

night talkathon on global warming. The reason for the all-nighter was pretty obvious: It was a command performance for a leftwing activist donor out in California. And the fact that taxpayers were basically subsidizing the whole thing was bad enough, but what about the basic substance of the issue Democrats were talking about the other night. What about that. It is just one more case where good intentions trump the impact their proposals would have on ordinary Americans.

See, the Obama administration seems to think that if it just wishes really hard and issues enough regulations, it can singlehandedly reduce global carbon emissions—without bringing Beijing and New Delhi onboard. It is an alternate universe where “victory” means U.S. emissions going down by some negligible amount—and where China and India don’t simultaneously eclipse that tiny emissions reduction with expanded energy of their own. It is a universe where the massive economic consequence of acting so recklessly doesn’t seem to matter, and it is a universe where middle-class Americans somehow don’t take the hit to our economic output right on the chin. In other words, it is the kind of thing that could only make sense to a party blinded by extremist ideology.

Of course, Washington Democrats love to pull out that old straw man and say: Either you support our approach completely—even if it won’t actually solve the problem it purports to—or you hate the environment. It is kind of like when they said: Either you vote for ObamaCare or you hate affordable health care. Well, our constituents remember how that worked out, and our constituents are quite capable of seeing the complexity in the world which so often eludes our friends on the left. They are capable of caring deeply about the environment, for instance, while disagreeing with the administration’s ideological crusade.

Of course, every ideological crusade needs an enemy. In the administration’s war on coal, Washington Democrats appear to have found their foil. It is not some fat cat. It is not some Wall Street titan. No. This time it seems to be middle-class Kentucky families—miners who struggle every day just to put food on the table, the kinds of Americans who work hard so the rest of us can have a better life. Well, it is unfair and it is wrong.

Where Washington Democrats seem to see faceless adversaries, I see human beings, people who are hurting. I wish my Democratic colleagues would join me sometime as I travel around Kentucky listening to their concerns.

At one recent hearing, a miner named Howard Abshire had this message for President Obama:

Come and look at our little children, look at our people, Mr. President. You’re not hurting for a job; you’ve got one. I don’t have one.

Another miner, Gary Lockhart, said his biggest worry was just trying to

keep a roof over his family’s head and food on the table. When it comes to his fellow miners, here is what he had to say:

Many of these men, who have never asked the government for any kind of assistance in their lives . . . [are] having to go home and tell their families that their pay’s going to be cut to practically nothing, [that] there’ll be very little Christmas this year, no vacations, nothing extra.

Miners aren’t the only ones affected by all the pain out there in coal country. I will read a letter I received from Bill Scaggs, a businessman and pastor from Pikeville. Here is what Bill had to say:

We have had to lay off employees due to the closings of mines and the [effect] they have had. Our business is losing thousands of dollars due to the negative impact of the EPA. As a pastor . . . our benevolence to the community has increased fivefold with help for food, power bills, clothing, and just the day to day living expenses that families need.

Americans may not always know it, but they owe a lot to coal miners like the ones I represent in Kentucky. Whether it is watching a TV show, drying a pair of jeans, or saving some leftover takeout for tomorrow, we often probably have a miner to thank for the electricity that makes it all possible. That is also true if we try to keep the lights on all night long.

So I hope our friends on the other side will remember to be thankful for the electricity that makes all-night talkathons actually possible. Honestly, I still don’t get the point of the stunt. They didn’t introduce legislation or schedule votes on the national electricity tax they seem to want so badly. Remember, they control the Senate, so they can bring it up for debate whenever they want to. Where is the climate change debate? Where is the bill? People who were speaking all night control the Senate. Bring up the bill. Here is the point: Republicans care deeply about the environment. We also care deeply about creating jobs and growing the middle class, and we do not think our country should have to sacrifice one priority for the other. The American people do not either. So it is time for Washington Democrats to drop the billionaire-approved ideological crusades, to quit all the talk and get onboard with sensible forward-looking action to create jobs. We have tried the left’s wish-upon-a-star approach already and real people have been hurt. So why not try some things that will actually work.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. McCONNELL. I will withhold.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

HEALTH CARE

Mr. BLUNT. Mr. President, I rise to talk about the new numbers that have been released on the President’s health

care plan. Yesterday the administration announced that slightly more than 4.2 million people have signed up for health plans through the exchanges. As we all know, that is substantially below their first goal and substantially below their adjusted goal just a few weeks ago.

