

Mr. Frederick, who practiced law with Judge Gorsuch, states:

Over the course of his career, [Neil Gorsuch] has represented both plaintiffs and defendants. He has defended large corporations, but also sued them. He has advocated for the Chamber of Commerce, but also filed (and prevailed with) class actions on behalf of consumers. We should applaud such independence of mind and spirit in Supreme Court nominees.

And Mr. Frederick observes:

As a judge on the U.S. Court of Appeals for the 10th Circuit, Gorsuch has not been the reflexive, hard-edged conservative as many depict him to be. He has ruled for plaintiffs and for defendants; for those accused of crimes as well as for law enforcement; for those who entered the country illegally; and for those harmed by environmental damage.

As this self-proclaimed “longtime supporter of Democratic candidates and progressive causes” points out, Judge Gorsuch will be the type of Justice each of us should want on the High Court. And though he knows he may not always agree with Neil Gorsuch’s rulings as a jurist on the Supreme Court, Frederick says we need judges like Neil Gorsuch “who approach cases with fairness and intellectual rigor, and who care about precedent and the limits of their roles as judges.”

The bottom line is this: “The Senate should confirm him because there is no principled reason to vote no.” Let me repeat that. “The Senate should confirm [Gorsuch],” Frederick said, “because there is no principled reason to vote no.” This is a board member of the left’s flagship legal group in America, and on this point, he happens to be absolutely right.

So as colleagues on both sides will continue to find at next week’s hearings, “there is [simply] no principled reason to vote no” when Judge Gorsuch’s nomination comes before the full Senate.

#### REPUBLICAN HEALTHCARE BILL

Mr. McCONNELL. Mr. President, one final matter: Last year, President Obama said his signature healthcare law had “real problems.” He recognized that there are “people who are hurt by premium increases or a lack of competition and choice.” President Clinton called it “the craziest thing in the world.” And the Democratic Governor of Minnesota said that “the Affordable Care Act was no longer affordable for increasing numbers of people.” So even Democrats recognize that the ObamaCare status quo is unacceptable.

Costs have continued to climb higher. Insurers have dropped out of the marketplace. ObamaCare is a disaster, and it is going to keep getting worse unless we act. My home State of Kentucky, like so many others across the country, just can’t take it anymore.

Republicans promised the American people relief from ObamaCare, and we are working hard to keep that promise. The legislation the House introduced to repeal and replace is already moving through the committee process.

Here are some things the Congressional Budget Office said about it: It will lower premiums by double digits. It will help stabilize the healthcare market. It will significantly reduce taxes on families and lower the deficit by hundreds of billions of dollars as well. These are the things we heard from CBO.

Instead of forcing Americans to buy something they may not want as ObamaCare does, it will actually give Americans the freedom to choose the type of coverage that is right for them. I appreciate the hard work the House is doing to advance this legislation. We look forward to receiving it here in the Senate. When we do, I expect to consider amendments as part of our robust debate.

But remember, this bill is only one part of a three-pronged strategy to help bring relief to the American people. The first prong is this bill, the second prong is executive action, and prong three is more legislation to reform the healthcare market and make it more competitive for consumers.

The one thing we shouldn’t do is nothing. ObamaCare is a failed law that is hurting the middle class. Maintaining the current ObamaCare status quo is really not a good option.

We are fulfilling our promise to the American people, and I urge all of our colleagues to join us.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### TRUMPCARE

Mr. SCHUMER. Mr. President, first, on the Republican healthcare bill, my good friend the Republican leader says that there should be amendments on the floor. On such an important matter, it would be astounding if we didn’t have committee hearings and committee votes on such a bill. I know there is an attempt to rush it through, but if it is such a fine product, it ought to withstand the scrutiny of hearings and of markups in the various committees. To rush it through is an indication that the sponsors of the bill, the supporters of the bill, are not very proud of it, and that is a theme that has continued with the executive branch and the Speaker of the House.

