

group, sent their letter out on a common letterhead. Since the web of climate change denial is designed to be so big and sophisticated, with so many parts that the public is made to believe it is not a single, special-interest-funded front, that may not have been their smartest move. Interestingly, some of the groups that participated in this letter were not even mentioned in our floor remarks. Such is the web of denial.

In our reply to them, Senators REID, SCHUMER, BOXER, DURBIN, SANDERS, FRANK, WARREN, MARKEY and I noted that they are all well supported in the web of climate denial, to the tune of at least \$92 million, in a network bound together by common funders, shared staff, and matched messages. It is one beast, though it may have many heads.

We offered these organizations a simple test. If you are for real, disclose all of your donors. There is a lot of dark money going into these groups. So we asked: Show us that you represent many, many millions of Americans—as they claimed in the letter—not just many, many millions of dollars from the Koch brothers' fossil fuel network.

I contend that these organizations are well-funded agents of hidden backers with a massive conflict of interest, and that it is their job to subject our country to an organized campaign to deceive and mislead us regarding the scientific consensus surrounding climate change and to do so with the purpose to sabotage American response to the climate crisis.

I contend that the conflict of interest of their hidden backers runs into the hundreds of billions of dollars. If you use the Office of Management and Budget's social cost of carbon, one can calculate the annual polluter cost to the rest of us from their carbon pollution at over \$200 billion per year. Think what mischief people would be willing to get up to for \$200 billion per year. The International Monetary Fund estimates that the effective subsidy for American fossil fuels is actually even higher—\$700 billion per year. For that kind of money, you can fund a lot of front groups.

The front group's letter points out that our Founders intended for public policies to be well informed and well debated. Well, I could not agree more.

On July 31, leading national scientific organizations, including the American Association for the Advancement of Science, the American Meteorological Society, and the American Geophysical Union, sent Members of Congress a no-nonsense message that human-caused climate change is real, that it poses serious risks to modern society, and that we need to substantially reduce greenhouse gas emissions.

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

That is the voice of fact, analysis, and reason. We are well informed by the real scientists. The scientists have the expertise, the knowledge, and the facts. What they don't have is that massive conflict of interest that requires setting up an armada of front groups and that gives them the \$100 billion motivation to run this scheme. It is time to let the scientists and the facts take their place.

This issue has been thoroughly debated and vetted in the legitimate world. It is time now for us here in Congress to wake up to our duties and at last to act.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 3292 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Mr. President, I rise tonight after having listened to several floor speeches today. I don't understand it. Here we are again with problems such as the debt, the Zika virus, funding our military, and yet we spent the majority of the day in this body talking about something I think we have already decided is not going to change this year, and that is the potential nomination to the vacancy on the Supreme Court.

I just think I need to do this one more time. I have spoken before about my position, and I want to rise in support of Senator GRASSLEY, the chairman of the Senate Judiciary Committee. I think it is important that I again discuss why I believe the Senate should not hold hearings or schedule a vote on any Supreme Court nominee until the American people have chosen whom they want to be their next President.

I would first like to address this issue of the Senate's responsibility under the Constitution with respect to judicial matters and judicial nominees in particular. According to article II, section 2, the President has the power to nominate Supreme Court Justices—nothing new there. We in this body have the power to either consent or withhold our consent from this nominee.

The minority leader himself said at that time when referring to the Senate's constitutional responsibility to confirm President George W. Bush's judicial nominee:

Nowhere in that document does it say the Senate has a duty to give presidential nominees a vote.

He then went on to say:

The Senate is not a rubber stamp for the executive branch.

There is also no provision in the Constitution requiring the Senate Judiciary Committee to hold hearings for all judicial nominees. In fact, the Constitution and its provisions laying out the process for confirming judicial nominees were ratified 28 years before the Senate Judiciary Committee even came into existence. Therefore, it is clear to me that the Senate's action in withholding consent from this nominee is entirely consistent with our rights and responsibilities as a coequal branch of government under the Constitution.

By choosing to withhold our consent in this case, we are doing our job, just as we have said all along and just as our jobs are laid out in the Constitution.

I would also like to address the argument that the lack of hearings for a Supreme Court nominee this year is somehow unprecedented. That is just nonsense. In modern times, the opposite is actually true. The last time a Supreme Court vacancy arose and a nominee was confirmed in a Presidential election year was actually in 1932. But the last time this situation occurred where we had a divided government and we had a Supreme Court Justice nominated and confirmed in that year was 1888. Mr. President, a lot of water has gone under the bridge since then, and both sides have taken this position.

Furthermore, my colleagues across the aisle have consistently argued over the years that the Senate should not act on a Supreme Court nomination during a Presidential election year. The hypocrisy of this situation is just amazing to me. As an outsider to this process, this is what drives my friends and people back home absolutely mad.

It was then-Senator BIDEN—our current Vice President—who was chairman of the Judiciary Committee at the time, who said that President George H.W. Bush should avoid a Supreme Court nomination until after the 1992 Presidential election. Then-Senator BIDEN went further than what we are doing today: He then said the President shouldn't even nominate someone. He made the same point my colleagues and I are making today when he said:

It is my view that if a Supreme Court justice resigns tomorrow or within the next several weeks, or resigns at the end of the year, President Bush should consider following the practice of a majority of his predecessors and not—and not—name a nominee until after the November election is completed.

I don't know what else to say, Mr. President. Both sides have made this same argument we are making today in the past.

Finally, I believe the decision to not hold hearings for a Supreme Court nominee this year is a wise course of

action in the midst of a Presidential election. As I have said all along, this is not the time we want to interject into this political process the decision to make a lifetime appointment to the Supreme Court—a decision that may tip the balance of this particular Court.

Then-Senator BIDEN also said, when discussing the potential of holding Supreme Court confirmation hearings against the backdrop of election-year politics:

A process that is already in doubt in the minds of many will become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the President, to the nominee, or to the Senate itself.

I agree with then-Senator BIDEN that the confirmation of a lifetime appointee to our Nation's highest Court is far too important to become entangled in the partisan wrangling during a Presidential election year.

As a member of the Judiciary Committee, I am, therefore, proud to stand with Chairman GRASSLEY and my colleagues in the committee in saying no Supreme Court nominee should be considered by the Senate before the next President is sworn into office. I also believe that it shouldn't be taken up in a lameduck session. You can't have it both ways, Mr. President.

OBAMACARE

Mr. PERDUE. Mr. President, I have one other topic I would like to cover, if I may, and that is about the other conversation we hear about from back home, and that is ObamaCare.

We just spent several weeks back home in the State working, and I personally spent the last 3 weeks touring our State, from Hahira to Hiawassee, and I can tell you that I get one question out of every group to which I speak, and that is this: What can be done about ObamaCare? My premiums are going up. My insurance was canceled. It said that I could keep my doctor if I wanted to. It said I could keep my insurance company if I wanted to. Yet I lost my doctor and I am losing my insurance.

I really believe this is a critical issue we need to talk about. Americans have never settled for failure. Yet right now people are saying that we need to accept ObamaCare, that it is the law. Yet I am saying it is collapsing under its own weight. In four decades of business, I don't think I have ever seen anything as perverse as ObamaCare and the effect it is having not only on our business community but on the people back home.

We are still talking ObamaCare today, Mr. President, because it is a complete disaster. It has failed the very people this President and the Democrats in this body claimed to champion—the working men and women of America. It did nothing to go after overall costs and the spiraling nature of health care costs, which continue to explode and are the No. 1 driv-

er of the fact that in the next 10 years, unless we do something, this President has a budget that will add \$10 trillion more to our current debt.

ObamaCare did nothing at all to deal with the number of doctors in this country. It inserted government between patients and their doctors and created a shortage of doctors. Right now we are averaging around 10,000—we are losing about 10,000 doctors a year under ObamaCare. In fact, projections are that a doctor shortage in just the next 10 years could top 90,000 doctors. That is staggering.

ObamaCare raises taxes, increases premiums, and it chokes out our choices. Not only that, but deductibles are up dramatically. My home State of Georgia is feeling the weight of this failure. UnitedHealthcare and Cigna are leaving the ObamaCare exchange at the end of the year. Last month, Aetna announced it was joining them.

At the start of this year—this is an astounding number—all 159 counties in Georgia had at least 2 carriers to depend on. Now, after 9 months, 96 of the 159 counties in Georgia have only 1 option. I repeat: 96 of the 159 counties have only 1 option.

Georgians are being robbed of health care choices. They are also facing even higher premium and deductible costs. Premiums have risen in Georgia by an average of 33 percent. Every provider left in Georgia is raising premiums by double digits next year. I will highlight a couple of them: Blue Cross Blue Shield, 21 percent; Alliant, 21 percent; Ambetter, 13.7 percent; Kaiser, 18 percent; Harken Health, 51 percent; Humana, 67 percent.

In 2009, President Obama railed against fewer choices. While selling ObamaCare, he said: "In 34 States, 75 percent of the insurance market is controlled by five or fewer companies . . . and without competition, the price of insurance goes up and quality goes down."

Gee, it sounds like he knew what was coming, except he was complaining about that at the time, and today it has gotten worse. That is exactly what is happening in Georgia because of ObamaCare. These are problems that are not limited to just Georgia. Aetna is leaving 10 other States as we speak. Today, 31 percent of all counties nationwide, comprising almost 2½ million Americans enrolled in ObamaCare exchanges, are more likely than not to have just one choice in provider. That is what the President was complaining about in 2009.

Insurance companies across the country are facing hundreds of millions in losses. It means fewer choices and higher costs for patients. The GAO recently reported that the pre-ObamaCare plans available in most States were more affordable and had lower deductibles than the options now available in ObamaCare exchanges. Profound.

Nationally, premiums have risen by an average of 26 percent. Deductibles

have risen for individuals with an average income of more than 60 percent than when ObamaCare became law. Premiums are up 26 percent. Deductibles are up over 60 percent. There is no way around it. ObamaCare is a Washington takeover of our health care system that isn't working for average Americans.

When they were talking about this back in the day, my comment all along was: How do you feel about ObamaCare? I said: Well, if you like the way the VA is being run, you are going to love ObamaCare. Those words are coming true today. It is collapsing under its own weight. It is failing the very people whom the other side claims to champion—the working poor and the working middle class of our country who are bearing the burden of this nonsense.

Monopolies are festering and prices have skyrocketed. As I said, ObamaCare is yet another example of liberal policies failing the very people they claim to champion. The diagnosis is in. None of these problems are going away. That is our problem. In fact, they are getting worse. ObamaCare cannot be allowed to stand.

This is not a question of tweaking it around the edges. It is profoundly built incorrectly. We have to repeal the individual and poor mandates and pass an alternative that goes after real drivers of spiraling health care costs. Instead, we should offer transportability, insurability, and accessibility—all the things that were missing prior to ObamaCare but have been proposed fixes that have been in for over 10 years on the Republican side.

Accessibility is one of the main things to those who want to purchase coverage without mandating it. This would ensure that no one is priced out of the market, including those with preexisting conditions. We should offer more access to health savings accounts to help drive down costs and allow for the purchase of insurance across State lines to increase competition.

Finally, we have to address the frivolous lawsuits that have forced some doctors to practice defensive medicine out of fear of being sued. All these steps are within our grasp. So don't believe those who say there isn't an ObamaCare alternative out there. My friend and Georgia representative, TOM PRICE, has championed H. 2300, the Empowering Patients First Act, for years. It contains all the solutions I just mentioned and more. I am proud to cosponsor that with JOHN MCCAIN in the Senate. Our health care system is too important for too many Americans and too many to settle for this failure. I wasn't sent to the U.S. Senate to settle for the status quo.

I want to say one thing in closing. In the last 8 years, we have been told over and over again that the status quo is the new norm. This is one where the American people are telling me and telling you that they are not accepting this new norm.