

the team he believes will serve him best.”

As we consider key nominations this week and in the future, I hope my Republican colleagues honor the long-standing tradition of the Senate that they have identified and we agree with. I urge my Republican colleagues to consider that if the Senate fails to properly staff our national security agencies or the Nation's judicial system, our inaction will also have consequences.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

#### NOMINATIONS

Mr. LEAHY. Mr. President, I thank the majority leader for what he said on these nominations. As he knows, we have an awful lot of them that have come out, and then every time he has tried to move them quickly on the Senate floor there has been opposition from the other side.

It has been frustrating when we actually had nominations that waited months, or will have a cloture vote, and then they will get 90 or 95 votes for confirmation.

Mr. REID. Mr. President, would my friend yield for a question?

Mr. LEAHY. Of course.

Mr. REID. I ask the chairman of the Judiciary Committee to explain to everyone within the sound of our voices how important the DC Circuit is to our country.

Mr. LEAHY. Mr. President, it would be hard to state it any better than the Senator from Nevada has. But so many of the issues we grapple with every single day on this floor—regulatory issues, issues that affect the various departments of government—when there are appeals of those issues, when there are questions of what the Departments do, they invariably go to the DC Circuit. They don't go to the U.S. Supreme Court.

The U.S. Supreme Court, as the distinguished Presiding Officer and the distinguished majority leader know, takes only a tiny percentage of cases that are appealed. But every one of these major legal issues that are appealed are heard by the DC Circuit, and it is frustrating to know there is a concerted effort on the other side to try to stop having a balance in the DC Circuit.

Every one of us as lawyers would hope we could come into a courtroom

and know that if we have a good case, we would win it; and if we have a bad case, we would lose but that the cards aren't stacked against us because we are a Republican or Democrat. Because of the makeup of the DC Circuit, more and more people are getting the view—rightly or wrongly—it is stacked. The efforts of the Republican Party to block anybody else from going down there except for people they have vetted increase that impression that the court is stacked. That doesn't help the system of justice in the United States. It actually doesn't help whether you are a Republican or a Democrat because it destroys the idea of the impartiality of the courts.

Mr. REID. Mr. President, I ask for permission to ask one more question of the senior Senator.

Mr. LEAHY. Of course.

Mr. REID. Legal scholars have said, and I have read, that they believe the DC Circuit is just a little bit below the Supreme Court; that it hears cases of such significance. That is why it was established some 65 years ago: to take care of cases the Supreme Court couldn't.

Is that true?

Mr. LEAHY. Mr. President, the Senator from Nevada is absolutely correct. I would even argue that in some areas it is more important than the Supreme Court because on so many of the issues that go there, they will have the final word. The Supreme Court could never hear all of the requests for appeals from the DC Circuit, and they become the final word.

So on the issues that involve average Americans based on what their government does, they will be decided in that circuit court, not in the Supreme Court. So it is extraordinarily important that we have a balanced court there.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### HEALTHCARE

Mr. BARRASSO. Mr. President, I rise today to talk about the policy changes and choices made in Washington and how they affect the spending and the well-being of so many people all around this great country. There has been a great deal of talk recently about how we can get our out-of-control Washington spending under control. How can we curb spending?

We also need to keep in mind some of the policies of the Obama administration and how they have impacted spending and how they have created economic conditions that have forced many of these hard choices to be made

by American families. I believe our weak economic recovery is a result of bad policy choices that have cost Americans their jobs, and it has cost them dollars—money—they cannot spare.

The list of the administration's bad policy choices is long and, in my opinion, right at the top of that list is the President's health care law. Last week, we learned from a GAO study requested by Senator SESSIONS that the President's health care law will add \$6.2 trillion to Washington's debt. Of course, that is debt on the back of every young person in America and on the back of future generations. It is a debt upon the entire Nation.

It is also adding to the financial burden in this country. Recently, the Obama administration has released more rules for how this health care law will be implemented. The new regulations that have just come out lay out something called “essential benefits.” These are the government-mandated items that health care policies will now have to offer.

Along with other parts of the health care law, these new rules will raise the premiums American families pay for their health coverage. That is not what the American people wanted, that is not what they were promised by the President, and that is not what they need during this difficult economic time.

Remember, President Obama promised that under his health care plan insurance premiums, he said, would go down \$2,500 for the average family by the end of his first term. That has come and gone, but what the President promised the American people has not happened. Instead, premiums have gone up by an average of more than \$3,000 family.

As more provisions of the law kick in, I can tell you it is going to get worse. As the Obama administration puts out more regulations, premiums are going to continue to go up and up. The American people are in for a serious case of premium sticker shock.

This is especially true for young people, people in their twenties, people in their thirties. That is not just my prediction. It is the warning we are getting from State officials who actually supported the President's health care law. Of course, they supported it before they knew what was in it.

The State insurance commissioner in Oregon has said the new regulations could push up premiums for young consumers by as much as 30 percent next year. According to a recent piece in the Los Angeles Times, that was not an accident. It was an intentional effect of trying to lower prices for older Americans by raising the prices for younger people. In fact, the cost-shifting was a top priority of the AARP during the debate.

