

claims that this bill is going to fix the problems in the Affordable Care Act if the King v. Burwell decision is decided in favor of the plaintiffs. But it is nothing except for just another attempt to repeal the Affordable Care Act. It is disguised as a way to address King v. Burwell, but it is simply an effort to repeal the law. You don't have to read too deeply in the bill to figure that out. It preserves the subsidies for about a year and a half, but after that period of time it ends subsidies in the Federal exchanges and then it also ends subsidies in the State exchanges.

Let me say that again. The Johnson bill doesn't just end the subsidies that the Court might rule unconstitutional; it also ends the subsidies in the exchanges that the Court won't rule as unconstitutional if King v. Burwell is decided in favor of the plaintiffs. Thus, it is a repeal of the bill. It goes well above and beyond what would be necessary to address an adverse decision.

It then goes even further. The Johnson bill then repeals the individual mandate. It repeals the employer mandate, and when you do that, the insurance reforms fall apart. Even Senator CRUZ on the floor during his filibuster conceded that you can't protect people with preexisting conditions unless you also require people to get insurance.

Lastly, the Johnson bill ends the essential-benefits packages. So this guarantee, that if you buy insurance you are going to get a basic floor of services, is no longer. The Republican response to King v. Burwell is simply to repeal the Affordable Care Act, and I hope we never get to the point where we have to debate how we address an adverse decision in the King v. Burwell decision, but this is a nonstarter. Everyone inside and outside of this building should understand that. I don't think it is coincidence at all that over 30 cosponsors of the Johnson bill also support repealing the Affordable Care Act.

One cannot deny that it is working. From the New York Times to the Washington Post to the Wall Street Journal, people understand that the Affordable Care Act is changing people's lives—16 million people with insurance, health care costs stabilized for the first time in many of our lifetimes, and quality getting better. The Affordable Care Act works, and I hope that our colleagues will come together, no matter the decision in King v. Burwell, to make sure that it continues to work for Americans all over this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

EXTENSION OF MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that morning business be extended until 5 p.m.

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

AMENDMENT NO. 1243

Mr. FLAKE. Mr. President, I want to talk about trade for a minute. Let me start by saying that I believe in free trade. I strongly support swift renewal of the trade promotion authority we are considering today. We all know the benefits of increased market access for U.S. goods and services are good for American consumers and businesses.

Renewal of trade promotion authority will pave the way for future free-trade agreements between the United States and many other nations. Countries around the world are not standing still on trade, and we cannot afford to sit idly by while they move ahead and engage with each other. History has shown that without trade promotion authority, there is virtually no chance that the United States will successfully reach agreement to lower trade barriers with other countries. We have to have this authority.

I am pleased to have the opportunity to participate in these deliberations, with a shared goal of making sure the trade legislation we are considering today ends up on the President's desk. Toward that goal, I want to raise an amendment I filed that is currently pending.

The proposal we are now debating will renew trade promotion authority for 6 years, but it will also renew trade adjustment assistance. This program will be expanded as well. The Flake amendment No. 1243 will strike the trade adjustment assistance title, or TAA, in its entirety from this package. It is unfortunate that Congress has grown accustomed to tying legislation that expands trade opening for U.S. businesses with this costly trade adjustment assistance.

I reject the notion that these trade-offs are necessary. When Congress takes steps to embrace trade liberalization, it is a responsible reflection of the changing realities in the global marketplace. Almost 95 percent of the world's consumers live outside of our borders. The export of U.S. goods and services has been and will continue to be a vital part of our economy. Adjusting and modernizing U.S. trade priorities to increase economic opportunity is a realization that there is a necessary shift in our economy. Changing economic trends and conditions are a recurring part of our country's history. Look no further than the emergence of digital technology to see a familiar example. But it is only in the case of trade policy changes that the Federal Government is expected to layer on additional benefits for impacts to the workforce.

When you look at this economy and you look at how we have grown and if you look at the shifts in the economy from the industrial age onward, there have been shifts and there have been dislocations, but this is the only area where we say: All right, we are going to try to account for that with adjustment assistance beyond what we already have with the Federal Government.

