

Affordable Care Act. Madam President, 500,000 Kentucky residents use ObamaCare—half a million people.

Last week an Associated Press article highlighted the fact that Kentucky has seen the largest drop in the percentage of its uninsured. I will read from an AP story:

Kentucky and Arkansas had the largest drops in the percentage of people without health insurance in the country, according to the Gallup-Healthways survey. In 2013, more than 20 percent of Kentuckians did not have health insurance. By the end of 2015, after the State expanded its Medicaid program and created a health-insurance exchange, that figure was down to 7.5 percent.

There it is in black and white. In 2013, 20 percent of Kentuckians didn't have health insurance, and now it is down to 7.5 percent. That is a remarkably strong decrease of the uninsured. If my friend the Republican leader had his way and repealed ObamaCare, all progress in Kentucky would be gone.

Sadly, Kentucky's tea party Governor is following in Senator McConnell's footsteps. Gov. Matt Bevin wants to tear apart his State's health exchange, regardless of the impact on his constituents. I will read again from the AP article:

Bevin, a Republican, has already given the order to dismantle Kynect, Kentucky's state-based exchange. And he plans to repeal Kentucky's Medicaid expansion and replace it with something else that [would] mean fewer people would be eligible and the ones who stay eligible would have to pay a small premium. Bevin needs approval from the federal government to do that. If he does not get it, Bevin has said he would repeal the expansion entirely.

It is time for Republicans to accept the fact that ObamaCare is here to stay. It is not going anywhere. Once and for all, it has moved past repeal. Start making the Affordable Care Act work even better for the American people.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ZIKA VIRUS

Mr. McCONNELL. Madam President, I recently asked Secretary Burwell to come to the Senate to brief committee chairs, ranking members, and leaders in both parties on the administration's response to the Zika virus. I appreciate her team working with us to schedule that briefing for tomorrow. Here are the two areas in which we want to get a better understanding at the briefing:

No. 1, what preparations are being made to protect Americans?

No. 2, what are the administration's funding priorities given limited Federal resources?

Concern about the Zika virus is growing in our country, and protecting constituents, especially children, from a communicable disease is a high priority for all of us. I am looking forward to hearing more tomorrow about both

the administration's proposed response and its priorities for combatting this disease.

ENERGY POLICY MODERNIZATION BILL

Mr. McCONNELL. Madam President, the legislation currently before us—the Energy Policy Modernization Act—is the product of a year's worth of constructive and collaborative work. In the Energy Committee, it passed overwhelmingly with the support of both parties. Here on the floor, it has been subject to an open amendment process, with input from both sides. More than 30 amendments from both Democrats and Republicans have already been adopted. The Senator from Alaska recently sought consent to continue that progress by getting several more amendments pending. It is unclear why any colleague would object to her effort or why they would effectively block consideration of their own amendments, but that is what happened. It is disappointing for our country.

We are hoping our friends will reconsider. Remember, the Energy Policy Modernization Act is broad bipartisan legislation designed to help Americans produce more energy, pay less for energy, and save energy, all while helping strengthen our long-term national security. We should pass it.

I am asking colleagues to take yes for an answer and allow the open amendment process to continue so that we can pass it, which is so important to helping our country prepare for the energy demands of today and the energy opportunities of tomorrow.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

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

HEEDING HURRICANE WARNINGS

Mr. NELSON. Madam President, hurricanes can be deadly. We are accustomed to them in Florida. They are part of our lifestyle. We know enough about hurricanes and the ferociousness

and strength of Mother Nature to know that when a hurricane starts bearing down, you better be prepared, and that is especially so with regard to boats. Hurricanes cause giant-sized waves and strong winds that make it impossible to navigate a boat. So when the forecast calls for a hurricane, boats ought to get out of the way.

Sadly, last year the El Faro, a cargo vessel that sailed from Jacksonville to Puerto Rico and back, along with its sister ship, sailed right into a hurricane off the Bahamas. As a result, the last call to shore, although the captain's voice was calm, was to report that they had lost power and were therefore listing, which meant that something had been breached and water was coming into the ship. That was the last we heard from the captain. We now know that that ship is 5 miles below the surface of the Atlantic, on the eastern side of the Bahama Islands. Thirty-three people lost their lives, most of whom were from the Jacksonville, FL, area. The National Transportation Safety Board is conducting an investigation, and the question is whether or not they are going to put down another U.S. Navy submersible so they can continue their search for the recorder that would give them the complete data from the ship.

I am bringing this up again because the very same thing almost happened yesterday, only this time a 4,000-passenger cruise ship, sailing from the New York area to Port Canaveral, FL, and then on to other destinations in the Caribbean, sailed right into a hurricane that had winds topping 100 miles per hour.

I wish I had a blowup of the image of these hurricanes to show the Senate. Yesterday's storm was right off the coast of North and South Carolina. When these two images are compared side by side, we can see how yesterday's storm is similar to Hurricane Isabel. They look menacingly similar. The thing about yesterday's storm is that it was forecasted for days. So why in the world would a cruise ship with thousands of passengers on it go sailing right into it?

Some of the passengers have made comments, including Robert Huschka, executive editor of the Detroit Free Press, who was a passenger on the cruise. He said: "I am not going to lie. It was truly terrifying."

Passengers talked about how the water was coming into the upper decks. The pictures that were taken by the passengers on the ship speak for themselves. I am sure there was a courageous crew on board, but the question is: Why, after what happened to the El Faro last year, did it sail into the storm? Even if they were surprised by the change of the direction of the storm, which is what happened with the hurricane last year, why in the world would a ship go anywhere close to where the hurricane could be, particularly as the storm starts to cross the warm waters of the Gulf Stream,

and, therefore, gets all the more fuel for the counterclockwise rotation of the winds from the warm water?

I want the National Transportation Safety Board, over which the Senate Commerce Committee has some jurisdiction—of which I have the privilege of being the ranking member—to come up with a quick report.

Now, thank goodness, that so far only four passengers were reported injured and no one was killed. That ship is now returning to port back in the New York area. Thank goodness there was not much damage, and that it is seaworthy. But the question is, When there is a storm brewing, why are mistakes made just like what happened to the El Faro? Before it left the Port of Jacksonville, they knew that a hurricane was coming.

We need to know what happened in this case as well so we can prevent these kinds of accidents that could be so tragic in the future.

The Senate Commerce Committee has oversight of the National Transportation Safety Board, and I want them to come up with answers very quickly and make an admonition to Americans that when a storm is brewing, you don't go out of port.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Rebecca Goodgame Ebinger, of Iowa, to be United States District Judge for the Southern District of Iowa.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided in the usual form.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO RICHARD ANDERSON

Mr. ISAKSON. Mr. President, on Friday of last week as I was getting ready

to leave to go home to the State of Georgia, the United States of America, and the aviation industry received notice that Richard Anderson, CEO of Delta Airlines, will retire after a career of over 25 years in the aviation industry, but in particular a great career at Delta Airlines over the last decade. I rise to memorialize on the floor of the Senate how much my State and the aviation industry owes to Richard Anderson.

Richard took over Delta at a very critical time. In fact, Delta was in desperate straits. Because of his work at Delta, he revitalized the culture of the company, he revitalized the aviation industry in Georgia, and he made it a market for all of us to be proud of. In fact, in 1 year, 2 years ago, Delta was one of the 50 most admired companies in the United States of America and led the world in terms of aviation as stated by Aviation Magazine, but most importantly Richard Anderson came to Washington, DC, when all the aviation industry was in trouble. He was then with Northwest. Delta was having difficulties. He worked with the U.S. Senate, worked with the Finance Committee, worked with me, MIKE ENZI, and others to reform the pension performance act of 2005, and change the way pensions were calculated in order to save the pensions of Delta Airlines and many other airlines in the United States of America. His hands-on effort to revitalize that company led to the most prosperous year in its history in 2016, and the most prosperous decade it had in the last 10 years.

So as he announces he is leaving Delta Airlines and the aviation industry for other things to do, I want to, on the floor of the Senate, commend him for all he has done to make Delta Airlines in the State of Georgia great, all he has done for the aviation industry, and all he has done for the economy of the greatest country on the face of this Earth—the United States of America.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of Judge Ebinger from Iowa. I am very pleased to be here to support her and to urge all my colleagues to also support her nomination.

I am very proud of the work my colleague Senator ERNST and I have done to fill the vacancies in Iowa's district courts by putting forward two exceptionally talented and qualified nominees, Judges Ebinger and Strand. I said this in committee but, for the benefit of all Members of the Senate, the Iowa nominees are two of the best judicial candidates the President has nominated during his Presidency.

To fill the vacancies in Iowa, I set up a Judicial Selection Commission and invited all interested Iowa lawyers to apply. The applicants were vetted by highly qualified members of the Iowa legal community. After spending hun-

dreds of hours reviewing the applications, the Commission interviewed all 39 applicants. Eleven candidates of the thirty-nine were then selected for a lengthy second round of interviews. At the end of the process, the Commission sent their recommendations to me. In consultation with my fellow Iowa Senator, I was proud to recommend Judges Strand and Ebinger to the White House. Judges Strand and Ebinger have the highest credentials and character and will serve the State of Iowa with honor and with distinction.

I would like to say a little bit more about Judge Ebinger because she is the one of the two we are voting on today. Judge Ebinger received her undergraduate degree in 1997 from Georgetown University School of Foreign Service and her law degree from Yale Law School in 2004. She then served as a special assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Iowa in Cedar Rapids. There, she prosecuted criminal cases involving narcotics, immigration, firearms offenses, and violent crimes. She then clerked for Judge Michael Melloy on the Eighth Circuit for 2 years, also in Cedar Rapids, IA.

Following her clerkship, she moved to the U.S. Attorney's Office for the Southern District of Iowa as an assistant U.S. attorney. During this time, her practice shifted primarily to white-collar crime. She also handled intake for all child support enforcement cases and sex offender registry violations.

Judge Ebinger received a number of awards for her work with the U.S. Attorney's Office. In 2012, she was appointed to serve as a district judge in Iowa State court and was retained as a district judge in the 2014 election. As a State court judge, she presided over a court of general jurisdiction, handling civil law and equity, criminal, and family court proceedings. She has presided over 40 cases that have gone to verdict or trial.

Judge Ebinger is a highly qualified, well-respected judge already, and I urge my colleagues to support her nomination today.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, today we will vote on the nomination of Rebecca Ebinger to fill a judicial vacancy in the Federal district court in the southern district of Iowa.

Ms. Ebinger is a highly qualified nominee who has devoted her legal career to public service. Since 2012, she has served as a district judge in Iowa State court. Prior to joining the bench, Judge Ebinger served as a prosecutor at the Federal and State levels in Iowa, including in the U.S. attorney's offices for the southern and northern districts of Iowa. During her tenure as a Federal prosecutor, she was the lead attorney on cases involving violence against women. Judge Ebinger has the strong support of her home State Senators, Chairman GRASSLEY of the Judiciary Committee and Senator ERNST.