As we know, CBO estimated that it would cause 24 million fewer Americans to have health insurance—I don’t hear the Republican leader mention that, of course—while raising premiums in the short term and jacking up the price of healthcare for older Americans.

We have heard from the other side of the aisle that access is what is important. No, it isn’t. Access doesn’t get you healthcare. I have access to walk into a Lamborghini dealer and look at a Lamborghini, but I can’t afford one. That is true of average Americans, and

that is true of healthcare as well. Access doesn’t get you healthcare, and it is a far cry from what people need.

Because the bill helps so many fewer Americans, because the bill seems to be a tax break for the wealthy above all, it is having its trouble, and nobody seems to really want to embrace it. That is why Republicans on both ends of Pennsylvania Avenue don’t want their name near any end of the bill.

As I said yesterday, Speaker RYAN doesn’t want to call it RyanCare, even though he wrote the bill. President Trump doesn’t want to call it TrumpCare. If it is so good, why doesn’t any Republican want to put their name on it? It is Abbott and Costello: You put your name on it; no, you put your name on it. That is not an indication that people are proud of this legislation, and it is particularly ironic with President Trump. President Trump slaps his name on buildings, ties, steaks, hotels, and golf clubs, but not on a bill that he supports in his daily tweets. He has spent 30 years of his business career trying to put his name on nearly everything, but not this healthcare bill, even though he is inviting wary Republicans to the White House to try and sell them on it.

Today his Vice President is here on the Hill lobbying recalcitrant Republicans. He has dispatched HHS Secretary Price, the person he picked, to lobby for the bill. His own Press Secretary says the White House is in full sale mode. Make no mistake about it, this is the President’s bill, and he should be straight with the American people about it. We call it TrumpCare. That is what it is.

#### NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, next week the Senate Judiciary Committee will begin its hearing on President Trump’s nominee to the Supreme Court, Judge Neil Gorsuch. As I have said before, we in the Senate have a special responsibility to judge whether this nominee, Judge Gorsuch, will tip the scales on the Court in favor of Big Business and powerful special interests over average Americans. The Court has steadily been moving in that direction under Justice Roberts.

My colleague SHELDON WHITEHOUSE and the ranking member of the Judiciary Committee, Senator FEINSTEIN, have documented in 5-to-4 cases that the Court, over the last decade, has almost always tilted in favor of the powerful and against those who are average Americans. In fact, the Court under Justice Roberts has been judged the most pro-corporate Court since World War II. So this country can ill afford another Justice who will side with the powerful.

Judge Gorsuch may act like a studied, neutral judge, but his record suggests he actually has a rightwing, pro-corporate, special interest agenda. In today’s New York Times, this morning we learned that Judge Gorsuch’s career

has been nurtured by a far-right billionaire and corporate titan, Philip Anschutz, who has gone out of his way to fund hard-right judicial causes, including the Federalist Society and the Heritage Foundation. President Trump outsourced his choice of a Supreme Court nominee to these organizations, and they recommended Judge Gorsuch.

Neil Gorsuch represented Mr. Anschutz's firm as a young lawyer. He has earned his favor and patronage ever since. It was Anschutz's top lawyer, someone who represented Anschutz here on the Hill, who lobbied for Gorsuch to get the spot on the Federal appeals court. Judge Gorsuch has been partners in an LLC with two of Anschutz's top advisers, building a vacation home together. Of course, there is no problem with that. Anyone can be partners. But it goes to show the long-standing intertwined ties between one of the leading advocates for a hard-right pro-corporate agenda, Mr. Anschutz, and Judge Gorsuch. The long history of ties between Judge Gorsuch and Mr. Anschutz suggests a judge whose fundamental economic and judicial philosophy is favorable to the wealthy and the powerful and the far right.

Judge Gorsuch may sometimes express sympathy for the less powerful verbally, but when it comes time to rule, when the chips are down, he has far too often sided with the powerful few over everyday Americans trying to get a fair shake. He has repeatedly sided with insurance companies that want to deny disability benefits to employees. In employment discrimination cases, Bloomberg found he sided with employers 66 percent of the time. In one of the few cases where he sided with an employee, it was a Republican woman who alleged she was fired for being a conservative.