Of course, I believe the administration was not honest about it. They did not come out and tell young people: Hey, you are going to have to pay a

higher premium so someone else pays less. No. Democrats in Congress and the White House tried to say young people were going to pay lower prices, but now we are seeing it was never true.

The premium increases are also going to be worse if you do not get insurance through your employer. That is because you may end up in the individual market. A recent Gallup poll found that fewer people are getting their insurance through work. Just since 2008, the number has dropped significantly. Among people between the ages of 18 and 25 years old, only 32 percent now get their health insurance through work.

Healthier people—people who take the time to focus on staying healthy—are actually going to pay more too. Even if you eat a good diet, you exercise, you do the things people would be encouraged to do so they do not get sick, you are going to pay more under the President's health care law.

According to a new survey of insurance companies, younger and healthier customers can expect premium increases of 169 percent, on average, in 2014. That is in the individual market, that more people will find themselves forced into as their employers drop coverage.

The Congressional Budget Office says that even when you take into account the subsidies some of these people will get under the law, premiums will still go up an average of 10 to 13 percent even after the subsidies are applied.

If that happens, a family buying coverage on its own may end up paying \$2,100 a year more because of the health care law. You might ask yourself, why are the premiums going up so fast? It is because of the law's new requirements.

For one thing, there is something called the essential health benefits. We just got new rules on these from the administration. Those are the specific mandates that require insurance plans to cover a wide range of services. For most consumers it is going to mean a more extensive and longer list of benefits. That might sound good, but they may be for things the consumers do not want. It does not matter. Under the law, the consumers have to pay for them. It is still higher costs—much higher costs. People cannot just get the insurance they and their family want, that is right for them, and they can afford. No, that is not enough. They must buy Obama administration-approved health insurance. That is what they have to buy. That is what the law says, and it is going to be much more expensive than what they might want, they might need or they can afford and think is good for them.

Families are going to have to pay for insurance that covers the whole laundry list of benefits, whether they want them or not. Why should the government—Washington—tell a single 33-year-old man he has to pay for ovarian cancer screening? Why should someone

without children have to pay for a plan that covers pediatric eye exams? Even the American Academy of Ophthalmology has said that requirement goes too far. They are worried that once insurance has to cover it, there will be overuse of comprehensive eye exams on children who do not even need them. Of course, that may happen. If it is covered by insurance, people are going to want more of it. That drives up health care costs, and health insurance costs go up even more.

To make matters worse, the law requires the Secretary of Health and Human Services to update the list of these benefits every year. These are the benefits you still may not want—certainly do not want to be forced to pay for—but you are stuck with them now. We all know this list is not going to get any shorter. It is going to grow longer, and the costs are going to continue to go up.

That is what has happened at the State level. Health insurance mandates in some States now include everything from circumcisions to breast implant removal, and mandates add anywhere from 10 to 50 percent to the cost of insurance.

It is no way to run a health care program. Consumers should decide what benefits they want, what benefits they think they may need, not Washington bureaucrats.

Finally, I will give just one more example of how the new rules will drive up premiums. This has to do with new age rating rules in the law. The age rating limits the amount premiums can vary between healthy younger individuals and unhealthy older consumers. This is the most direct way Democrats are taxing the young to pay for everyone else.

Under the President's health care law, the premium charged to a sicker older person cannot be more than three times what a healthy 21-year-old has to pay. So those younger people are going to end up paying more. Rather than pay the higher cost, many younger people will just not purchase insurance at all. They will just pay the law's tax penalty instead. That is because it is still cheaper than the insurance premiums that have been driven up due to the President's health care law. That means premiums will go up even faster for the people left in the insurance pool, and the whole thing will keep spiraling out of control.

The White House says it will not budge on these age-rating rules. So people in their twenties and thirties and early forties should just prepare themselves now for the premium hikes they are going to see under the President's health care law.

Those are just a few of the new rules and just a few of the ways the health care law continues to raise costs and raise premiums for hard-working Americans. It seems to me the President is still in his campaign mode, so he will not admit it, but he is not fooling anybody.

I recently completed a statewide tour of Wyoming. I visited a dozen towns across the State and met with hundreds of people. I can tell you, in those meetings, people still say the health care law is unworkable, it is unaffordable, and it remains very unpopular.

The people of Wyoming, as did people across the country, knew what they wanted from health care reform. They wanted the care they need, from a doctor they choose, at lower costs. What they got were higher premiums, higher taxes, and more government control over their personal health care decisions.

When the new rules were released 1 week ago, HHS Secretary Kathleen Sebelius said: "Being sick will no longer keep you, your family, or your employees from being able to get affordable health coverage."

What she should have added was: The President's own health care law will be the thing that keeps people from getting affordable coverage.

The law that was passed was the wrong solution and the wrong way to reform our health care in this country. Hard-working American families cannot afford it, and they deserve better.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

(The remarks of Mr. NELSON pertaining to the introduction of S. 436 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. NELSON. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.