

Are you nuts? This cannot go on. My “affordable” insurance has already increased \$200/mo and now you want more? My income doesn’t even increase this much.

Paying the penalty for no insurance is a better option than this.

DO NOT INCREASE! Learn how to live within your means like the rest of us do.

This is what we are seeing. Is this a surprise that this continues to be a very unpopular law. Should it surprise?

It surprises the Democrats, obviously, when they see that in poll after poll, month after month, the health care law is more unpopular than it is popular, and the reason is people don’t see it as good deal for them. They feel, in terms of their own health, their own families, their own communities, this health care law has been a burden on them, in their lives, and has impacted them as a family.

There is another one from Connecticut:

The ACA raised our health insurance expense (both premiums and deductibles) by 67% for similar coverage!

Sixty-seven percent for similar coverage. Remember, the President told a lot of people that what they had coverage on wasn’t any good. It wasn’t good enough for the President—might have been good enough for that family but not good enough for the President.

So they had to buy, for similar coverage, premiums and deductibles up 67%.

Continuing:

Please do not approve this additional increase.

This person says they would be fine with their own policy, but they weren’t allowed to keep it because of the health care law.

I could go on and on. It is astonishing what we are hearing from the Connecticut Insurance Department, with a response, when they were asked, and put out the filings of the requests for higher rates. It is just interesting.

Here is one more comment from Southbury, CT:

The alleged purpose of this pool, and the affordable care act—

Alleged purpose. Remember NANCY PELOSI: First, you have to pass it before you get to find out what is in it.

Continuing:

The alleged purpose of this pool, and the affordable care act, was to get and keep health care costs under control. My (subsidized) monthly premium is more than double what I paid before being forced into this pool. . . . If the ACA is a failure, then why am I being penalized?

People all across the country believe they are personally being penalized because of the failure of the Obama health care plan and this administration who chose to, with one party and one party alone, force a very expensive, unworkable, really unaffordable, unmanageable, unexplainable health care system down the throats of the American public.

So we will see what happens when the Supreme Court rules at the end of next month. Secretary of Health and

Human Services Burwell said that the administration has no plan. The President told me personally—and the White House earlier this year—he had no plan to deal with the Supreme Court ruling that says his actions were illegal, and he has no plan to deal with so many people who thought they were following the law, who have been hurt by the law.

But he has a plan to bail out the insurance companies and to protect them because we know where the President is in terms of looking at this. And his proposal, his quintessential piece of legislation—the one named after him—has clearly done a significant amount of damage to families all across the country.

I believe it has harmed the health care system, which has always been the best in the world.

We needed health care reform in the country. We did not need what President Obama forced down the throats of the American people with people across the country saying no.

People knew what they wanted in health care reform. What they knew they wanted was the care they need from a doctor they choose at lower cost, and they have not received that under the President’s health care law.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). 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.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that at 5 p.m. today, the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 25, 26, 74, and 107; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate’s action, and the Senate then resume legislative session; further, that all time in executive session count postcloture on the TPA bill.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, I will not object. I am pleased to see some judges finally moving forward.

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

Mr. BARRASSO. Mr. President, we expect some of these votes to be by voice vote.

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

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

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

TRADE POLICY

Mr. WYDEN. Mr. President, I listened to some of the debate earlier this afternoon—in between the effort to make progress toward getting a fair array of amendments for both sides—about this whole question of secrecy surrounding trade policy. A number of Senators were discussing it, and so I just wanted to take a minute to be very clear that I think they have a very valid point with respect to the secrecy that has long accompanied these trade discussions. I would like to discuss how I made it my paramount reform to make sure we would have a new era of transparency, openness, and accountability in the discussion about making trade policy.

I have always felt that if you believe deeply in international trade—the way I do—and you want more of it, why in the world would you be for all this secrecy? That just makes Americans more cynical about the whole topic and makes them think that in Washington, DC, there is something to hide.

I note my friend and partner in all this, Chairman HATCH, is on the floor, and he will recall when we began our discussions—and they went on really for close to 7 months in our effort to forge a bipartisan package—that I wanted to take a very fresh approach with respect to transparency, and I wanted us to be able to say that for the first time in the history of debating these policies, we would no longer have the country and elected officials in the dark with respect to really what is at issue in these discussions.

So here is a short assessment of what really has changed. Of course, right now we are working on the rules for future trade agreements. We are working on the trade promotion act that sets out the rules for future agreements. Obviously, the first one will involve the Trans-Pacific Partnership—what is known as TPP—and there are a variety of others that are under discussion, particularly one with Europe.

If the Congress—the Senate and the other body—adopts this package that Chairman HATCH and I, in conjunction with Chairman RYAN, have put together over these many months, I think we will have achieved our goal of making sure everybody in the Congress and everybody in the United States who chooses to can have the information they need about trade agreements

before a single vote is cast on the floor of the Senate or on the floor of the other body.

Here is how the reform would work: First, it is required by law—in other words, this isn't something that is discretionary—that these trade agreements, starting with the Trans-Pacific Partnership, would be made public 60 days before the President of the United States signs that agreement. That means if you want to come to a town-hall meeting in Colorado, held by the distinguished Presiding Officer of the Senate—even before the President signs it—a citizen in Colorado can come with the Trans-Pacific Partnership Agreement—the entire agreement—in their hands and ask questions of the Presiding Officer of the Senate or any one of our colleagues in the Senate and the House.

After that 60-day period of sunshine and exposure, the President can sign it, and then there would be close to 2 additional months—2 additional months—before the voting on the floor of the Senate and the House begins.

So when I heard my colleagues—Senators whom I respect greatly—talk earlier today about secrecy and that secrecy was no good and why couldn't this be changed and why couldn't that be changed, it made me want to come to the floor—and I will do an overview of all of the progressive reforms that have been made to this package; reforms I thought were important for a new era of what I call trade done right—to make sure we corrected the suggestion that somehow everybody is going to be in the dark before the Congress and the country saw voting begin in the Senate and the House.

Chairman HATCH is here, and he remembers all of our negotiations on this point. It is really going to mean—with the 60-day requirement for sunlight before the President signs the agreement and then probably 2 more months after it has been signed, before we start voting—that a citizen can come to a town-hall meeting in Colorado, Utah or any part of the country and have that Trans-Pacific Partnership Agreement in their hands in order to be able to ask questions about it.

I certainly think that puts our trade negotiators and everybody else kind of on their toes because they know the American people and the Congress are going to have that document. That is going to start with the Trans-Pacific Partnership Agreement.

Now, Chairman HATCH and I made a number of other changes. In the future, it would be possible for the discussion of negotiations—summaries of the negotiations—to be made public so people would also have more information about the process as it was going forward. We have lifted a number of the restrictions in terms of Members having access to the materials and staff having access to the materials.

Because the chairman is here, I want to express my thanks to him especially on this point. We spent a lot of time on

a whole host of issues: How you could put the brakes on a flawed agreement. I am glad the chairman can smile about our discussions on that point today, but suffice it to say they were pretty spirited. We had discussions on a host of these topics. I am especially pleased we made these very substantial changes on the issue of sunlight, transparency, openness, and accountability because I think my colleagues—who discussed it on the floor and many others who have been concerned about secrecy in the past with respect to these agreements—when they get a chance to actually see the details that are in the reforms Chairman HATCH, Chairman RYAN, and I put together, are going to see we have made some very dramatic changes.

Now, I think some specific changes here are areas that I would like to outline. I am going to go to the question of major changes in workers' rights and environmental protections because I know that a number of my colleagues, when they talked earlier, were concerned about these issues as well.

Suffice it to say, on workers' rights and environmental protections, if we go back to the 1990s, back to the NAFTA era, these vital priorities basically were just shunted to the side. It would be almost inflationary to say they got short shrift. They basically got no shrift. They just got shunted to the side. They were in unenforceable side deals, which meant that the United States in effect had to take it on blind faith that our partners would live up to their commitments. It was my view that many of my colleagues, particularly on the Democratic side of the aisle, were spot-on in saying that wasn't good enough.

This trade package will say in clear terms that the United States is done allowing labor and environmental protections to be pushed aside and disregarded. Our partners will be required to adopt and maintain core international labor standards. Core international labor standards are going to be required of our trading partners. They will have to adopt them, and they will have to maintain them. That is not something that is to the side and is unenforceable. That is real. It has got teeth.

Also, our partners would be required to adopt what are really common multilateral environmental agreements, and these would be backed by the threat of trade sanctions. So these are major changes that certainly contribute to what I think makes the most progressive approach with respect to trade policy in the future.

And for the first time, the President is directed under this piece of legislation to make sure our trading partners adopt and maintain key laws. That is why, for example, I mentioned labor standards. And here is what those are: freedom of association, the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labor,

the effective abolition of child labor and a prohibition on the worst forms of child labor, and the elimination of discrimination with respect to employment and occupation.

Now, those are the keys with respect to the labor side.

Here are the key protections on the environmental side, which I have again highlighted here at the outset. The bedrock protections here are that there has to be recognition to ensure that there is compliance with the Convention on International Trade and Endangered Species Act, the Montreal Protocol on Substances that Depletes the Ozone Layer, the Protocol on Prevention of Pollution from Ships, the Convention on Wetlands, the Convention on the Conservation of Antarctic Marine Resources, the Convention on Whaling, and the Tropical Tuna Convention.

This, again, is not stuck in a side deal but is fully enforceable, and not just rearranging inadequate policies of the past, sort of rearranging sinking deck chairs. This is better than anything that has existed before—better than the North American Free Trade Agreement, better than the Central American Free Trade Agreement.

With these changes, our country is saying that we will no longer take it on blind faith that other countries are going to adopt stronger standards for protecting workers and the environment. This is the first time the United States is setting the standard and demanding that trading partners hit that mark. That is very real progress.

I will close with just this point. Many colleagues who have been skeptical about trade agreements always raise the issue about whether trade is somehow going to be a race to the bottom. What I have just described is a concrete way to have a new force for raising standards up and getting the standards up, because my colleagues are right that they have been inadequate in the past.

So whether you are for this bill or not, I hope my colleagues will take a look at the new sunshine provisions, because the American people are not going to be in the dark about what is in a trade agreement before anybody votes on that agreement here in the Senate and the House.

I hope my colleagues will especially look at the new provisions with respect to labor rights and environmental rights, because the day is over when those considerations are going to be shunted to the side. They are going to be front and center, and they are going to have teeth. And instead of a race to the bottom that my colleagues have been concerned about, the United States will be where it always is, where we are at our best—forcing standards up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to personally thank the distinguished

Senator from Oregon for the work he has done on this bill. It couldn't have been done without him. A number of other people on his side have been very contributory and helpful.

We are not there yet, but we are going to work at it. I just have to say how much I have enjoyed working with him on the floor so far. I just hope everything will go smoothly so we can get this bill up and out and get the President what he needs to conclude these negotiations and also especially for our Trade Representative. Mr. Froman has done a very good job, as far as I can see. We will have to see what the TPP is like, but we will all have a chance to look at it for a considerable period of time before we have to vote on anything regarding that.

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

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

EXECUTIVE SESSION

NOMINATION OF JILL N. PARRISH TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH

NOMINATION OF JOSE ROLANDO OLVERA, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF PATRICIA D. CAHILL TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

NOMINATION OF MARK SCARANO TO BE FEDERAL COCHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah; Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas; Patricia D. Cahill, of Missouri, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020; and Mark Scarano, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission.

Mr. LEAHY. Mr. President, today, we are finally voting on the nomination of Jill Parrish to serve as a Federal district judge in the District of Utah and Jose Olvera to serve as a Federal district judge in the Southern District of Texas. Five and a half months into this new Congress, these are just the third and fourth judicial nominees that we will vote to confirm. That is simply unacceptable.

Both of these individuals were nominated last September—more than 8 months ago. After receiving a hearing in January, they were voted out of the Judiciary Committee unanimously by voice vote in February. Their nominations have now been on the Executive Calendar for nearly 3 months. There is no good reason why these nominees should have waited this long for a vote. The vacancy Jose Olvera will fill in the Southern District of Texas has been designated a judicial emergency. In fact, he will fill just one of six district court emergency vacancies in the State of Texas, which currently has a total of eight district court vacancies.

The Senate has a duty to fill judicial vacancies no matter which party holds the majority. When I was chairman of the Judiciary Committee during the Bush administration, I worked quickly to schedule confirmation hearings for judicial nominees and moved them through the confirmation process without unnecessary delay.

In the 17 months I chaired the Senate Judiciary Committee during President Bush's first 2 years in office, the Senate confirmed 100 Federal circuit and district court judges. I also served as chairman during the last 2 years of the Bush administration and continued to hold regular hearings on judges. We confirmed 68 district and circuit court judges in those last 2 years.

Now, this Republican majority has taken 3 months to schedule a confirmation vote for a single district court judge, and after today's votes only 4 district court judges will have been confirmed this year. In contrast, when the Democrats were in an equivalent position in 2007, the seventh year of the Bush administration, we had confirmed 18 circuit and district court judges after 5 months. That's 18 judges under a Democratic majority compared to 4 under the Republicans.

Nevertheless, the Republican majority continues to make excuses for their continued obstruction and delay on confirming judicial nominees. Their excuse is that the Democratic majority was only able to confirm those 18 judges in 2007 because those nominees were held over from the previous year. What the Republicans failed to note is that half or nine of the judges confirmed in the first 5 months of 2007, were not among those left pending on the Senate Executive Calendar at the end of 2006.

The justifications offered by the Republican majority also miss the bigger picture. The Republican majority is simply holding up judicial nominations

for no good reason. Since the beginning of 2015, the number of circuit and district court vacancies has jumped from 40 to 51 vacancies after today's confirmations. The number of judicial emergencies has doubled, from 12 to now 24 after today's confirmation of Judge Olvera. The Republican majority is failing to govern responsibly and to fill judicial vacancies where they are needed.

It is unfortunate that as we head into Memorial Day recess the Senate Republicans are allowing confirmations votes on only 2 of the 10 noncontroversial judicial nominees pending on the Senate Executive Calendar. There is nothing keeping the Senate from confirming all 10 nominees—nothing, except for the mindset of delay for delay's sake, which is unfortunately the hallmark of the majority's leadership on nominations.

There are nominees that remain pending on the calendar that will fill a vacancy on the Federal Circuit as well as a nominee to serve in the Western District of Missouri who were first nominated last year, had a hearing more than 2 months ago, and were reported favorably out of committee 1 month ago by voice vote.

In addition, there are five U.S. Court of Federal Claims nominees who were first nominated a year ago. These five CFC nominees had hearings 10 months ago, were favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year. We have heard no opposition to any of these nominees, yet they have been in limbo for months and months. The CFC is where our citizens go to seek redress against the Federal Government for monetary claims. The cases this court hears include claims of unlawful takings of private land by the U.S. Government without proper compensation under the 5th Amendment, claims of veterans seeking disability benefits for combat related injuries, and vaccine compensation claims.

We are debating trade policy in the Senate, yet the nomination to fill one of four current vacancies on the U.S. Court of International Trade has sat idle on the Senate Executive Calendar for months. Like the CFC nominees, the CIT nominee had a hearing last year, was favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year.

I urge the Republican leadership to clear the Executive Calendar of the many consensus executive and judicial nominations before we break for the Memorial Day recess. Let us show respect for our co-equal branches of government and put these nominees in place to get to work for the American people.

PARRISH NOMINATION

Mr. HATCH. Mr. President, the Senate will soon be voting to confirm Justice Jill Parrish's nomination from the Utah Supreme Court to the U.S. District Court for the District of Utah.