back to where we had the health savings account where you had a high deductible and you had your health savings account and that high deductible would kick in only if you had to pay the high deductible—I never saw a health savings account plan that would not be cheaper than these plans that cover a lot of things, but they cover a lot of things a lot of people don't need.

Carl says:

To keep our premium rates down my employer had to raise our deductible to $7,500 with no prescription benefit until it is met, so now instead of putting away $400 per month for my retirement I have to spend it on insulin and diabetic supply's.

How is this ACA helping any honest working American who is trying to take care of themselves and not rely on the government?

Carl's point is that the money he used to spend to prepare for his own retirement he now spends to pay for his insulin and diabetes medicine that used to be covered—until this year—by his policy.

Christine, from Kansas City, said her husband's employer was forced to make changes in their insurance resulting in a deductible that went from $1,300 to $6,100.

If this had been the way we would explain this, that somehow—let's assume we are insuring more people. There is no reason to believe that yet, but let's assume we are, but we are insuring more people with what I have here today—a $7,500 deductible, a $6,100 and a $2,500 deductible.

She says:

Our deductible went from a manageable $1,300 to a devastating $6,100.

I recently sent in scripts for my Dr and I can't imagine how much they will be. We were told they would be between $25 & $200 depending on the cost of the drug.

Remember, they are all before you get the deductible.

I have a letter from Fred from Columbia. He says that a drug company that makes one of his prescriptions no longer offers him a discount. The pharmacy told him it was because of the Affordable Care Act.

I am perfectly willing to believe the Affordable Care Act has become an excuse for some things, and this may be one of them. I have not talked to the pharmacy in this case, but I do know these are problems other individuals are having because their insurance doesn't cover what it used to cover.

Fred is a retired State employee and he said his plan doesn't offer as much coverage as it used to.

Houston and Shirley from Peculiar, MO, have a supplemental health insurance. Their supplemental health insurance increased by $330 since the Affordable Care Act was passed. They said their policy increased $149—this is their supplemental policy.

They say:

Senator Blunt, we are on Medicare and have a supplemental health insurance. Our monthly premiums were a little less than $165 [prior to the ACA's passage in 2010], and now as of January 1, 2014, is $498.40. Our premium has increased by $149.55 a month.

That is for their supplemental insurance.

Just last week Medicare Advantage, which serves people in underserved areas—whether they live in the inner cities or rural communities—has had that competition reduced as well.

I will say that if there were ever a time when we should take a second look at something—and the facts that every one of us have in our office suggest we take a look at it, and even demand we take a look at it—it is this policy that is hurting Americans and hurting families.

If we had this debate again, the country, the health care providers, and the Congress of the United States would be a whole lot better prepared to talk about what needs to be talked about than apparently the Congress was prepared to talk about in 2009 and 2010.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

EXECUTIVE NOMINATIONS

Mr. GRASSLEY. Several weeks ago, February 12, to be exact, as Washington, DC, was braced for a snowstorm and the Senate rushed to finish its business before the Presidents' Day recess, the senior Senator from Arkansas came to the floor to offer unanimous consent to confirm a district court judge for his State. Before he made the request, I spoke with that Senator who, to his credit, was one of only three Democrats to vote against the so-called nuclear option in November.

Although I was sympathetic to his desire to see his home State judge confirmed, I objected to his request to bypass the procedure the majority adopted in November, including recorded cloture and confirmation votes.

I did so based on principle. I did so because after 52 Democrats voted to strip us Republicans in the minority of our rights, the very least we could do is to ask the majority to utilize the procedure they voted to adopt. After all, the simple fact is that the minority can no longer stop nominees. That is the result of the nuclear option, and that was, of course, the whole point of what the majority did in November.