One of the things, in an effort by the Washington Post to find out how many of those people hadn’t had insurance before—the group that was supposed to be served well by this—their estimate was in an article also this week, about 1 million people—an incredible amount of effort to add 1 million people to the insurance rolls, particularly with the stories from the millions of people who were on the insurance rolls that come to our offices every day; stories that clearly reflect problems with this law and problems, more importantly, for the American families who are impacted.

I brought a few of them with me today—since I was talking about this topic last week—that have come to our office. These are stories where we reached back, contacted these people, said I was going to come to the floor with their story. I mentioned their first name and where they are from, are they concerned with that. Time after time people say, oh, no, we want this story told, which is why we reached out to you.

Gary in Lake Ozark, MO, says what so many people are saying—that his deductible is now the problem. In fact, his deductible on the policy he can now have—let me just read what he said:

Before I knew I’d be able to stay on my company’s plan—

He was going to be able to stay on his company plan 1 year longer than he thought he was just a few months ago—

Before I knew I’d be able to stay on my company’s plan, I went to the exchange to seek coverage. I found a plan available to me but was shocked to learn that my deductible was going to be over \$8,000 per family member.

This is quickly becoming the new group of people who aren’t able to meet their health care costs. I met with a number of health care administrators, hospital administrators from Missouri recently. They said their fastest growing category of unpaid bills, of unpaid debt, is from people who have insurance. So many people with insurance now have a deductible that is a deductible they believe they cannot pay, and because they believe they cannot pay it, they simply do not pay it. So whether it is the \$8,000 on Gary’s policy or the other lower amounts—hopefully, I will find some lower amounts here.

Here is one from another Gary. This Gary is in southeast Missouri. His wife’s deductible went from \$500 to \$1,800—story after story. What happens when you have that growing deductible, whether it is the \$1,800 or the \$3,000 or the \$8,000, if it was \$500 and that was all you were going to have to pay, you might figure out how to put together \$500 or maybe even more than that, but when you see \$1,800 or \$3,000

or \$8,000, apparently people who used to pay their \$500 deductible say they can't possibly pay that, so the hospital needs to write that off, I guess, as bad debt. They are going to come after me for \$7,500 just like they would have for \$8,000.

So a deductible that used to be reasonable and was paid, now the family looks at that and says we cannot possibly ever get to that deductible, so there is no reason to even start down that path.

I have a whole list of Gary's here on top of this. I don't think they are all making up the name Gary. This Gary from Higginsville—I could have organized these to have a little more variety in the first three, but this is Gary from Higginsville, MO. They said his prescription costs for his premium for Humana Gold Plus Medicare Advantage and his copays have all gone up significantly. He is concerned about Medicare Advantage.

Just a few days ago I was here—in fact, I ran into this person. Reading this letter:

I am the man you spoke with outside Starbucks in Independence, MO, across from the mall. You leaned down on my car door of which the window was down. . . .

He called me over to talk about ObamaCare.

What has changed is that several of my medications have gone up in price . . . my premium has gone up for Human Gold Plus Medicare Advantage. My deductibles and copays have gone up—

Things that are the result of the cuts made to Medicare now actually cost him the money that used to be paid for by Medicare. When you cut Medicare \$500 billion to start a new program, somebody who is on the old program is going to be impacted by that. It is not like when we debated this we said, well, this Medicare Program is in such great shape that now we can start a new program and use money from Medicare to do that. That was done in the face of the understanding that Medicare, one of the principal obligations the country has made to retired people—people over 65, going back to 1965—that this was a program that wasn't going to be able to support itself.

