with us and oppose this lawsuit—this careless, thoughtless lawsuit. At the very least, if you support it, then come to the floor with a real plan for how you are going to take care of John and the millions of Americans who rely on the Affordable Care Act for coverage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am very pleased to follow my colleague from Connecticut and to continue his thoughts about the utter chaos and catastrophe that would be caused by the success of this lawsuit now before the court of appeals—chaos and catastrophe that would, in effect, turn back the clock to days that I remember well because I was attorney general when preexisting conditions were used as a ruse to deny lifesaving medical care and coverage to people with cancer, brain tumors, and literally lethal diseases.

In those days, as attorney general, I took their fight and made it my own, even sometimes calling presidents of insurance companies over weekends to go to bat for those individuals.

Those bad old days—the days of no protection against preexisting conditions—are over now, but they will

come back if this lawsuit is successful. If this lawsuit wins, young people who are now covered by their parents' policies up to the age of 26 will be without it. If this lawsuit wins, the annual and lifetime caps on benefits will come back. If this lawsuit is successful, preexisting conditions again will come back to haunt people who need and deserve coverage. If this lawsuit wins, millions of people—tens of thousands in Connecticut—will be at risk.

One of them is a young man, Conner Curran, an 8-year-old boy in Ridgefield. His picture is right here. I met Conner 3 years ago when he was 5, and his parents noticed he was lagging behind his twin brother. They brought him to a doctor, expecting maybe a simple diagnosis. Instead, they were told that Conner had Duchenne muscular dystrophy. That is a degenerative, terminal disease. It has no cure. It is life-threatening. In fact, most people with the disease don't survive past their midtwenties.

Conner's family wrote to me, telling me that their beautiful, young, sweet child, at the time just 5½ and full of life, would slowly lose his ability to run, to walk, to lift his arms. Eventually, they said, he would lose his ability to hug them.

Conner needs care—complex care—from multiple specialists, costing tens of thousands of dollars per year. Thanks to the Affordable Care Act, there is no denying him coverage. There is no denying him coverage because of his illness, and he will receive the care he needs.

His family also wrote to me that the reinstatement of lifetime caps or elimination of essential health benefits will hinder his family's ability to access the care Conner needs. In fact, if this lawsuit wins, there will be virtually insuperable obstacles to Conner receiving that vital lifesaving care. If this disease progresses, as seems very possible, he will need access to Medicaid in offsetting costs of living with that disability.

For his family, the question is, Will Medicaid even be there? If that devastating day comes, will he receive the care he needs?

Conner's family shared their concern over what would happen if the repeated and reckless attempts to undermine healthcare succeed and if repeal of the ACA becomes a reality. He and his family are not giving up. They have come to my office since he was diagnosed to fight for a cure and for the Affordable Care Act. They have demonstrated strength and courage, sometimes with tears in their eyes. They raise awareness and fight for their son. I know they would do it a million times over if it meant Conner could have a long and healthy life.

Connor and millions like him are the reasons I am here to fight back against any attempts to repeal the Affordable Care Act. Whether it is in Congress or in the courts, make no mistake, this effort in the courts is another means of

repealing the ACA. The people of Connecticut get it. They understand the agenda here. They want all of us—and I think most of our constituents do as well—to make sure this kind of care is there for Connor and for all of us because all of us will be at risk if the ACA is repealed, whether it is in Congress or the courts.

In Connecticut, there are 1.5 million people living with preexisting conditions. That includes 182,000 children like Connor. If this Republican-backed lawsuit against the Affordable Care Act succeeds, their protections will be eviscerated; they will be lost, not just for a year or two but likely for their lifetime.

The Affordable Care Act ban on lifetime coverage caps is so important to kids like Connor. If the Republican-backed lawsuit against the ACA is successful, he will be one of the more than 1.2 million people in Connecticut who would meet a lifetime coverage limit and be forced to worry about how and if they can pay for their necessary medical care.

In Connecticut, about 25,000 young people get their healthcare coverage under their parents' plans, thanks to the Affordable Care Act's requirement that children can be covered until the age of 26. If the Republican-backed lawsuit against the ACA succeeds, these young adults will be left without coverage.

In Connecticut, over a quarter of a million people have healthcare coverage because of the ACA's Medicaid expansion. Another 110,000 have coverage through the Connecticut ACA exchange. If the Republican-backed lawsuit against the Affordable Care Act succeeds, their healthcare coverage will be gone.

If the Republican-backed lawsuit succeeds, the uninsured rate of Black Connecticut residents would likely double. One in five Latinos under 65 will go uninsured.

All of these people, like Connor, represent our Nation—the best of our Nation—with their dedication to the people they love, and they deserve to be heard. Their voices need to be heard here. They are the true faces of the Affordable Care Act. Every one of them, like Connor, is a life that will be enhanced by continuing the Affordable Care Act. If this Republican-backed lawsuit succeeds, their lives will be at risk, and we will be a lesser nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I come before this body, I come before all of those in America to explain a little bit of what we had before the Affordable Care Act and where we are today.