So the Senator from Arkansas offered his unanimous consent request, and I withheld my consent. We had our exchange on the floor, but we did so courteously, and that is what Senators should do. Later that evening the majority leader came to the floor and made another unanimous consent. Senator CORNYN objected for the same reason I had objected. Thereafter, the majority leader exercised the power that he has—he alone possesses it—to move these judges and filed cloture on four district court nominees. That set up several votes for last Monday evening.

That evening, during our side's hour of debate time—and that is all we have anymore for Circuit judges; we have 1 hour of debate time on each side. That evening I spoke on the current state of the Senate with respect to the legislative process. I spoke about how our Founding Fathers intended the Senate to operate. I spoke on how the Senate used to operate, how it should operate and, sadly, how it does the opposite. I spoke about how the majority leader routinely files cloture on bills before debate has even begun. I spoke about how in today's Senate, in what is supposed to be the world's greatest deliberative body, the Senators from great States all over this Nation are shut out of the process of legislating and sometimes even debating.

As our side's hour of debate time neared its end, the distinguished chairman of our committee asked if I would yield him a few minutes of our time. I, of course, agreed to extend him that courtesy. I extended him the courtesy even though I knew he would use that time to argue against everything I just said. I extended him the courtesy because I know he would do the same for me, and, as a matter of fact, he has done exactly that same thing for me. That is the Senate. We are courteous to each other, even when we disagree.

As I said, that was Monday night—eight days ago. On Tuesday morning, we had a series of stacked votes related to those district court nominees. We had several cloture votes as well as confirmation votes. I voted against cloture, along with many of my colleagues. I don't presume to speak for my colleagues, but I voted against cloture to register my objection to a process arrived at via brute force—in other words, by the action of the nuclear option.

But the majority leader wasn't content to simply use the procedures he led his caucus to adopt last November when the nuclear option was adopted—when the minority rights on judges were taken away. He wanted voice votes rather than recorded votes on those lifetime appointments—and I emphasize lifetime appointments—so they deserve serious consideration. At that point, I objected, and I exercised the right of a Senator to ask for a rollcall vote of the yeas and nays.

I supported each of the nominees on final confirmation. Some of my colleagues opposed them. But even if the votes had been unanimous, the right to demand a recorded vote is one of the most basic and fundamental rights of any Senator. There is absolutely nothing wrong with exercising that right, especially when it comes to approving lifetime appointments to the courts.

Before we had that recorded vote, I took the opportunity to remind my colleagues of how well this President is doing with respect to getting the judges he nominates confirmed by the Senate. Specifically, thus far in this Congress, we have confirmed 50 of President Obama's judicial nominees. By way of comparison, at this point in President Bush's second term, we had only confirmed 21 judicial nominees. That is 50 for President Obama and 21 for President Bush. Those numbers

compare both district and circuit nominations. That is a benchmark both sides typically use.

So why are Republicans blamed by Democrats for not approving judges, especially when over the course of 5 years and 2 months now we have approved 223 judges and only disapproved two. Those are basic, unassailable facts.

In response, the majority leader described our request for recorded votes, as I was speaking about eight days ago, as ''a waste of taxpayer time.'' Then he concluded his brief remarks by saying this: ''I would suggest to my friend the senior Senator from Iowa that he not believe his own words because they are simply not true.''

That was on Tuesday, a week ago. Two days later, on Thursday evening, the majority leader came to the floor and proffered a unanimous consent request for several district court judges. Senator MORAN was on the floor at the time and objected for our side. Thereafter, the majority leader filed cloture on four district court judges and the nominee to lead the Civil Rights Division of the Department of Justice. That is a right the majority leader has under our rules.

A few minutes later the majority leader returned to the floor so he could, as he described, ''say a few words about the man who does all the objecting around here—or a lot of the objecting.''

He then proceeded to quote extensively from a speech I delivered in 2005. He then accused me of violating senatorial courtesy during floor consideration of the immigration bill because I objected to consideration of amendments approved by Democrats, without assurances that we would vote on amendments Members on my side thought we had a right to offer, as any Senator should have a right to offer amendments.

