

Mitch McConnell, Joni Ernst, Tom Cotton, Thom Tillis, Lindsey Graham, Mike Crapo, John Boozman, Roger F. Wicker, Dan Sullivan, John Cornyn, John Thune, Steve Daines, John Barrasso, David Perdue, Mike Rounds, Orrin G. Hatch, John McCain.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Thank you, Mr. President.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 1552 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

HEALTHCARE LEGISLATION

Mr. HATCH. Mr. President, today I wish to make some remarks paying tribute to a former staff member of mine for whom I have the highest opinion. However, before I begin those remarks, I should take a moment to address the elephant in the room.

Mr. President, today the majority leader revealed a revised discussion draft for legislation to repeal and replace ObamaCare. Let me say at the outset that this bill isn't perfect. There are some things in the bill that, given my preferences, I would do very differently. But one thing I have learned in my 40 years in this Senate is that people who demand purity and perfection when it comes to legislation usually end up disappointed and rarely accomplish anything productive. That is particularly true when we are talking about complex policy matters.

The next vote on this legislation will presumably be whether to let the Senate proceed to the bill. Regardless of any of the positions of my colleagues on this particular draft, if they support the larger effort to repeal and replace ObamaCare, they should at the very least want to have a debate on this bill. Under the rules, we will have an open amendment process. Members will get a chance to make their preferences known and to have the Senate vote on them. Taking that opportunity is the very least we can do.

Keep in mind, virtually every Republican in this body has supported the effort to repeal and replace ObamaCare more or less since the day it was signed into law. We have all made promises to our constituents along those lines. This legislation, while far from perfect, would fulfill the vast majority of those promises.

If we pass up this opportunity, we are looking at further collapse of our health insurance markets, which means dramatically higher premiums and even fewer healthcare options for our constituents. Make no mistake, while some are talking about a bipartisan solution to prop up markets in

the event this bill fails, there is no magic elixir or silver bullet that will make that an easy proposition.

I have to think that at the end of the day, if we fail to take action to fulfill the promises we have all made, we will have to answer to the American people for the missed opportunity and the chaos that will almost certainly follow. I hope all of my colleagues will keep that in mind.

TRIBUTE TO EVERETT EISSENSTAT

Mr. President, I wish to take this time to pay tribute to a very dear and noble colleague of mine, Everett Eissenstat. For the past 6 years, Everett has served as my chief international trade counsel on the Senate Finance Committee—a very important position. He has had a long and distinguished career in public service, obtaining and utilizing what is really an unparalleled level of knowledge and expertise about our Nation's trade policy. In fact, I think it is safe to say that very few, if any, individuals have had as great an impact on the current state of U.S. trade law as Everett Eissenstat. His public service will continue, as he has recently gone on to serve as the Deputy Director of the National Economic Council.

Everett received his juris doctorate at the University of Oklahoma, where he graduated cum laude and served as research editor of the Oklahoma Law Review. He also holds a master's degree in Latin American studies from the University of Texas at Austin and a bachelor's degree in political science and Spanish from Oklahoma State University. With diverse alma maters like that, some might wonder how Everett decides what colors to wear on college football Saturdays. But those of my colleagues who know Everett will correctly guess that he has, since his undergraduate days, remained a devoted fan of his beloved Cowboys.

After obtaining his law degree, Everett went to work for Dixon and Dixon in Dallas, TX. Later, he worked as Congressman Jim Kolbe's legislative director and, shortly thereafter, he became the international trade counsel for the Senate Finance Committee for Senator GRASSLEY, who was then the lead Republican on the committee.

Everett was a key staffer in the effort to draft and pass the Trade Act of 2002, which renewed trade promotion authority for the first time in 8 years. This was a major update to our Nation's trade laws and made possible the completion and passage of trade agreements with Chile, Singapore, Australia, Morocco, Bahrain, Oman, Peru, Colombia, South Korea, Panama, as well as the countries of the CAFTA-DR agreement; namely, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

Everett then helped implement a number of these agreements when he served as Assistant U.S. Trade Representative for the Western Hemisphere, a position he held from 2006 through 2010.

After recognizing his fine work, I asked Everett to return to the Finance Committee in January of 2011 to once again serve as chief international trade counsel, and he continued to distinguish himself as one of the most knowledgeable and dedicated trade lawyers in the country.

Very early in his second tenure at the Finance Committee, he helped shepherd our free trade agreements with Colombia, Panama, and South Korea through the Senate. In 2015, he was the key staffer in the effort to draft, introduce, and pass the bipartisan Congressional Trade Priorities and Accountability Act, which, among other things, once again renewed trade promotion authority after another 8-year gap, and updated our Nation's trade negotiating objectives for the 21st century.

At about the same time, Congress also passed legislation to update our customs enforcement and facilitation laws, as well as a bill to reauthorize some important trade preferences.

All of these successes were the culmination of years of hard work and represent the most ambitious legislative agenda on trade in recent history, and Everett was an indispensable part of it all.

With his work on passage of those laws in 2015, his work on the prior TPA statute in 2002, and his efforts at USTR, Everett has been a key player in the development and facilitation of a generation of U.S. trade law. That is no small feat. More than anyone I have known, Everett is committed both to improving opportunities for Americans abroad and to ensuring an increasingly free-trade economy around the world. He is a true believer in free trade and the benefits free trade brings to our economy.

I am not the only Senator who will miss Everett's knowledge and expertise. Indeed, during his time here, he was an asset to the entire Senate. But, more than that, I will miss him personally: his tireless work ethic, his calm and thoughtful demeanor, and his cheerful disposition, even when he is breaking bad news or telling Senators things they may not want to hear.

While I am sad to see him go, it is comforting to know that Everett is continuing to serve our country and will keep advancing pro-growth economic policies at the National Economic Council. His expertise and wisdom are more important now than ever before, with numerous trade possibilities on the immediate horizon.

As I have said before, and I imagine I will say many times again, Everett is very, very good at what he does. The administration and the country are lucky to have such an important asset. I look forward to seeing his successes in this new chapter of his career, though it goes without saying that he leaves behind some very big shoes to fill. I count myself lucky to have been the beneficiary of Everett's knowledge and advice for several years.

I want to wish Everett, his wonderful wife Janet, and their sons Jacob and Alex the very best in this and any other future endeavors. Everett has a dedicated family, and I understand that they are here today; that Everett's wife and his one son were outside here just a short time ago. I am quite certain they are just as proud of Everett as I am.

I have worked with a lot of people in the U.S. Senate. I have had a lot of staff people, and all of them have been, almost to a person, very, very good. I have appreciated all of them, and I know that we wouldn't be nearly as good without our staffs whispering in our ears, preparing the documents that we put into the RECORD, working with us to help us improve our abilities to put forth our agendas.

I want my colleagues to know that Everett Eissenstat has been one of the all-time great staff people on Capitol Hill. I hesitate to even call him a staff person because he has the kind of reputation that goes far beyond being a staffer on Capitol Hill. He is one of the great leaders in this country, and I just want him to know how much I personally appreciate him. I want his wife to know how much I appreciate her and him; and his children—I want them to know what a great father they have.

Everett is a great, great man, and I am really happy to have said a few nice words about him on the floor. No matter what I say, it is not enough to explain what a truly great individual Everett Eissenstat really is.

I hope we can get other good staff people like Everett to help us on both sides. We are willing to work with both sides, willing to bring us together to do the things we know are important for this country and its future. Everett is one of those. I am going to miss him terribly. On the other hand, I know that where he is now is very important, and he will do the job as well as anybody alive.

I just want to pay tribute to him and his wife and his son who is here today, and tell him how much we all love and appreciate him.

With that, I yield the floor.

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.

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

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

HEALTHCARE LEGISLATION

Mrs. SHAHEEN. Mr. President, I am pleased to be here with my colleagues—Senator KLOBUCHAR, from Minnesota, and Senator HEITKAMP, from North Dakota—to talk about the most prominent issue facing us right now; that is, what happens to healthcare for millions of Americans.

At a town hall in Kentucky last week, Majority Leader McCONNELL said that if he can't secure the votes to re-

peal the Affordable Care Act, he will have no choice but to work in a bipartisan way with Democrats on legislation to repair and strengthen the law. Well, I was encouraged to hear the majority leader say that because I don't think bipartisanship should be a last resort. I think it should be the starting point. It should be the beginning of the work we do in this Chamber because that is what the American people want and that is the best way to make lasting public policy.

This is especially true with healthcare legislation, which impacts families all across America. As we have been hearing—and I have had a chance to hear it directly from my constituents in New Hampshire—the American people have wanted all along for to take a bipartisan approach. It is unfortunate that our colleagues on the other side of the aisle have spent months trying to pass a partisan, deeply unpopular bill.

Now, I think we would all agree that there are changes we need to make in the Affordable Care Act, something for which I have advocated since we passed the law. I have had the opportunity to work with our colleague TIM SCOTT from South Carolina. In 2015, we worked together to make modest changes to the law to protect small businesses from excessive premium increases. I think that bipartisan approach is something with which, if we started today, we could make changes in the Affordable Care Act to improve it and to make sure that Americans could get better access to healthcare.

We all understand that there are problems currently in the market in terms of premium increases, and we know why these premium increases are happening. In their 2018 rate request filings, insurers justified the increases because of the uncertainty surrounding the repeal of the ACA and because this administration refuses to commit to making what are called cost-sharing reduction payments.

These payments were included as part of the Affordable Care Act to address premiums, deductibles, and co-payments and to make them more affordable for working families, basically, to be able to help people afford insurance. The payments have been built into the rates that insurers are charging for 2017. But as we look ahead to 2018, there is a big problem because, if there is uncertainty around those payments, it means premiums will skyrocket, insurers will leave marketplaces, and people will lose their health coverage. Now, we could fix this today if we were willing to work together, because we know what we need to do.

I think New Hampshire offers a vivid example of what we are seeing across the country. Last year, insurance markets were stable, health insurance premiums increased an average of just 2 percent in New Hampshire—the lowest annual increase in the country and in our State's history. Unfortunately, today, because of the uncertainty in the market, it is a very different story.

Insurers in New Hampshire are raising premiums for 2018. The same thing is happening across the country. In some cases, insurers are filing two different sets of rates—one premised on the administration's continuing to make those cost-sharing payments that I talked about earlier, and the second set with higher premiums to account for continuing uncertainty and the possibility that the Trump administration, which is legally charged with implementing the Affordable Care Act, is going to renege on making the payments that have been promised to insurers and, ultimately, to families so that they can get healthcare.

This uncertainty is completely unnecessary. The instability in the ACA marketplaces is a manufactured crisis, and we could put a stop to it today. That is why I have introduced the Marketplace Certainty Act, a bill to permanently appropriate funds that would expand the cost-sharing reduction payments and ensure that we can count on those payments being made.

I am pleased to be joined by 25 other Senators who have already cosponsored this bill, and we can pass this right now if we had agreement with our colleagues on the other side of the aisle.

The Marketplace Certainty Act is also supported by a broad spectrum of provider and patient advocate groups—including the American Cancer Society, the American Heart Association, the American Diabetes Association, and the National Association of Community Health Centers, just to name a few.

We can end the artificial crisis. We could immediately restore certainty and stability to the health insurance markets. In turn, this would give us the space we need to come together on a bipartisan basis to improve the Affordable Care Act, to strengthen what is working, and to fix what is not working. That is what we were sent to Washington to do.

Bipartisanship should be our first choice, not a last resort. The American people want us to stop bickering over healthcare, to work together, and to make the commonsense improvements to the law that we should be making.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota—North Dakota.

Ms. HEITKAMP. That is OK. I am from the better Dakota. I just have to tell you.

Mr. President, I am always perplexed when the opposition party, the Republican Party, says: We are the party of business. We are the party that believes that government should function more like a business. We are the party that believes that we have to make the tough decisions, we have to do the work that needs to get done, and we have to do it in a timely fashion.

OK, I get that. There is not a corporate board in America confronted with the challenge that we have in healthcare that would not shore up the