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Senate

The Senate met at 10 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.

O God, our shield, look with favor upon us. Lord, You have told us in James 4:2 that we have not because we ask not. We therefore continue to ask You to place Your healing hand on Senator JOHN McCAIN. Astound us with Your power.

Today, we also pray that You would guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives. Striving to please You, help them to stand for right and leave the consequences to You.

We pray in Your powerful 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 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.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The ACTING PRESIDENT pro tempore. In my capacity as a Senator from the State of Alabama, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:03 a.m., recessed subject to the call of the Chair and reassembled at 10:11 a.m. when called to order by the Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

THOUGHTS AND PRAYERS FOR SENATOR McCAIN

Mr. McCONNELL. Mr. President, Senator McCAIN is an American hero. He is a hero to our conference. He is a hero to our country. Here in the Senate, he is a friend to almost all of us. Our collective prayers are with him now. We are thinking of Cindy and the rest of his family as well, along with his staff and the people of Arizona.

Senator McCAIN, as we all know, has never shied away from a fight, and I assure you he isn't going to back down now. I know the Senator from Arizona will confront this challenge with the same extraordinary courage that has characterized his entire life, and he should know that we are all in his corner, every single one of us.

We look forward to seeing our friend again soon, and we hope he will be back in the very near future.

HEALTHCARE

Mr. McCONNELL. Mr. President, I thank the President for having our conference over to the White House yesterday. The President and his administration understand the American people are hurting under ObamaCare. They have been long engaged in the effort to bring relief. Nobody could have been more involved in this effort than the President, the Vice President, and the entire team, with numerous phone calls and meetings. They have been all in, and I want the President and his entire team to know how much we appreciate their deep involvement in this and their commitment to getting an outcome.

Dealing with this issue is what is right for the country. The fight to move beyond the status quo of ObamaCare was certainly never going to be easy, but we have come a long way, and I look forward to continuing our work together to finally bring relief.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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



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CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for a few minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTHCARE

Mr. ENZI. Mr. President, my colleagues and I have been on this floor for the last 7 years talking about the problems with ObamaCare and the need to address them.

In the early days, when ObamaCare was still being cobbled together, we talked about individuals losing their coverage. Promises were made that if you liked the plan you had, you could keep it. That turned out to be a broken promise.

In 2009 and 2010, we talked about premiums skyrocketing. Today, we are still talking about it. Premiums are more than 100 percent higher in Wyoming today than they were when the law was passed. Our insurer has fortunately been more conservative in their approach. So premiums didn't spike the way they did in other States.

I usually enjoy being right, but in this case, I am very sad to have watched the worst possible scenario play out. Time after time, President Obama was faced with problems in implementation and in outcomes, and he would dismiss them by saying: "It just needs more time," or, as this cartoon shows, "it just needs a tune up."

We and the American people gave it time and money—specifically, 7 years and hundreds of billions of dollars. We are now left trying to pick up the pieces of health insurance markets all across the country.

You can see here that this ambulance is ObamaCare. Behind it is its engine and other key components, and they have completely fallen apart. That is the private insurance market today. The part you don't see here is that there is a patient in the back of this ambulance. This isn't just about politics. This is about real people and whether they can afford an insurance premium that is in some cases higher than their rent or their mortgage payments each month.

Even before its passage, my Republican colleagues and I talked about the

danger that ObamaCare posed to private insurance markets.

Insurers have already left the market in droves. In Wyoming, we are down to one carrier. We lost the others to the economics of ObamaCare, and we will be lucky to keep the one we have. I know many people in our country are going to be in the position of having no insurers offering plans in their county.

How could this happen? It has happened because of politics being put before patients and an unwillingness to take on the hard task of fixing something that you have sold as the perfect solution.

I can tell you that healthcare isn't a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when ObamaCare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to that from our colleagues on the other side of the aisle, we did work hard to try to stop it.

Now we are finally in a position to do so. We have a President in the White House who is committed to repealing and replacing ObamaCare with better care before more irreparable harm is done. Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by ObamaCare.

We have problems to solve right now. We are proposing to stabilize insurance markets in the short term and to get insurance costs on a more manageable trajectory over the longer term. We are striking at the heart of ObamaCare by removing its mandates and taxes while putting Medicaid on a more sustainable footing.

Doing this isn't easy. You may have read a little something about the challenges of moving a healthcare bill forward, but the alternative is to do what our colleagues on the other side of the aisle have done for 7 years and watch ObamaCare crater. We don't think that is the right thing to do. We think we have an obligation, even if it is not an easy vote, to salvage our insurance system.

Getting something done in Washington isn't always a pretty process, but I am proud to be working with the women and men in my conference who see that there is something larger at stake than themselves and who know that sitting this out means more harm and, perhaps, harm that can't be undone later.

I will keep working. I am committed to passing the best product that we can deliver for the people of Wyoming and for our whole country. I look forward to continuing to work together to repeal ObamaCare and replace it with policies that will truly improve healthcare in America. I hope my colleagues will join me in this worthy endeavor.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. Mr. President, yesterday, several of my Democratic colleagues spoke in opposition to the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. They were particularly concerned about his activities outside of the courtroom, especially his personal blog posts. The comments of my friend, the junior Senator from Minnesota, were representative of their concern.

He reminded us that he has been serving on the Judiciary Committee for 8 years. He said that by confirming someone to the Federal bench like Mr. Bush, who has blogged about controversial political and policy matters, the Senate would be doing something unprecedented. Specifically, my friend from Minnesota—in angst—said, "I don't think we have been here before."

"I don't think we have been here before," he said. I would encourage my friend to think a little harder about his tenure on the Judiciary Committee. Just a few years ago, the Senate considered President Obama's nomination of Stephen Bough to be a Federal judge in Missouri. Mr. Bough had been quite an active blogger himself. His blogging and online commentary were not simply confined to political satire and sarcasm. His blogging didn't use merely flippant or intemperate language. His blogging demonstrated a real and palpable animus toward conservatives and Republicans in general, toward elected Republicans in particular, and by name—by name. He insulted and impugned people from his home State, such as Senators, his Governor, the President of the United States, and a Republican nominee for President, just to name a few.

Mr. Bough's posts were truly mean-spirited. It wasn't just that he called Republicans "knuckleheads"—which he did. That was when he was feeling especially kind. No, he said specific Republicans were "corrupt." They had done "evil things"—"evil things." I can go on and on about his corrosive rhetoric.

He approvingly posted an article describing how San Francisco was contemplating naming a sewage plant after President Bush as a suitable legacy for the President and posted another one that said his Governor was "ignorant."

His invective was not reserved to members of the political branches. He said that his State supreme court was the most corrupt in the history of the State. I am not making this up. He is an officer of the court, calling the supreme court the most corrupt in the history of his State.