Even if some of the amendments the Democrats wanted had bipartisan support, I was the Senator standing up and defending the right of our Members to offer amendments—even controversial amendments. To be clear, I was prepared to vote on any Democratic amendment provided the Republican amendments were not restricted.

The majority leader then concluded his highly discourteous remarks by saying this:

> The senior Senator from Iowa is talking out of both sides of his mouth, and the people of Iowa should check this out. They should see what he says and what he does.

Given how inappropriate these remarks were and that they roughly coincided with several other inappropriate comments the majority leader made last week, I feel compelled to respond, and, of course, that is what I am doing.

Let me start by reviewing briefly how we arrived where we are today. As I said, the majority leader quoted from a speech I delivered in 2005. For the benefit of my colleagues who weren't here at the time, that was back when the Democrats were indiscriminately filibustering a host of President Bush's highly qualified nominees for the circuit courts. Make no mistake. The Democrats were utilizing the filibuster on judges at that time to an extent never witnessed before in our Nation's history.

During this time, they were filibustering 10 different circuit court nominees. So, as I said, the majority leader quoted from a speech I delivered during the debate of May 23, 2005. What he failed to mention is that six days earlier, on May 17, 2005, he said this on the Senate floor regarding the nuclear option:

> It appears that the Majority Leader—

Referring to then majority leader Senator Frist—

> cannot accept any solution which does not guarantee all current and future judicial nominees an up-or-down vote. That result is unacceptable to me because it is inconsistent with the constitutional checks and balances. It would essentially eliminate the role of the Senate minority in confirming judicial nominations and turn the Senate into a rubberstamp for the President's choices.

I am not going to relitigate that fight today, except to say this. At the time, Republicans, myself among them, were arguing that those nominees should be afforded an up-or-down vote. But as the quotation I just read demonstrates, Democrats refused. At the end of the day, our side lost that debate. We didn't believe judicial nominees should be subjected to a 60-vote threshold nor did we believe we should play by two sets of rules. So when the roles were reversed and there was a Democrat in the White House, Republicans utilized the tool as the Democrats did. The only difference was that we used it much more sparingly. As I said, we have approved 223 Obama nominees to the courts and only disapproved two.

The Democrats, of course, didn't like being treated to the tactics they pioneered, so they began to threaten to utilize the so-called nuclear option.

A lot of negotiations ensued between our side and the majority leader. That is the way the Senate most often gets things done—negotiating to a consensus. Again, I am not going to review every detail, but as any Member of this body can tell us, the result of those negotiations was this. The minority—this time the Republicans—relinquished certain rights regarding nominations. We did it by negotiation.

For instance, district court nominations used to be subject to 30 hours of debate. They are now subject to only 2 hours. In exchange for relinquishing those rights, the majority leader of the Senate gave his word that he would oppose any effort to use the nuclear option.

On January 27, 2011, the majority leader said this on the Senate floor: ''I will oppose any effort in this Congress or the next to change the Senate rules other than through regular order.''

Notwithstanding that promise, at the beginning of the next Congress, we were, once again, on the receiving end of threats regarding the nuclear option. Once again, on January 24, 2013, after lots of negotiations, the majority leader again gave his commitment. Here is what he said on the floor of this Chamber: ''Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.''

That commitment mattered. It mattered to me, and it mattered to my colleagues. We as the minority relinquished certain rights. In exchange for extinguishing those rights, we received a commitment from the majority leader of the Senate.

Remember, I say to my colleagues, please: This is the Senate. Not only are we courteous to one another, but we keep our word.

Ten months after making that commitment, on November 21, 2013, the majority leader and 51 other Democrats voted to invoke the nuclear option. They chose to adopt a new set of procedures for confirming judges.

So that is how we got to where we are today. Yet three months later, when the minority has the audacity to insist that the majority utilize the procedures they voted to adopt, the majority leader comes to the floor to level an ad hominem attack.