Now taxpayers can at least breathe a sigh of relief that an amendment offered earlier this week that would have dramatically increased the program's authorized funding, this TAA funding, was handily defeated.

If this program is approved, we can expect to see \$450 million a year spent on training, employment, case management services and job search and relocation allowances alone. In fact, all told, TAA reauthorization will likely cost the U.S. taxpayers about \$1.8 billion.

TAA benefits were expanded in the 2009 stimulus bill. Those expanded benefits were, for the most part, continued from 2011 through 2014. Now, this reauthorization will restore much of that benefit expansion from the manufacturing sector to the service sector and will cover any jobs moved overseas, not just those related to countries with which we have free-trade agreements—this is despite the application criteria for Federal adjustment assistance having been notoriously lax, most notably when employees who were laid off after the Solyndra Federal loan guarantee debacle were awarded TAA benefits.

To be clear, it is not as if those who claim to need trade adjustment assistance are somehow turned away from existing Federal unemployment benefits. These trade adjustment allowance benefits provide a weekly payment to those who have already received unemployment insurance benefits. Including unemployment benefits, these payments can last as long as 130 weeks.

Duplication in Federal job-training programs has been highlighted extensively in the past. According to a 2011 Government Accountability Office report, although some of these have been repealed, 79 Federal agencies spent \$18 billion to administer 47 programs in fiscal year 2009. Again, some \$18 billion was spent to administer 47 programs in fiscal year 2009.

Supporters of trade adjustment assistance claim that the needs of workers impacted by vibrant international trade are somehow special in nature, but when the price tag for all existing and newly authorized training programs and funding reaches into the billions, those arguments wear a bit thin.

There have also been persistent questions related to the program's effectiveness, TAA's effectiveness.

The nonpartisan Congressional Research Service noted that "estimating the impact of the program, for example the differences in employment outcomes of TAA beneficiaries versus otherwise identical workers who did not participate in TAA, is extremely difficult."

A 2012 study by Mathematica Policy Research commissioned by the Department of Labor did a comparison of TAA beneficiaries to those who were not receiving them. They found that after 3 years, TAA recipients actually had lower reemployment rates. However, after 4 years, employment rates for both groups were statistically the

same. So, overall, TAA recipients ended up earning less annually.

At best, the impact of TAA is a multibillion-dollar question mark. At worst, research says it is ineffective and even counterproductive.

While trade adjustment assistance is of dubious value, we certainly know that renewing trade promotion authority is an incredible opportunity for the U.S. economy. It is my fervent hope that Congress will move forward in approving legislation reauthorizing TPA. It is also my hope that one day we can recognize the benefits of trade and the fact that it lifts our economy. I hope we can advance a sound trade policy without these costly adjustment assistance programs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, I come to the floor noting that my friend and colleague from Connecticut was just on the floor talking about the President's health care law. It is interesting that he would do so at a time when we are seeing headline after headline about ObamaCare plan premiums increasing again all over the country.

Remember what the President said. He said: If you like your plan, you can keep your plan. If you like your doctor, you can keep your doctor.

He said premiums would go down by \$2,500 for a family of four. What we have seen is premiums go up across the country. Now my colleague from Connecticut says—in spite of all the money being spent on the President's health care law, premiums are still going up. In his home State of Connecticut, they are going up, and they are going up across the country.

There is a headline in the Connecticut Mirror: "Insurers seek rate hikes for 2016 ObamaCare plans." That is in Connecticut.

You know, it is interesting. I heard my colleague talking about the upcoming Supreme Court case of *King v. Burwell*, the implications of that case. He said the Republicans did not have a plan. Where is the President's plan? He is the guy who made this mess. This is the President's law. This is the law the Democrats voted for.

You know, there is that old sign in the Pottery Barn: If you break it, you bought it. The President broke the health care system in this country. If the Supreme Court rules that he has acted illegally—he is the one who made the mess; he is the one who created the problem.

