

about \$11 billion this year alone being taken out of the Medicare Advantage Program.

This means—and the President would say we are going to pay less money to these insurance companies. Fine. What is the impact of that? Let me describe to you the impact of what it is going to be.

First, you are going to see reductions in benefits, meaning a lot of these companies are going to have to save that money somewhere. Where they are going to save it is by reducing the benefits they offer you on Medicare Advantage.

For example, maybe there won't be anymore transportation in my mom's Medicare Advantage plan. We don't know.

There will be increases in copays, the amount of money seniors are going to have to pay every time they go to the doctor or hospital. They are going to have to tighten physician networks, which means the number of doctors available is going to shrink. If you have a doctor now who has been seeing you, and he or she gets kicked out of the network because they are tightening the network, you may not be able to keep going to the same doctor. That is the disruption it has.

One study found that by 2017, seniors on Medicare Advantage could lose on an average about \$1,841 a year. This is the impact.

I will say why this is pernicious, why this hurts. Medicare Advantage has some things about it that need to be fixed, but it is a good program. It has good outcomes. The fact is these companies want you to go to your doctors' appointments. They want you to be getting your flu shots and your vaccine against pneumonia and other things. Why? Because they want you to stay healthy. They need you to stay healthy in order for the plan to work. We see it in the results.

Medicare Advantage patients have 39 percent fewer hospital readmissions. When people leave the hospital, there is a 39-percent reduction in people who go back because something went wrong. There are 24 percent fewer emergency room visits and 20 percent fewer hospital days.

Medicare Advantage is the program that works. I say this firsthand because I see it in my mom's life, and I see it in the lives of thousands of seniors in Florida who are on Medicare Advantage.

You may ask yourself: Well, if this is so bad why haven't we heard any of this before? The reason is the insurance companies, because of a gag order, are prohibited from talking about any of this until you start getting your benefits letter, and they are coming. If you are a senior on Medicare Advantage, the chances are that soon you will open your mail to the bad news that the Medicare Advantage you have and are happy with has been changed in a negative way for you because of ObamaCare. They don't know that yet, because the companies have not been allowed to tell them yet, but they will

have to tell them soon. When they do, this will add one more concern that people should rightfully have about ObamaCare and the impact it is going to have on our people, particularly on seniors. This is why, my colleagues, I have become so passionate about this issue, one more reason why it is so important that we stop ObamaCare.

One may say what can we do to stop it? It is already the law. It is already in place. A lot of people have told me this. The answer is there is something we can do and it comes as soon as September. In September, in order for this government to continue to function, we have to pass a short-term budget. I wish it were a long-term budget that was balanced, but it looks as though it is going to be a short-term budget.

We should pass the budget. We have to. We can't shut down the government. I am not for shutting down the government. When we do this short-term budget, let's fund the government. Let's make sure Social Security checks go out. Let's make sure we are funding defense to keep our Nation safe. Let's make sure we fund the government, but let's not keep funding ObamaCare. Let's not keep pouring money into a program that even the unions are now against. Let's not keep pouring money into a program that not even the IRS workers, who are going to enforce this, want for themselves. Let's not keep funding this program that is going to hurt seniors on Medicare Advantage. Let's not keep funding it.

I will say what the blowback is: Oh, you are threatening to shut down the government. No, I am not. I don't want to shut down the government. In fact, the only people who are talking about shutting down the government are the people who go around saying: We will not support a short-term budget unless it funds ObamaCare. Those are the people who are threatening to shut down the government. Their position, basically, is that ObamaCare is so important we can't possibly fund government without funding it.

So if the government is shut down—and I hope that doesn't happen—because of ObamaCare, that is an unreasonable position, especially in light of all the problems we know this program has. And this idea that unless we fund ObamaCare we must shut down the government is a false choice. That is not true.

Let me just say every single Republican opposes ObamaCare. And I must share with you that there are a growing number of Democrats who are at least nervous about ObamaCare and would love for it to go away in some way, shape, or form. In fact, one of them is the President. The President has actually delayed a major portion of ObamaCare because he knows it is going to be a disaster.

I would just suggest to those who oppose ObamaCare to ask themselves this question: How can I possibly go back to the people who sent me here—to the people who are going to be hurt by this, to the people being moved from full-time to part-time employment, to

the businesses that can't grow, to the individuals who are going to lose the coverage they are happy with and the doctor they have gotten to know, to the seniors on Medicare Advantage who are going to see their benefits reduced and their out-of-pocket costs go up—and say to them I did everything I could to prevent these things from happening? How can I possibly say that to them if I vote for a budget that pays for this?

This September gives us the last best chance to slow this down or to stop it. Once this law starts kicking in and starts hurting our economy, we will start crossing some points of no return.

To my colleagues on the Republican side, I would just say: Look, if we are not willing to draw a line in the sand on this issue, what issue are we willing to draw a line in the sand on? If we are not willing to fight on this issue, what issue are we willing to do it on?

Right now I can think of nothing that is hurting our economy and nothing that is hurting job creation more than the uncertainty and the fear this law is imposing on our small businesses, on our middle class, on our working class, and on our seniors. I hope we will not let this last best chance go by. I hope we will take this opportunity to stop this law from hurting Americans, especially the millions of seniors who rely on Medicare Advantage for their health care.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF RAYMOND T. CHEN TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour for debate equally divided in the usual form.

The Senator from Vermont

Mr. LEAHY. Mr. President, 3 months ago, I noted in my statement on April 18 that it had taken the Senate almost 1 year longer to confirm 150 of President Obama's district court nominees than it took the Senate to confirm the same number of President Bush's district court nominees. Unfortunately,