Amazingly, given the commitments he made at the beginning of the last Congress, he accuses me of speaking out of both sides of my mouth. The fact of the matter is there is absolutely nothing wrong with demanding debate time and rollcall votes, especially on lifetime appointments to the judiciary, and especially after the majority chose to adopt these very procedures just last November. That is not a ''waste of taxpayer time,'' as the majority leader called it. It is representative government. While I am on the floor of the Senate and while I am on the subject of floor procedure, let me say this about the legislative process we have been following on the floor. I spoke at length on this subject a week ago yesterday, just as I have on several other occasions. I have been highly critical of the process we follow these days on the floor. But I have always tried to avoid making my criticisms personal. I have always tried to be courteous. But there is no getting around this fact. It is nothing short of a travesty that great Senators from all over the Nation must go to the majority leader to ask permission to offer amendments. Proud Senators from proud States, Republican Senators and Democratic Senators, conservative Senators, liberal Senators, northerners and southerners, appropriators and authorizers, hawks and doves, all of these Senators have been reduced to this. They are forced to come before one individual on bended knee to ask permission—permission—to offer an amendment. That is not as it should be in the world's greatest deliberative body—the Senate.

So am I highly critical of the legislative process we undergo on the floor? Absolutely, I am. But I didn't criticize the majority leader in a personal or discourteous way. I didn't accuse him of ''talking out of both sides of his mouth,'' as he did of this Senator. I wasn't attacking him personally; I was defending the rights of 99 other Senators as well as my own rights as a Senator.

What exactly is the majority leader afraid of, anyway? Taking a few hard votes? We are paid to take hard votes. We are sent here to exercise our best judgment on behalf of our constituents. That is how our Republic is designed.

It does not have to be that way. Consider how amendments are handled in the Judiciary committee, as an example—something that ought to be followed here in the U.S. Senate.

Our chairman—I should say the senior Senator of this body, the President pro tempore, Senator LEAHY—our chairman does not tell us in the minority—Republicans—or even the Democrats what we are allowed to offer; nor does he tell us how many amendments we are allowed to offer.

He controls the agenda, as you would expect a chairman to do. But we get to offer amendments. As a result, every single Senator of our committee—whether they like it or not—contributes to the process.

The chairman controls the agenda. The minority offers amendments. And the majority has to vote on those amendments. That happens to be the process.

That is what happens when you have a chairman who respects the rights of U.S. Senators. There is absolutely no reason we could not do exactly that same thing right here on the floor of the U.S. Senate.

Let me mention one other thing about what the majority leader said the other night because I found it particularly offensive.

Immediately after accusing me of ''talking out of both sides of my mouth,'' the majority leader suggested that the people of Iowa, my constituents, should pay attention to what I say and what I do. Well, they do.

But let me relate something to my colleagues about how I keep track, keep in touch with Iowans. The people of Iowa know who they elected to the Senate. They know that ever since I was first sworn in in this body in January 1981, I have fought all day, every day, to represent them.

I know my constituents. They know me. I go to constituent meetings in every county—every one of 99 counties—every year. Multiply that 99 by 32 years, and you get a fairly large number. I have been in 25 counties so far this year. So I talk to my constituents. I read their mail. I know, for instance, how hard ObamaCare has been on families in my State.

So I find it personally offensive for the majority leader to come to the floor, as he did last Wednesday, and accuse Americans, including my constituents, of telling lies when they share their stories about how ObamaCare is impacting them.

Last Thursday evening the majority leader came to the floor so he could, as he described it, ''say a few words about the man who does all the objecting around here.''

Well, Mr. President, do I object? You bet I do. So do the rest of my committee members on the Judiciary Committee when it comes to things of the Judiciary Committee; so does the rest of our caucus.