When my colleague from Connecticut says "Where is the Republicans' plan?" I say "Where is the President's plan?" It is interesting. The President does have a plan to protect the insurance companies, but he has no plans to protect the American public, the American taxpayers. He has a built-in plan for the insurance companies so that

when they wrote the policies this year, there was a decision made by the White House that those policies could be canceled by the insurance companies if the Supreme Court ruled that the President acted illegally. Yet, there is no path, no safe path for those American taxpayers who thought they were obeying the law if the court rules the way I believe they should based on the reading of the law.

So of course people around the country are very concerned when they see once again that the insurance they are mandated to buy by President Obama and the Democrats, the insurance they are mandated to buy by the health care law is going to be even more expensive next year than this year.

In Connecticut—the first paragraph of this article: "Insurance companies selling health plans through the state's health insurance exchange are seeking to raise rates next year. . . ."

It goes on to say: "Despite that, the carriers projected increased costs, citing rising claims expenses and a planned reduction in protection against high-cost claims. . . ." Reduction in protection against high-cost claims. Why? Well, it says "from a temporary federal program intended to provide stability for insurers during the initial years of the health law." This was the bailout of the insurance companies that President Obama and the Democrats built into the President's health care law to get them to go along.

It says, "The rate filings are proposals, not actual changes." Proposals, not changes. It says, "The insurance department will now analyze the proposals, accept public comments. . . ." This is the Connecticut Insurance Department. Well, you know, a lot of members of the public in Connecticut filed comments. I have them to share with the Presiding Officer and with our listeners today. These are the constituents of the Senator from Connecticut, who comes here to the floor and says things are working great in Connecticut. These are his constituents who say:

I am barely making ends meet as it is. I was under the understanding that this was to be AFFORDABLE—

With all the letters of "affordable" in capital letters—healthcare. So far it has been nothing but a burden.

This is a constituent in Connecticut—"nothing but a burden."

He said:

I was happy with my previous plan. . . .

Weren't so many Americans happy with their previous plan before the President, who told them if they liked it, they could keep it—well, that is why there is so much disappointment out there. And the President's statement was called "the lie of the year."

This person was happy with his previous plan, but it was eliminated as of January 1, 2015. "My health care," he says, "went up \$100 for less coverage."

People are paying more and getting less, and Democrats wonder why this health care law is not popular. All across the country, people are paying more, getting less, and the Democrats are clueless as to why this is so unpopular.

"Please do not allow this increase."

That is just one of the constituents who wrote to the Connecticut Insurance Department, a public comment. Here is another:

Please no rate increase. I cannot afford the insurance now. I pay \$594.00 a month for myself, a 60 year old female in relatively good health. I have a \$5,500 deductible. I cannot afford to have some testing done because I don't have the deductible amount.

But we heard the Senator come to the floor and say all of these people have insurance. This person figures—well, she has insurance, but it is of no value to her with her \$5,500 deductible. She can't afford to have testing because of the deductible. She says:

It is bad enough we have the big security breach and we have to worry about our personal info stolen in the years to come and you now want to increase our rates.

That is what we are seeing happening across the country, that is what we are seeing happening in Connecticut, and that is what the public is telling the Connecticut Insurance Department dealing with these proposed health rate increases.

This is another:

I am writing to you regarding the . . . rate increase filing in particular and the health insurance filings in general. I am an individual buyer who does not qualify for federal subsidies due to my income level. I have been buying my family plan since before the Affordable Care Act has been passed and implemented.

They had insurance and do not qualify for a subsidy. Continuing:

Since then—

Since the Affordable Care Act was passed—
buying a family health plan in CT has become almost financially impossible for me to buy as it has become a real financial burden for me. Currently, I am paying some 22% of my Federal AGI for a high deductible (family deductible of \$11,000) HSA plan.

Now, the Senator from Connecticut may say: Hey, great. This person has insurance, insurance they can't afford and they cannot use because of the deductible.

It says:

As you are certainly well aware before the passing of the Care Act my premium for health care was much more affordable.

Why is it? Well, it is because the President decided he wanted to transfer money from one group to another, and this individual who had insurance that he liked, the family liked, worked for them, they could afford, now cannot afford, cannot use because of the deductible. They are still insured, so I guess the Senator from Connecticut would call that a big win for one of his constituents who is clearly being hurt.

This is another one that has come in from Connecticut: