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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious Father, fill our government's legislative branch with Your truth. Where it is in need of purging, cleanse it. Where it is in error, direct it. Where anything is amiss, reform it. Where it is right, strengthen and confirm it. Where it is in want, furnish it. Where it is divided, unite it.

Today, use our lawmakers for Your purposes. As they have the opportunities, may they strive to do good for Your glory. Guide and strengthen them as You provide for their needs. Lord, remind them that they are laborers together with You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 25, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a

Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HEALTHCARE LEGISLATION

Mr. McCONNELL. Mr. President, what has happened in the years since Democrats forced ObamaCare on our country? Health choices have plummeted downward year after year. Health costs have skyrocketed higher year after year. And what have Democrats, who promised the opposite, done all these years since, as Republicans repeatedly warned we had to act before ObamaCare hurt more Americans on its inevitable path to collapse? Well, they have done basically nothing. They said we were exaggerating. They were wrong. They said things would get better. They got even worse. Rather than work with us to fix healthcare, they pretended things were fine, while more Americans got hurt.

So you can imagine my surprise when Democrats recently sent a letter that essentially conceded that the status quo of ObamaCare is unsustainable. Was it because they actually wanted to work together on reform? I sure wish that were the case, but so far it seems part of a new strategy to—get this—blame someone other than themselves for the failures of ObamaCare. Did they actually think anyone was going to buy this? Come on.

Just the other day, a bombshell report came out that reminded us exactly where the blame for ObamaCare's failures has always belonged. The

blame belongs with ObamaCare. The official report said that since ObamaCare's full enactment in 2013, premiums had, on average, doubled in the vast majority of States that use ObamaCare's Federal exchange, and premiums even tripled in a handful of others. Think about that. Premiums doubled in the vast majority of these States, and premiums tripled in a handful of others. There is no serious way to now try to spin away these years and years of ObamaCare's failures on cost.

By the same token, there is no serious way to try to spin away or ignore the years and years of ObamaCare's failures on choice. Just take a look at the chart behind me. It shows that 49 percent of the counties in my State have just one insurer. Half of the counties—one choice. And when you have one choice, you have no choice at all. That is the latest in a long-term trend we have seen under ObamaCare. To add insult to injury, predictions show that next year could be even worse for families when it comes to their choices under this law.

Unfortunately, my State is not alone either. This year, there are 26 States with at least 1 county where residents have just 1 insurance option under ObamaCare. That means millions of Americans living in more than 1,000 counties across our country really have no choice at all.

Thanks to ObamaCare, things could again get even worse next year. Just yesterday, tens of thousands of Missourians across 25 counties—from small towns to Kansas City—learned that they may join the ranks of Americans without a single insurance option to choose from next year—not one—thanks to ObamaCare and its years-long trend of fewer and fewer choices.

Does any of that sound like what Americans were promised?

A mother in Louisville recently wrote to my office begging for Members of Congress to address the failures.

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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“Middle class Kentuckians are hurting because of ObamaCare,” she said. “Residents [have] little choice for health plans” and “our family is not the only one suffering from the high costs of health insurance.” She concluded, “I hope you will push hard to fix our healthcare system.”

I know many of my colleagues have received letters like this one from their constituents as well.

ObamaCare has caused so much pain for families across our country, and it is not going to just magically somehow get better on its own. I know that, like so many families across the country, I am not satisfied with the ObamaCare status quo, and I don’t think it is acceptable for its failures to be considered the new normal. As the people of Kentucky have shown in election after election, they don’t either.

Senate Republicans are working together to move past the problems of ObamaCare and to help those who have been hurt by it. We would love for Democrats to join us. Democrats have already effectively conceded that ObamaCare has failed. Now the question is, Will they work with us to actually fix this mess, or will they waste more time in some futile attempt to now redirect blame? The ObamaCare status quo is unsustainable. It is indefensible, and we have to move beyond it before more Americans get hurt.

NOMINATION OF AMUL THAPAR

Mr. McCONNELL. Mr. President, on another matter, later today Senators will vote to confirm Judge Amul Thapar of Kentucky to the U.S. Appeals Court for the Sixth Circuit. Judge Thapar will make an outstanding addition to the U.S. Appeals Court for the Sixth Circuit. He has a reputation as a qualified judge with an impressive legal mind. He will fairly apply the law to all those who enter his courtroom because, in Judge Thapar’s own words, “the most important attribute of a judge is to be open-minded and not to prejudice a case without reading the briefs, researching the law, and hearing from the parties.”

In 2007, President Bush nominated him to be a U.S. district judge for the Eastern District of Kentucky. At that time, the Senate confirmed his nomination on a voice vote, and Judge Thapar became the first South Asian American Federal judge in the history of our country. When we confirm him to the Sixth Circuit later today, he will be the second South Asian American judge ever to serve on a Federal circuit court.