I wasn't here in 2009 when they passed the Affordable Care Act. I was the Governor of the State of West Virginia, my beautiful State. I can tell you about the type of healthcare in a rural State—a rural, hard-working

State—where people have worked hard all their lives. They have been challenged, but they really have given so much to this great country. Most of them did not have insurance. A lot of people across America had some really good insurance, but a lot of working people—hard-working people or people of less means, poor people—did not have access.

Let me tell you what they used. They used the emergency room—the highest cost of entry with no preventive care, nothing at all to maintain health or wellness—but they would go there in an emergency. That is what most people who didn't have any insurance used.

Let me tell you about the people who basically were working and could not afford the copays where they worked or weren't afforded insurance at places where they worked. If they were ill or if they got hurt at home, working, they would go into work on Monday and make a worker's comp claim, again, at a very high cost to all of the States.

At the end of the year, and I think this is in most States, they would come to you—every hospital, every rural clinic would come to their Governor and their legislature; we would call them DSH payments, disproportionate share—and say: Governor Manchin, if you don't help me with \$10 million or \$12 million—I have given away \$20 million in charity care—we are going to have to close.

We had to scramble around, using taxpayer dollars to keep every rural clinic and hospital open for the people. People forget about all of that.

For those who had wonderful access to insurance or were offered insurance, that was wonderful. We want to make sure they still have that opportunity.

Guess what. We have a way to fix this. There have been two bills sitting on Senator MCCONNELL's desk for almost 3 years that would reduce the cost—what we know is wrong with the bill—the Affordable Care Act.

Let me tell you what is right with the Affordable Care Act. I wasn't here in 2009. I would like to have seen changes, but now that I am here, I know what I had before, which wasn't working, and I know what we have now can be a lot better.

In a bipartisan way we have tried to fix this. We have tried to find ways to make sure that people who had good insurance are not going to be exorbitantly charged out of the market or priced out of the market. We are doing everything we possibly can.

I am asking everybody, please, for the sake of humanity, if a person for the first time has ever gotten insurance—and I have told people this. We gave people the greatest wealth card you could ever get, which is a health card, but we didn't give them one shred of evidence as far as information about how to use it—the instructions.

I compare it to this: If you bought a box of Cracker Jacks, you would get the prize inside, and they would show

you how to use that little prize. We never took the time, but now they want to throw it out. Let's make an effort to basically teach people how to live a healthier lifestyle, how to use preventive care, how to have a more productive and a healthier life. We haven't done any of that.

For the first time, we know, scientifically, if a person is addicted to drugs—if they are addicted—it is basically a health problem. It is an illness. An illness needs treatment. For the first time, in a State that has been inundated with opioid addiction and drug addiction, people are able to get treatment, get back into a productive lifestyle and get their lives cleaned up. For the first time they want to take that away. Out of 1.8 million people who live in my State, there are 800,000 West Virginians who have some form of preexisting condition because they have worked in the mines and the factories. They were hard workers. Those people, if you have ever talked to them, if you have ever talked to rural Americans in any State, you can ask: How are you doing?

I am OK. I am OK.

How is your health?

Well, I don't want to be a burden to my family.

Let me tell you what they are telling you when they say "I don't want to be a burden to my family." They are saying: I can't afford insurance. I don't have insurance. I am not going to break my family and put them in bankruptcy to try to keep me alive. So whatever the good Lord has planned for me, I will accept.

That is not who we are as Americans. It is just not who we are. This is what we are trying to change.

We have 20 attorneys general, Republican attorneys general. These are people I know. I don't think they are mean-spirited, but to be this insensitive to the real world and what is going to happen—every hospital, every clinic, every provider is going to be in jeopardy of not having a job or being able to provide the services people need. This thing will come unraveled—unraveled.

We are fighting and hoping and praying that this is not upheld in the court system. How it has gotten this far I do not know. I can tell you, reasonable people would not make this type of decision.

When you look at what is going on—let me tell you, in a bipartisan way, my Republican colleagues have admitted that millions of Americans will lose their health insurance if the Republican attorneys general succeed. They have admitted this. It is bipartisan because we all have the same challenges. Senator TILLIS from North Carolina and nine other Republicans stated that oral arguments in *Texas v. United States* will begin September 5, and if a judge rules in favor of the plaintiffs, protections for patients with preexisting conditions could be eliminated. We know that.

My good friend Senator MURKOWSKI from Alaska said, in her own words, that this lawsuit will take away healthcare coverage from people with preexisting conditions. Senator MURKOWSKI said: "With the uncertainty of the outcome in the upcoming *Texas v. United States* case, this legislation is needed now more than ever to give Alaskans, and all Americans, the certainty they need that protections for those with pre-existing conditions will remain intact."

My Republican colleagues know that if these attorneys general win, it will devastate households, our economy, and millions and millions of Americans' health. That is why I have been working with them to fix the problems of the Affordable Care Act. I introduced the Premium Reduction Act with my Republican colleague and dear friend Senator SUSAN COLLINS from Maine. It would reduce the cost of health insurance in the individual market by supporting and expanding State-based health insurance.

We owe it to every West Virginian with a preexisting condition to fix our healthcare system.

I would like to introduce you to Aiden Jackson Williams. This is Aiden Jackson Williams right here. Aiden is a 6-year-old cancer survivor from West Virginia. At 9 months old, he was diagnosed with an optic glioma and underwent chemotherapy for 16 months. At 2 years old, he was in remission. Aiden continues to get MRIs every 3 to 6 months, and there is a high chance of recurrence of other tumors in his body due to his condition.

With that said, Aiden doesn't let it bother him. His parents are proud to say that today Aiden is doing great. He and his twin sister Reagan both enjoy sports, and he moves around just as well as anybody. To this day, Aiden is their hero and inspiration.

Kids like Aiden have fought and beat cancer. They shouldn't also have to fight to keep their health insurance.

What we are saying is that if the ACA goes away, Aiden will not have the certainty to be able to have health insurance, to have the MRIs to detect early enough to save his life. That is what we are talking about.

This is life and death. This is life and death. This is not just a matter of the ideological differences that we have. We are going to fight and fight hard, and that is why I am here—for Aiden and all West Virginians with pre-existing conditions. They are trusting us to do the right thing, along with my colleagues, the Republicans, in a bipartisan way, to fix what, basically, we have to know and what we do know that can be fixed with the bill before us, the Affordable Care Act, but not throw the baby out with the bath water.

I hope that each one of my colleagues will take this seriously and that they will work with us in a bipartisan way to fix the healthcare for Americans that is so needed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, today President Trump and Republican attorneys general are explaining in court why they think people who got their healthcare through the exchanges or Medicaid expansion should have it ripped away. They are explaining why limits on patients' out-of-pocket costs should go away while limits on their annual and lifetime benefits should come back and why protections for people with preexisting conditions should be struck down.

In other words, Republicans are, once again, fighting to take us back to the bad old days to give big insurance companies all the power, to leave millions of people without any hope of getting the quality affordable care they need and to leave patients and families with fewer protections and higher bills—patients like Lily from Gig Harbor, WA, in my home State.

Lily is a rising high school sophomore. She is a rising soccer star, and she is a patient living with cystic fibrosis. To stay healthy and stay on the field, Lily needs to take several prescriptions a day. She needs to keep expensive medical devices on hand and visit specialists every other month, not to mention the hospital a couple of times a year. Even on a good month, her healthcare can cost thousands of dollars.

For families like hers, the stakes could not be higher. If Republicans win their blatantly partisan lawsuit, insurance companies could kick patients like Lily off their parents' insurance before they turn 26, meaning that instead of worrying whether Lily will continue her soccer career at Gonzaga or UW or somewhere else, her family could spend her senior year worrying how to make sure she can get the healthcare she needs.

If Republicans win, insurance companies could also avoid covering essential health benefits patients need—things like prescription drugs or emergency care. They could remove limits on how much patients have to pay out of pocket and put limits on patients' annual and lifetime benefits, which is particularly challenging for patients, like Lily, who need expensive drugs to treat chronic preexisting conditions.

If Republicans win, insurance companies could discriminate against patients who have preexisting conditions, like cystic fibrosis, by charging them more, excluding benefits, or even denying them coverage completely.

Let's be clear. Lily is just 1 of 30,000 patients in our country with cystic fibrosis and 1 of over 100 million patients in our country living with a preexisting condition.

Like the woman who wrote to me about her severe arthritis, which could be debilitating without treatment, or her husband whose high blood pressure could be deadly without medication, or the mom who wrote to me about her

son's rare form of epilepsy and how, without insurance, the medical costs would crush her family. For these families and so many other patients living with a preexisting condition, the lawsuit Republicans are bringing today is a matter of life and death.

People are watching closely, and they are not going to forget who kept their word to fight for their healthcare, to fight for protections for people with preexisting conditions, and who on the other side blatantly broke that promise by championing a partisan lawsuit that would throw the healthcare of millions of people out the window.

Democrats are not going to stop fighting for families like Lily's; we are not going to stop holding President Trump accountable for his ongoing healthcare sabotage; and we are not going to stop pushing for commonsense steps that help women and families get quality, affordable healthcare or pushing Republicans to work with us to get the train back on the track and stop pulling up the rails.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I both concur and applaud the senior Senator from Washington State for her comments. We saw Senator MANCHIN here. I know Senator KAINE was here. Senator MURPHY was here. Senator BLUMENTHAL was here. I know there are probably a dozen others, all of whom know people and have talked to people, who get out and, as Lincoln said, listen to people and get their public opinion baths.

They meet people like Susan Halpern from Columbus, whom I will talk about in a few minutes. They talk to them. They meet. They see that what we do here actually matters to people's lives.

They can play games with the Affordable Care Act. They have been doing that for a decade now, literally almost a decade, putting people's healthcare at risk, scaring people, and alarming people, trying to take their healthcare away. These are real people, as these pictures show and as these stories show.

Let me back up for a minute. A Federal judge is hearing arguments in a case that would literally yank health coverage away from millions of Americans.

I know what that means in my State. There are 900,000 people in Ohio who have insurance today because of the Affordable Care Act. There are 100,000 Ohio seniors who have gotten major savings on their prescription drugs through the Affordable Care Act. One million Ohio seniors have had osteoporosis screenings, diabetes screenings, physicals with no copay and no deductible, and preventive care so they don't get sick, saving the healthcare system money, saving taxpayers' dollars, and making their lives better. Yet my colleagues on the other side of the aisle, all of whom have good insurance paid for by taxpayers, want to take it away from them.

Almost any day you could look down the hall—you can open this door and walk down the hall, look down the hall, and you will see the healthcare lobbyists, the drug company lobbyists, the tobacco lobbyists, and the gun lobbyists. You will see one after another going to the Republican leader's office, Senator MCCONNELL. Every one of those lobbyists causes us to spend more dollars on health insurance. The health insurance lobby, the gun lobby, the tobacco lobby, the alcohol lobby, the spirits lobby coming out of Kentucky—all of them cost taxpayers more because it means people's health gets worse because they don't stand up to these interest groups.

We know what is happening in Texas. A partisan judge, an absolutely partisan hack of a judge, ruled in December to strike down the Ohio healthcare law. I know Justice Roberts said we don't talk about Obama judges or Bush judges or Clinton judges or Trump judges. Yes, that is what they say, and that is what Supreme Court Chief Justice Roberts says, but we know what has happened here. We know how Senator MCCONNELL is looking for the most extreme and young judges possible to put on the court to go after labor rights, to go after voting rights, to go after healthcare, costing our citizens their health and costing citizens billions of dollars.

We know the President wants to get rid of the entire Affordable Care Act. If President Trump gets his way, if the court decides to wipe it off the books, to take away the entire healthcare law, here is what happens: tax credits to help you afford your health insurance—gone; protections for preexisting conditions—gone.

Right now, 5 million Ohioans have a preexisting condition. Most of the rest of us will have a preexisting condition at some time in our lives. It is called aging, when people are more likely to develop illnesses and get sick.

So consumer protections built in by Obama, built in by the Affordable Care Act so insurance companies can't deny you coverage, and they can't say: "Sorry, we are not going to insure you" or "You already have insurance"—and they will take the insurance away if you just happen to get too sick and you cost the private insurance companies too much money—gone. Republicans in this body and President Trump want to take those protections away.

The ability to stay on your parents' health insurance until you are 26—gone. We know what that has meant to so many families. If my colleagues would leave this building, leave their foreign travel, leave their nice homes that most of us have in our States and get out and listen to people, they will hear people say: Well, this is really important to my 26-year-old sister or my 26-year-old daughter or my 24-year-old son.

Ohio's entire Medicaid expansion that Republican Governor Kasich did—

gone. Limits on how much you pay out-of-pocket each year—gone. Many more affordable prescription drugs for seniors through closing the doughnut hole under the Affordable Care Act, if they get their way—gone.

Free preventive services, like mammograms and bone density screenings for Medicare beneficiaries—millions of them in my State and tens of millions of them in the country—gone. The list goes on.

There are 5 million Ohioans under 65 who have preexisting conditions. That is half the population of our State.

I am not being an alarmist. We know this is what so many of you who were in the House earlier voted on time and again to try to repeal the Affordable Care Act. You had no replacement. You said you did, but there was no replacement for the Affordable Care Act. It was the repeal of the Affordable Care Act, taking away all of these benefits that tens and tens of million Americans benefit from.

These Ohioans have been able to rest a little easier knowing they can't be turned down for healthcare coverage or have their rates skyrocket because a child has asthma, because a husband has diabetes, or because a wife was diagnosed with breast cancer, but this case intentionally puts all of that at risk.

President Trump has thrown the whole power and all of the attorneys—the battery of lawyers—in the Justice Department into this case to try to take the away the Affordable Care Act. That is what he promised in his campaign; that is what all these Republican Members of the Senate promised; and that is what all the Republican Members of the House promised. Do you know what? A lot of them lost last year because they want to take their insurance away. They are not doing it through Congress because that might be politically risky. They don't want to do that. They are trying to do it through the court system and then blame who knows what for this.

In Columbus, I met Susan Halpern. Ms. Halpern is a cancer survivor. She is pictured here. She told me this:

As a breast cancer survivor and self-employed small business owner in Ohio—

Creating jobs—

I depend on the ACA for my healthcare. I am aware that without the ACA, I would not be able to purchase health insurance for any price. Even though my cancer has been in complete remission for 12 years, I would still be uninsurable.

These stories from Michigan that Senator STABENOW tells, from Washington State that Senator MURRAY just told, that Senator KAINE told, that Senator MURPHY has told, and that Senator BLUMENTHAL has told go on and on. These are all cases where people have insurance, and a bunch of people in this body—all of whom get insurance paid for by taxpayers—are trying to take it away from them. All of these benefits are gone, thanks to the lobbyists lining up in Senator MCCONNELL'S

office from the gun lobby, the tobacco lobby, the insurance lobby, the spirits lobby, and all the rest.

Last week, in Cleveland, I met Maya Brown-Zimmerman, who pointed out to me that I had met her many years before when she was a student in high school. She went to high school with my daughter. I met her at a school event once. She has a rare genetic disorder that one of her four children also inherited. Here is what she said:

I cried the day the ACA was passed because it meant a safety net for my family. No lifetime caps on medical coverage, and the guarantee of being able to get health insurance even if something were to happen to my husband's job.

She went on:

Whether or not my family loses these protections literally keeps me awake at night.

Think about that. Think about the selfishness of my Republican colleagues, of President Trump, and of the people in this administration—all the Justice Department lawyers and all these judges. Think about their selfishness. They have a political agenda, and they are keeping Ms. Brown-Zimmerman awake at night because she worries about her insurance. Think about the selfishness. Think about the morality of that.

She said:

I want our elected officials to remember we can't predict when we will need to access the healthcare system and so access to healthcare is an issue that is going to affect us all.

There are not too many people who are not able to sleep in this body. There were not too many people who were not able to sleep in the House as they were all voting to repeal the Affordable Care Act. That doesn't seem to cross their mind, but it crosses the minds of millions of people in Detroit, in Ann Harbor, in Cleveland, and in Mansfield.

Today, tomorrow, and the day after, 14 Ohioans will die of an overdose. Medicaid is the No. 1 tool we have to get people into treatment. Ohio is in the throes of an addiction crisis, like much of the rest of the country but only worse in many cases. We know Medicaid expansion has been a lifeline to so many Ohioans.

Sometime ago, I was at Albert House in Cincinnati, one of the best addiction treatment centers in the country. I sat with a man and his daughter. He put his hand gently on his daughter's arm. He looked at me, and he said: "Senator, my daughter would be dead if it were not for Medicaid." He said: "My daughter would be dead if it were not for Medicaid."

Yet Federal judges—Trump-appointed judges and Bush-appointed judges—and Republican Senators, all of whom get health insurance from the Federal Government, from taxpayers, are apparently willing to have that on their conscience. They are willing to work to repeal the Affordable Care Act with no real replacement. That matters in the life of Ms. Halpern. That

matters in the life of Ms. Brown-Zimmerman, whom I just talked about. That matters in the life of the gentleman in Cincinnati who talked to me about his daughter.

The President wants to make it harder for Ohioans to get that care. I don't know how Members of this Congress and this President—all with good insurance that is paid for by taxpayers—can support dismantling this lifeline that so many Americans rely on.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

MS. STABENOW. Madam President, I first want to thank my friend and colleague from Ohio for his passion and for caring so deeply, as we all do in our caucus, fighting for people's healthcare.

It seems every week I am down on the floor saying exactly the same thing: Healthcare is personal; it is not political. Healthcare is personal to every single person in Michigan; it is not political.

Whether a senior is able to afford the medication she needs to treat her chronic condition, that is personal. Whether a single dad is able to take his children to a trusted doctor when they get sick or hurt and keep them on his policy until age 26, that is personal. Whether a woman is charged more for the health insurance coverage she needs to detect cancer early enough so it can be cured, that is personal.

Unfortunately, the law that helps seniors afford their prescriptions, ensures children can remain on their parents' insurance until age 26, requires health insurance policies to charge women the same as a man and to cover lifesaving, preventive care, that law is currently in the intensive care unit on life support.

As we know, since 2010, Senate and House Republicans have voted to repeal or undermine the Affordable Care Act more than 100 different times—100 different times. That didn't sit right with families across Michigan and across the country. They stood up with us, they fought back with us, and together we won.

What Republicans couldn't do in Congress, they are trying to do through the courts. Today, literally, the Fifth Circuit Court of Appeals begins hearing arguments in a case brought by 18 different Republican attorneys general and Governors.

In short, these 18 Republican attorneys general and Governors, backed by the Trump administration and President Trump, are trying to take away your healthcare. If they win, healthcare reform could be completely overturned and healthcare taken away. That would take everything away, including Medicaid expansion, which we call Healthy Michigan. In Michigan, we have about 700,000 people getting healthcare now who don't have to pick between working a minimum wage job and getting healthcare. They can do both. Children staying on their parents' insurance plans until age 26—

gone. More affordable drugs for seniors—gone. Protections for people with preexisting conditions—gone.

In other words, it would put insurance companies back in charge of your healthcare, and we all remember what that was like.

Women could once again be charged more for coverage and have to get a rider if they want to get maternity care coverage and prenatal care coverage. Remember when being a woman was considered a preexisting condition? I do. Members of my family do.

Families could once again face yearly or lifetime caps on care when they need it the most, when you think about it.

If the Affordable Care Act is repealed through the courts, the insurance companies would once again be able to say to your doctor: You know, I don't think she really needs 10 cancer treatments or 12 cancer treatments, so we will pay for 5. If addiction treatment or mental health treatment is needed, they could say: I don't think you really need to have more than two sessions if you are an addict. Come on. Today, the doctor decides, with you, what you need in terms of number of treatments, and that is the way it should be.

As I mentioned, nearly 700,000 people in my State are getting healthcare through Healthy Michigan or Medicaid expansion, and they could lose that. In fact, they will lose that.

Our uninsured rate has fallen from 12 percent before the Affordable Care Act to 5 percent. So 12 percent of people were not insured at all, and now it is 5 percent. I would call that a success. Is there more that should be done? Yes. But that is positive, not negative.