So what do we decide to do as a Congress—and I voted against it and I am glad I did, but the ultimate decision was we are going to cut Medicare to start a new program, and we will see what happens to a program we already know is in trouble when we do that.

Frank from Kansas City's policy was canceled for not meeting the Affordable Care Act requirements. So he was forced to sign up on the exchange for himself, his wife, his 22-year-old daughter, his 19-year-old son, his 11-year-old daughter.

Frank was told that his 11-year-old daughter would qualify for Medicaid. He submitted three applications that they said they never received. After 2 months they asked him for additional information about his daughter, in-

cluding tax information not available until April 1. Because of all this the Affordable Care Act is causing his daughter to go uninsured, according to Frank, until at least June.

This is one of those States that has an exchange the States have set up. A couple of places have never been able to sign up one single person. It is not October 1, it is now much closer to April 1, and this system is just not meeting the needs of families or meeting the goals that clearly it set for itself.

Farrell from Versailles, MO, says he is facing financial hardship because his employer cut his hours to avoid covering his health insurance. The employer told him ObamaCare was the reason they were cutting his hours. He was teaching at a community college as an adjunct professor for 8 years. He said he quit his full-time job because, according to him, he was teaching four courses each semester and a course over the summer and that appeared to be meeting his needs.

Suddenly the new law comes along and his employer says: If you work as much as you have been working, we will have to provide health insurance.

Something that you and I would both be interested in too, having worked together for a long time, is seeing the response that even local governments and State governments have had for people they always—because they thought it was the right thing to do—provided health care. But sadly when the Federal Government said here is what you have to do, then that drew an interesting line across our society. It also means if you have to do this, you do not have to do anything for people who do not meet the requirement—the 30-hour workweek, the impact it has had on people.

I was in a location the other day, and I said to the manager of the store: How are you doing, meaning I thought this would be a skill discussion; how are you doing with the skill levels you may need to find here for people who are dealing with customers. He said it is harder all the time because now we have to hire four people, where we used to have to hire three people because nobody new whom we are hiring is working more than 29 hours a week. So instead of finding three people to do that job to work 40 hours a week, now we are having to find four people who work less than 30 hours a week.

He went on to say managers and people who were already working, nobody's getting their hours cut, but he said: When we are hiring new people, we are doing what our competitors are doing, which is hiring part-time people who do not have benefits.

Emmett at Lake Ozark, despite the fact that he was paying all his premiums through his employer, his employer dropped early retirees from the company policy.

He did not feel comfortable submitting his information to healthcare.gov, he says, for security reasons. By the

way, nobody contends that this Web site is secure or that the information people put on it is secure. In fact, it is just the opposite. Every indication has been it is not secure. He did say he used “the website to find a plan, but three months later, when I finally got a quote, it was unaffordable, and much higher than the quotes I was able to find” outside of the exchange.

Bob from Wentzville, MO, said he has seen his insurance increase by 15 percent over the past 3 years. I feel like writing back to Bob, saying, based on all the other letters, with 15 percent you should be feeling pretty good about that, but nobody feels good about a 15-percent increase. It is just that so many people are seeing an increase that is so much higher than that.

On the other hand, his insurance premiums have increased by 15 percent, but—back to the earlier discussion—his deductible has gone from \$500 annually to \$4,000 annually or \$8,000 for the family.

Is this the kind of insurance families need? They used to pay a premium that was just a little bit less, 15 percent less, but they had a \$500 annual deductible, not a \$4,000 annual deductible.

Beverly from Potosi, MO, went to her doctor for her annual screening and was told she could only have one now every 2 years because of the Affordable Care Act. Although her risk of cancer increases with age, she believes she is getting less care than she got before.