Judge Thapar has been recognized for his work on the bench. The most recent edition of the Almanac of the Federal Judiciary quoted attorneys who “agreed that Thapar has excellent legal ability.” Additionally, the American Bar Association, which prominent Senate Democrats have called “the gold standard” for evaluating judges, awarded him its highest rating—unani-

mously “well qualified.” In other words, the people involved in rating him couldn’t find anybody who didn’t say he was well qualified. That is the highest rating one can achieve.

Judge Thapar has the necessary credentials, integrity, and respect from his colleagues to join the Sixth Circuit. I am proud to support him, and I urge all Senators to vote to confirm Judge Thapar’s nomination later today.

MEMORIAL DAY

Mr. McCONNELL. Mr. President, as we approach the Memorial Day weekend, we are reminded of the great sacrifices so many men and women in uniform have made on our behalf throughout the years. The servicemembers whose memory we honor paid the ultimate price in defending our Nation, our families, and our freedom. We are forever indebted to them. But as we reflect upon the fallen soldiers, sailors, airmen, and marines, we are also reminded of the responsibility we have to the heroes who have returned home—our veterans.

I don’t have to tell colleagues how important keeping our commitment to our veterans is. We have an All-Volunteer Force. We cannot break faith with the Americans who bravely and willingly fight on our behalf. One way we can honor them is by working to ensure that they receive the quality, timely care they need through the Department of Veterans Affairs. That is why, after the State work period, we will be taking up a bipartisan bill reported out of committee just yesterday that will enhance accountability at the VA, improve the care veterans receive, and empower the VA with the tools necessary to remove employees who are failing to perform at the high-quality level our Nation’s heroes richly deserve. Importantly, this bill—the Department of Veterans Affairs Accountability and Whistleblower Protection Act—will build on progress we have already made with the 2014 Veterans Access, Choice, and Accountability Act.

We know that many challenges remain in ensuring that veterans have access to the care they need and deserve at the VA, but this legislation will further improve our ability to meet our commitment to them. I appreciate Chairman ISAKSON for his continued efficacy on behalf of our veterans, as well as Senator RUBIO for his leadership on this critical legislation. I look forward to the full Senate taking up the bill and passing it soon.

CELEBRATING THE COMMONWEALTH OF KENTUCKY’S 225th ANNIVERSARY

Mr. McCONNELL. One final matter, Mr. President. Next week on June 1, the Commonwealth of Kentucky will celebrate the 225th anniversary of its admittance as a State into the Union. Originally part of Virginia known as the Kentucky County, it became the

15th State of this Nation in 1792. So today I rise to celebrate my home State of Kentucky, the Commonwealth of Kentucky, a place the Native American Wyandot Nation called the “land of tomorrow.”

Once considered the far western frontier, Kentucky has developed into a State with diverse industries, a strong heritage, and international prominence.

When you think about my home State, many things follow as distinctly Kentuckian. The natural beauty of our mountains, farmlands, and riverways foster deep love. Blessed with fertile land and an abundance of coal, Kentucky’s cultural heritage has developed in both the fields and the mines. The proud tradition of the Commonwealth includes bourbon and basketball, but also pioneers, statesmen, artists, scholars, and athletes.

From the days of Daniel Boone’s heroic exploration through the Cumberland Gap, Kentucky has been home to numerous courageous men and women. The trailblazing spirit has animated Kentuckians from all walks of life throughout the generations. A pioneer of abdominal surgery, Ephraim McDowell expanded the boundaries of medical science. Tori Murden McClure rowed across the Atlantic Ocean as the first American and first woman to brave the waters alone. Responsible for a world famous fried chicken recipe, Colonel Harland Sanders franchised his store at the age of 62 and taught us all that it is never too late to chase our passion. Acclaimed news anchor Diane Sawyer, born in Glasgow, began her career as a weather forecaster in Louisville. Muhammad Ali, an international sports legend, became a global ambassador for peace.

The Commonwealth has given rise to statesmen who have defended the Union, protected our liberties, and represented Kentucky values. Leaders like Henry Clay, Abraham Lincoln, and Alben Barkley each left an indelible imprint on the history of our Nation. Civil rights icon Georgia Powers fought against racial injustice in our State, inspired Kentucky to open public accommodations, and was the first African American to serve in the Kentucky State Senate.

Kentucky’s poets, musicians, and actors have garnered international acclaim for their craft. Jesse Stuart’s poems and short stories captured the beauty of Kentucky’s mountains, and Pulitzer Prize winning author Robert Penn Warren described the unbreakable link between poetry and democracy. The National Quilt Museum in Paducah is a global center of creativity and tourism. Kentucky is also home to music legends and Grammy Award winners like Loretta Lynn and Chris Stapleton and the birthplace of entertainment stars such as Jennifer Lawrence, George Clooney, and Johnny Depp.

In the world’s greatest college basketball rivalry between the University