We object to the authoritarian way this Senate is being run. We object to being shut out of the legislative process. We object to dismissing constituent stories of ObamaCare as lies. We object to taking to the floor of the U.S. Senate to attack fellow citizens as ''un-American'' because they have the audacity to exercise First Amendment rights. And, yes, we object to the discourteous ad hominem attacks on Senate colleagues because they choose to exercise their right to demand rollcall votes on lifetime appointments.

It should stop. The Senate should return to being the greatest deliberative body in the world.

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

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

ADEGBILE NOMINATION

Mr. TOOMEY. Mr. President, I rise to speak on the nomination of Debo Adegbile to serve as Assistant Attorney General for the Justice Department's Civil Rights Division.

Some Americans may vaguely recall Mumia Abu-Jamal from the ''Free Mumia'' T-shirts and posters that once cluttered college campuses.

Maureen Faulkner will forever remember him as a cold-blooded cop killer who left her as a widow at age 24.

Maureen Faulkner has endured three decades of endless appeals and a dishonest international campaign to turn her husband's killer into a celebrated icon for some on the radical left.

Now one of the lawyers who helped promote that campaign, Debo Adegbile, has been nominated to lead the Justice Department's Civil Rights Division. This cannot stand and I hope the Senate will not confirm him.

Let's review the facts.

At 3:51 a.m. on December 9, 1981, 25-year-old police officer Daniel Faulkner pulled over a car in the city of Philadelphia. The car's headlights were off, driving the wrong way down a one-way street.

The driver exited the car and began assaulting Officer Faulkner. The driver's brother, Mumia Abu-Jamal, was watching from across the street. Four eyewitnesses saw Abu-Jamal race across the street, shoot Daniel Faulkner in the back, and while Officer Faulkner was lying helplessly on the ground, Mumia Abu-Jamal shot several more bullets into Faulkner's chest and face.

Three other witnesses heard Abu-Jamal brag that he had shot Daniel Faulkner and hoped that Faulkner would die.

During the trial, when Daniel Faulkner's bloodstained shirt was displayed, the jury saw Abu-Jamal turn in his chair and smirk at Officer Faulkner's young widow Maureen.

So it was no surprise when a Pennsylvania jury took just 3 hours to convict Abu-Jamal of murder, and the next day 2 hours to sentence him to death.

Instead of allowing Daniel Faulkner's young widow to grieve in peace, a group of political opportunists decided to use this case to further their own political agendas. They fabricated claims of racism. They spread lies about the trial and the evidence. They organized rallies that, amazingly, portrayed Mumia Abu-Jamal as the victim.

Before long, Abu-Jamal was a cause celebre, complete with adoring Hollywood celebrities, ''Free Mumia'' T-shirts and posters. He had his own HBO special, and they even named a street after him in Paris.

In 2009, 27 years after Daniel Faulkner's murder, the NAACP Legal Defense Fund, or LDF, decided they would join the fray.

For decades before Mr. Adegbile assumed his leadership role in the LDF, the LDF served as a force for truth and justice for all Americans—a very important and well-deserved reputation for having done that. But, unfortunately, LDF's representation of Abu-Jamal promoted neither truth nor justice.

It is important to point out this is not a case about every accused person deserving a legal defense. That is a principle upon which I hope there is no disagreement, certainly not from me. The fact is, though, Abu-Jamal had multiple high-cost lawyers already volunteering their time.

Mr. Adegbile was director of litigation for the LDF. He told the Senate Judiciary Committee that he ''supervised the entire legal staff'' at LDF—18 lawyers. Also, he was, in the words of the LDF's own Web site, responsible for LDF's advocacy ''both in the courts of law and in the court of public opinion.''

This is important to understand because this duty to supervise has very specific implications for lawyers. A lawyer must confirm that the lawyers he oversees are honest while presenting facts in a case. The law backs this up. Supervising lawyers can be sued for malpractice or sanctioned by a court for the actions of the lawyers he or she supervises.

And how did the LDF's lawyers comport themselves under Mr. Adegbile's