On money in politics, the scourge, the poison of our political system—undisclosed dark money—Judge Gorsuch seems to be in the same company as Justices Thomas and Scalia, willing to restrict the most commonsense contribution limits.

Judge Gorsuch's record demonstrates he prefers CEOs over citizens, executives over employees, corporations over consumers.

Later this morning, I will be meeting with people who have personally experienced the real-life implications of Judge Gorsuch's decisions: Alphonso Maddin from Michigan, a truckdriver who was fired because he left his vehicle when freezing; Patricia Caplinger from Missouri, who sued Medtronic after being injured by a medical device implanted in a non-FDA-approved manner; David Hwang and Katherine Hwang, whose late mother, Proffer Grace Hwang, sued Kansas State University after being fired following a 6-month leave for cancer and requesting to work at home because of a flu epidemic. Their stories illuminate the real-world effects of a judge who sides with Anschutz-like interests over ev-

eryday Americans like Mr. Maddin, Ms. Caplinger, and the Hwang family.

My colleague, my friend, the Republican leader, said there is no principled reason to be opposed to Judge Gorsuch. Yes, if your principles say the law should be used time and time again to support powerful corporate interests over average Americans, maybe there is no principled objection. But for most Americans, the overwhelming majority of whom want the Court to bring justice to the people who have less power—and the Court is their last resort—there are plenty of principled reasons to vote against Judge Gorsuch.

Because of starkly unequal concentrations of wealth and ever-increasing corporate power, aided and abetted by decisions like *Citizens United*, because they have skewed the playing field even more decisively to special interests and away from the individual citizen, we need a nominee who would reverse that trend, not exacerbate it.

Donald Trump campaigned on helping average people. His nominee sides with corporate interests against average people like Mr. Maddin, Ms. Caplinger, and the Hwang family over and over again. From all indications, Judge Gorsuch is not the kind of nominee who has sympathy and helps average Americans when it comes to judging and the law.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided in the usual form.

The Senator from North Carolina.

Mr. BURR. Mr. President, I rise today to support Senator Dan Coats, our former colleague and a friend, as the President's nominee to be the next Director of National Intelligence. Dan Coats has been asked to lead our Nation's intelligence community of over 100,000 individuals during, I think, the most profound period of threats and change. Let me say to my colleagues,

it is a job that Dan Coats is well prepared to do.

After graduating from Wheaton College, Dan served honorably in the U.S. Army before serving the State of Indiana as a House Member, as a Senator, and for not only Indiana but this country as Ambassador to Germany.

While in the Senate, Dan was engaged and was a valuable member of the Senate Intelligence Committee. He dedicated countless hours to understanding and overseeing the intelligence community—in essence, one of 15 people who certified for 85 others and for the American people that we do everything we can to keep America safe but we do it within the parameters of the rule of law. He is well versed in the operational capabilities and authorities. He understands the threat we are facing at home and abroad. He understands that we need to improve our ability to collect against our adversaries, and Dan will be a forceful advocate for intelligence collection but, again, never jeopardizing that line of what is legal and what is not.

Dan's legislative experience also translates to his understanding and his appreciation of the need for transparency with the appropriate oversight committees and, more importantly, with the Congress and the American people.

Dan's intellect, his judgment, his honorable service, and his commitment to the workforce make him a natural fit as Director of National Intelligence. I have absolute trust that he will lead the community with integrity, and he will ensure that the intelligence enterprise operates lawfully, ethically, and morally.

So today I rise in this austere body to urge my colleagues to support the President's nominee for Director of National Intelligence. We are now in March. We have gone from January until March with one of the most important posts of this administration unfilled. Congress must act quickly, and it is my hope that Members, before the end of this day, will make sure we have a Director of National Intelligence in place.

I urge my colleagues to support this nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

##### 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 legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the