Holly from Jefferson County, MO, is a registered nurse who is now working two part-time jobs. She is living paycheck to paycheck. Here is what she says in her letter:

I am a registered nurse that is only working part-time at 2 jobs. I live paycheck to paycheck like most people since the economic crisis. I am barely able to keep my bills paid much less able to add another one. I am upset that my right as a US citizen has been taken away from me to decide for myself if I want health insurance or not.

I think she could have added to that, to decide for herself whether she wanted it and what she wanted. I cannot tell what the President's latest announcement was, but it appears to be if you had insurance, even if it has been canceled because it didn't meet the qualifications, now somehow it is not canceled—and how you deal with that as someone who has maybe gotten another policy or maybe moved beyond the insurance you had and do not qualify to go back.

I don't know how many times we can change this law without finally admitting the law is not working. Let's take everything we know now, which is so much more than the country knew and most Members of Congress knew when the law passed—let's take everything we know now and go back and do this the right way.

Jason from Pleasant Hill and his wife purchased plans through their employer. Again, they experienced price increases without added benefits and in fact with less benefits than they had before.

There is one letter after another coming to our office in various ways every day. I could stand here and read them for a long time, but if I read the clock correctly, I think my time is out and we are ready to move on to other business.

NOMINATIONS

Mr. LEAHY. Mr. President, the last two days, we have spent unnecessary floor time overcoming procedural obstacles so that we can vote to confirm the five judicial nominations before us today. Every single one of the nominees that we will vote on today has bipartisan support and will be confirmed by significant margins. Judge Carolyn McHugh was nominated last May, while all four nominees to the Eastern District of Michigan were nominated last July. All of these nominees could and should have been confirmed before we adjourned last year. Instead, because Republicans refused to consent to hold these nominations in the Senate, and every single one had to be returned to the President at the end of last year. They then had to be re-nominated and re-processed through Committee this year and were all reported out with bipartisan support on January 16, 2014.

We have not had a vote on a judicial nomination this year that was not subjected to a Republican filibuster. I appreciate very much the two Republican senators, Senator COLLINS and Senator MURKOWSKI, who have voted each time to end the filibuster of judicial nominees. For other Republican senators, however, I have started to notice a pattern of voting to end filibusters only if a nominee is from a state with at least one Republican home state Senator. Most recently this happened earlier this week on the cloture vote for Judge McHugh with nine Republicans voting to end the filibuster. It should not require a judicial nominee to be from a state with one or more Republican home state senators for some senators to do the right thing. Filling vacancies so that our Federal judiciary can be fully functioning should not be a partisan issue.

Today, we will finally vote to confirm the following nominees:

Judge Carolyn McHugh has been nominated to fill a vacancy in the Tenth Circuit Court of Appeals. She has served since 2005 as a judge on the Utah Court of Appeals and as the Presiding Judge of that court since 2012. She previously worked in private practice at Parr Brown Gee & Loveless as an Associate, 1983–1987, and subsequently as a Shareholder, 1987–2005. She has served as an Adjunct Professor at the University of Utah Law School and at the University of Utah College of Social and Behavioral Science. Judge McHugh earned her J.D., Order of the Coif, from the University of Utah Law School in 1982. After law school, she clerked for Judge Bruce S. Jenkins of the United States District

Court for the District of Utah. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge McHugh “Well Qualified” to serve on the U.S. Circuit Court of Appeals for the 10th Circuit, its highest rating. She has the support of her home state senators, Senator HATCH and Senator LEE.

Matthew Leitman is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. He has worked in private practice for almost 20 years, including as senior principal, 2005–present, and senior counsel, 2004, at Miller, Canfield, Paddock, and Stone, P.L.C, and as Partner, 2000–2004, and Associate, 1994–1999, at Miro, Weiner, & Kramer, P.C. He earned his J.D., magna cum laude, from Harvard Law School in 1993. Following his graduation from law school, he served as a law clerk to Justice Charles L. Levin of the Michigan Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman “Well Qualified” to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judith Levy is nominated to fill a judicial emergency vacancy in the Eastern District of Michigan. She has served since 2000 as an Assistant U.S. Attorney in the Eastern District of Michigan, where she has served as the Chief of the Civil Rights Unit since 2010. She has also worked as an Adjunct Professor of Law at the University of Michigan Law School, 2005–present, and as a trial attorney for the United States Equal Employment Opportunity Commission, 1999–2000. She earned her J.D., cum laude, from Michigan Law School in 1996. Following her graduation from law school, she served as a law clerk to Judge Bernard Friedman of the U.S. District Court for the Eastern District of Michigan, 1996–1999.

Judge Laurie Michelson is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2011 as a U.S. Magistrate Judge in the Eastern District of Michigan. Prior to her judicial service, she worked in private practice for 18 years at Butzel Long as an associate, 1993–2000, and subsequently as a shareholder, 2000–2011. She has also served for 3 years as an Adjunct Professor at Oakland University, 2003–2006. She earned her J.D. from Northwestern University Law School in 1992. Following her graduation from law school, she served as a law clerk to Judge Cornelia G. Kennedy of the U.S. Court of Appeals for the Sixth Circuit. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Leitman “Well Qualified” to serve on the U.S. District Court for the Eastern District of Michigan, its highest rating.

Judge Linda Parker is nominated to fill a vacancy in the Eastern District of Michigan. She has served since 2009 as a circuit court judge on the Third Judicial Circuit of Michigan. Prior to her judicial service, she worked as director

of the Michigan Department of Civil Rights, 2003–2008, as Director of Development at the Detroit Institute of Arts, 2000–2003, as Executive Assistant United States Attorney in the U.S. Attorney’s Office in the Eastern District of Michigan, 1994–2000, in private practice at Dickinson Wright as associate attorney, 1989–1992, and partner from (1992–1994), and as a staff attorney to the United States Environmental Protection Agency, 1985–1989. She earned her J.D. from George Washington University Law School in 1983. Following graduation from law school, she served as a law clerk to Judge William S. Thompson of the District of Columbia Superior Court, 1983–1985.

All four of the district court nominees have the support of their home state senators—Senator LEVIN and Senator STABENOW. I hope my fellow senators will join me today to confirm these nominees so that they can begin working on behalf of the American people.

Mr. LEVIN. Mr. President, consideration of judicial nominees is among the most important duties of the Senate. I am pleased that four, well-qualified nominees to the U.S. District Court for the Eastern District of Michigan will now be before the Senate, and I urge my colleagues to confirm them. Each of them has demonstrated a commitment to impartial justice and a thorough knowledge of the law. Each was recommended by an independent screening committee that Senator STABENOW and I have formed. It is broadly based and chaired by one of Michigan’s truly outstanding lawyers, Eugene Driker.

Each of the nominees has a distinguished background. Matthew Leitman served as a clerk to Justice Charles Levin on the Michigan Supreme Court and has extensive experience in private practice, focusing on complex commercial litigation, criminal defense, and appellate litigation. He has argued before State and Federal trial courts, as well as numerous appeals before State and Federal appellate courts, and has written a number of influential journal articles on important aspects of State and Federal law such as immigration and fraud enforcement. He has on many occasions been recognized by his peers as one of the most effective and knowledgeable litigators in our State.

He is also dedicated to public service. He has been a pro bono honoree for the Eastern District of Michigan every year since 2008.

Judith Ellen Levy worked in private practice and as a trial attorney for the U.S. Equal Employment Opportunity Commission in Detroit. She has conducted research and taught classes and seminars at the University of Michigan. Since 2000, she has served as an assistant U.S. attorney and Civil Rights Unit chief in the U.S. Attorney’s Office in Detroit. There, she is responsible for investigating and litigating civil rights cases on behalf of the United States, including fair housing, fair lending,