The number of people without insurance who have been treated has fallen by 50 percent in Michigan—50 percent. And that is great for all of us. It is certainly great for hospitals that were treating people without insurance before. Someone walks into the emergency room and gets care in the most expensive way, and they don't have insurance. What happens? Everybody else's insurance rates go up. That is what happened. When people were able to get their own insurance coverage, insurance rates went down. In fact, we had over \$400 million in Michigan that was put into the State government as a savings as a result of not paying for people going to the emergency room without insurance.

A record 97 percent of Michigan children can see a doctor now when they get sick—97 percent. I would argue that is a great success, not something to be taken away or something to play politics with.

Michigan seniors are saving money on their prescription drugs through the Medicare Part D Program—something called the doughnut hole, the gap in coverage that we closed.

More than half of our families in Michigan, which includes people with preexisting conditions, are now able to get coverage. The insurance companies

can't say no, and they can't say: When you get sick, you are going to be dropped. They can't deny you from getting the coverage you need if you have a preexisting condition.

One of those people in Michigan is Heidi, who lives in Cedar Springs. She wrote to me in May. I thank Heidi for doing that. Heidi had bought health insurance for years and almost never needed it because she was healthy. In fact, she only used it, she said, when she gave birth to her daughter. That all changed in 2004 when Heidi was diagnosed with breast cancer at the age of 45. She has since had multiple tests, multiple surgeries, and multiple rounds of chemotherapy, all at least partially covered by insurance.

Heidi wrote this:

My fear every day is that I won't have insurance if these changes are made. There is no way any company would insure me. My husband has a life insurance policy that he bought before we were married. . . . We asked about me. The salesman nicely said that I am not insurable. So my plan B is, if I lose my health insurance, I will take that money and save it for my funeral (since I can't even get a life insurance policy for enough for a funeral).

Heidi added this:

I am lucky that I thought insurance was a good thing, and, therefore, paid for it for years through my job.

Heidi depends on protections for people with preexisting conditions. Heidi didn't ask to get breast cancer. It could happen to any of us. Any day, something could happen to any of us or someone in our family. And if you have or will have what is called a preexisting condition, your health insurance will be taken away if this court case, supported by President Trump, his administration, and Republicans, succeeds.

A couple of months ago, I spoke at the Detroit Race for the Cure, which raises money for breast cancer research. It is a wonderful event. We had a beautiful, sunny day. As I stood on the stage and looked out over a crowd of over 10,000 people, mostly women and many wearing pink, I saw women living with preexisting conditions. I saw people like Heidi.

One woman who was standing on the stage near me asked me a question that I will never forget: "Why is it that I have to worry about whether or not I will be able to get insurance in the future? Why?" She added: "Why don't President Trump and other Republicans understand that this is my life? This is my life." It is a very good question. It deserves an answer.

Why don't Republicans in Congress, why don't those 18 attorneys general and Governors, and why doesn't President Trump believe that people like Heidi deserve to have healthcare coverage? Why don't they believe that seniors deserve access to more affordable prescription drugs? Why don't they believe that women should pay the same for their health insurance as men? Why don't they believe that young people should be able to stay on their parents'

insurance until age 26? And why don't they believe that families, not insurance companies, should make healthcare decisions? Families, with their doctors, should be making health decisions, medical decisions, not an insurance company. If this lawsuit succeeds, we are going to go right back to putting your medical decisions in the hands of the insurance companies.

Healthcare isn't political; it is personal. It is time to stop playing politics with people's health. For each of us, it is our life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I ask unanimous consent that I be permitted to speak for 5 minutes, followed by Senator CORTEZ MASTO for 5 minutes, prior to the series of votes we will have.

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

Mr. WYDEN. Madam President and colleagues, at Fourth of July picnics and parades, it is likely that complicated healthcare policy debates are not exactly a central topic of conversation. I am pretty sure that is the way the Trump administration wanted it to be.

Today, lawyers representing the Trump administration and a number of Republican Governors are attempting to have the Affordable Care Act ripped up and thrown out by a Federal court. They were unable to do that in the Congress, so now they have headed off to try to get it done in the courts. The case is happening in the Fifth Circuit in Louisiana. This is not some theoretical exercise; this is an immediate threat to the healthcare of millions and millions of Americans.

I want to be clear at the outset of these remarks what the bottom line is. The bottom line is that eliminating protections for preexisting conditions is now the official position of the Republican Party. That is the centerpiece of what this court case attacks—the ironclad, airtight guarantee at the heart of the Affordable Care Act that insurance companies cannot discriminate against those with a preexisting condition. The fact is, the Republican Party wants that eliminated.

This attack on Americans' healthcare goes way beyond preexisting conditions. What about prescription drug costs? Prescription drugs are outrageously expensive right now, and the problem is getting worse under the Trump administration. Prices are up more than 10 percent just in the past 6 months. Americans are forced to make life-threatening choices where they really have to balance their food bill against their medicine bill and medicine against other necessities, like shelter. In effect, Americans self-ration because their prescriptions just cost too much.

If this lawsuit succeeds, prescription drug costs are going to skyrocket even higher. If the Affordable Care Act is

thrown out, that will be the end of the requirement that health insurance companies have to cover prescription drugs. Patients will be forced into junk insurance plans that don't cover the care they actually need. Millions of people of limited means would be kicked off their Medicaid coverage. Millions of seniors would face higher drug costs.

The bottom line: If this case is successful, it will launch a forced march back to the days of yesteryear when healthcare was for the healthy and the wealthy. The reason I say that is that is the way it used to be. If you had a preexisting condition in the past, you were just out of luck unless you had an enormous amount of money. The only people who really could benefit were people who were healthy and people who were wealthy. The Affordable Care Act changed that. More than 100 million people got a lifeline protection against discrimination if they had a preexisting condition.

If the lawsuit succeeds, the biggest winners are going to be the largest of the insurance companies and the drug manufacturers. They would get the power they need to once again walk all over the American people.

Here is the kicker: There is no replacement plan if the Affordable Care Act is wiped out. The President keeps saying he has a big, beautiful healthcare plan, and we always get the sense—it reminds you of the movie house in the old days where it would say: Coming soon. Movie coming soon. But it never actually gets there. There is never a grand unveiling, and that is because there isn't a backup plan. This is just an ideological crusade to make winners out of the most powerful corporations and losers out of millions of working Americans.

Democrats in this Chamber have proposals ready to go to take a better path, a better approach, and to protect the healthcare of our people, blocking Trump's lawyers from using taxpayer dollars to destroy the Affordable Care Act, banning junk insurance, which isn't worth much more than the paper it is written on, and standing four-square behind protecting people with a preexisting condition.

That is what the Senate ought to be working on so the Trump administration can't bring on a healthcare nightmare for millions and millions of Americans.

One of our most valuable members of the Senate Finance Committee has joined us now, Senator CORTEZ MASTO, and I am happy to yield to her to close our time before the vote.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I want to talk today about Kyle Bailey from Sparks, NV. Kyle is 27 years old, and he is an amazing success story. He was born with cystic fibrosis, a genetic condition that affects the lungs and digestive system, making it hard to breathe normally or absorb nutrients.

Cystic fibrosis has no cure, so patients like Kyle spend hours every day on treatments to keep themselves as healthy as possible. With good medical care and lifesaving medications, he has been able to live a full life, creating music and artwork. He is engaged to be married.

Yet Kyle lives in fear. He is afraid he will lose his health insurance and coverage for treatments that keep him alive. That could happen if the Republican Party succeeds in its latest attempt to use the courts to attack the Affordable Care Act and to end its protections for preexisting conditions.

Just today, a Federal appeals court has heard more arguments about whether the ACA is constitutional. On one side are patients like Kyle; on the other side are the Trump administration and 18 Republican State attorneys general, who all want the court to strike down the Affordable Care Act.

We have seen it before. The Republicans have tried to defeat the ACA in Congress and in the courts over 100 times, and each time they have failed because the American people have raised their voices and said: Stop. We want our healthcare coverage.

But just because the ACA survived those attacks doesn't mean it is safe. It is especially scary for those who gained coverage and peace of mind thanks to the Affordable Care Act's strong safeguards for patients.

One of the most important parts of the ACA is its guaranteed protections for people with preexisting conditions. Insurers used to be able to discriminate against people because of their medical history. They would weed out people who were born with genetic conditions, like Kyle, or people who had gotten seriously ill, like Ivy Batmale from Incline Village. At 5 years old, Ivy was diagnosed with acute lymphoblastic leukemia, one of the most common childhood cancers. Ivy beat leukemia, but the years of harsh therapy triggered a reaction that affected her legs. Ivy was told that she would never walk again. She spent years in wheelchairs undergoing surgery and other treatments.

With costly therapies, Ivy got better. This spring, she and her family marched into breakfast with me right here on Capitol Hill to advocate for childhood cancer research. But Ivy, like other childhood cancer survivors, has had lingering health conditions over the course of her life and will need careful monitoring until she is 40 years old. That is why if Republicans give insurance companies the choice, insurers will either refuse to cover people like Ivy and Kyle or they will charge sky-high rates. The ACA keeps the insurance companies from doing that. If judges strike down the ACA, people like Ivy and Kyle will be endangered through absolutely no fault of their own.

Some people may hear stories about Kyle and Ivy and think, well, that is very sad, but it can't affect that many

people. That is wrong. In Nevada alone, in 2015, 1.2 million people under 65 had preexisting conditions. That is half of the nonelderly residents of the State.

A preexisting condition could be as rare as childhood cancer or as common as pregnancy. That means every other Nevadan can face increased insurance rates if the ACA is struck down.

I have met families at roundtables across the Silver State whose kids are some of the 44,000 Nevada children with asthma. Just last week in Las Vegas, I talked to 12-year-old Joey Douglas. Joey's asthma often keeps him from school and sometimes lands him in the hospital for days. He told me that even when he is struggling to breathe, his biggest concern is whether his mom will be able to pay his medical bills. These kinds of worries are the reason that when Kyle wrote to me, he asked me to speak out for people who don't have a voice in healthcare policy in this country—people who are afraid that losing the ACA could mean losing protections that have allowed them to grow up, start a family, follow their passions, and live their lives to the fullest.

Today and every day I am here to fight for people like Kyle and Ivy and countless Nevadans like them. I have repeatedly urged the President and Department of Justice to come down on the side of patients in the Texas case. I have cosponsored legislation to get rid of junk healthcare plans that let insurance companies make an end run around ACA protections for people with preexisting conditions, and I am committed to protecting and strengthening the ACA for all Americans but especially for people like Kyle, Ivy, and Joey.

So I am calling on this President and Republicans in Congress to do what we can to make sure that the Affordable Care Act is not repealed and that we are fighting for healthcare insurance for everyone.

I yield the floor.

NOMINATION OF DANIEL AARON BRESS

Mr. DURBIN. Madam President, this week, the Republican leader, Senator MCCONNELL, has scheduled a vote on a nominee to fill a Ninth Circuit seat based in California.

But the nominee, Daniel Bress, is a Washington, DC, lawyer who has only lived in California for 1 year since high school.

Mr. Bress checks many of the usual boxes that we see for Republican judicial nominees: He is very young—only 40 years old—he has a track record of representing big corporate interests, and he is a longtime member of the Federalist Society.

But what is new and different about this nominee is that, by any reasonable standard, he is not a member of the legal community of the State in which he would sit if confirmed.

Mr. Bress is listed by the California bar as an out-of-State attorney. He belongs to no legal societies or organizations in California. He has only worked

on a handful of matters in California courts.

He doesn't own property in California or even have a California driver's license. Mr. Bress's nomination is opposed by California's two Senators, neither of whom have provided a blue slip. He was reported out of the Judiciary Committee with opposition from all committee Democrats.

To my Republicans colleagues, I say this: The vote on the Bress nomination will set a precedent that could come back to haunt your State.

Any Senator who votes to confirm Mr. Bress is giving their blessing to a process that could cause an out-of-state attorney to be seated in a circuit court judgeship in your own State, over the objection of your State's Senators.

There are thousands of well-qualified attorneys living and practicing in California whom the Trump administration could have selected for this California-based Ninth Circuit seat. They bypassed all of them in favor of a Washington, DC, attorney with minimal California ties.

There have been many breakdowns in the Senate's process for confirming judicial nominees under this Republican majority. If the Senate votes to confirm Mr. Bress, it would represent yet another new precedent that diminishes the Senate's advice and consent process. I urge my colleagues to vote no.

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

ORDER OF PROCEDURE

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the first vote in the series be 10 minutes in length.

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

The question is, Will the Senate advise and consent to the Bress nomination?

Mr. SCOTT of Florida. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 191 Ex.]

YEAS—53

Alexander	Cornyn	Graham
Barrasso	Cotton	Grassley
Blackburn	Cramer	Hawley
Blunt	Crapo	Hoeven
Boozman	Cruz	Hyde-Smith
Braun	Daines	Inhofe
Burr	Enzi	Isakson
Capito	Ernst	Johnson
Cassidy	Fischer	Kennedy
Collins	Gardner	Lankford

Lee	Risch	Shelby
McConnell	Roberts	Sullivan
McSally	Romney	Thune
Moran	Rounds	Tillis
Murkowski	Rubio	Toomey
Paul	Sasse	Wicker
Perdue	Scott (FL)	Young
Portman	Scott (SC)	

NAYS—45

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Harris	Peters	Wyden

NOT VOTING—2

Gillibrand	Sanders
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida.

Mitch McConnell, Kevin Cramer, Mike Crapo, Marco Rubio, John Kennedy, Thom Tillis, James M. Inhofe, Rob Portman, Johnny Isakson, John Thune, John Boozman, Cory Gardner, Steve Daines, Richard C. Shelby, Pat Roberts, Lindsey Graham, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

This is a 10-minute vote.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 82, nays 16, as follows:

[Rollcall Vote No. 192 Ex.]

YEAS—82

Alexander	Feinstein	Perdue
Barrasso	Fischer	Peters
Bennet	Gardner	Portman
Blackburn	Graham	Reed
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Brown	Heinrich	Rosen
Burr	Hoeven	Rounds
Cantwell	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cardin	Isakson	Scott (FL)
Carper	Johnson	Scott (SC)
Casey	Jones	Shaheen
Cassidy	Kaine	Shelby
Collins	Kennedy	Sinema
Coons	King	Sullivan
Cornyn	Lankford	Tester
Cortez Masto	Leahy	Thune
Cotton	Lee	Tillis
Cramer	Manchin	Toomey
Crapo	McConnell	Udall
Cruz	McSally	Warner
Daines	Moran	Whitehouse
Duckworth	Murkowski	Wicker
Durbin	Murphy	Young
Enzi	Murray	
Ernst	Paul	

NAYS—16

Baldwin	Markey	Stabenow
Blumenthal	Menendez	Van Hollen
Booker	Merkley	Warren
Harris	Schatz	Wyden
Hirono	Schumer	
Klobuchar	Smith	

NOT VOTING—2

Gillibrand	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 16.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana.

Mitch McConnell, Roy Blunt, John Barrasso, Pat Roberts, Mike Crapo, John Cornyn, John Thune, Kevin Cramer, Roger F. Wicker, John Boozman, John Hoeven, Thom Tillis, Johnny Isakson, Tim Scott, Mike Braun, Richard Burr, Lindsey Graham.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

This is a 10-minute vote.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.