

President George W. Bush nominated Mr. Wehrum for the very same job in 2005. He was not confirmed then but was able to serve in that role on an acting basis—something he could not lawfully do today. At the time, I voted against Mr. Wehrum's nomination because I feared he would impede efforts to clean our air and protect the health of Americans. Sadly, my fears have been proved well-founded. Twenty times, the courts found that clean air regulations that Mr. Wehrum helped craft did not follow the law or protect public health.

Since leaving EPA in 2007, Mr. Wehrum has spent his time suing the Agency.

Mr. Wehrum was elusive in answering our questions. When asked which clean air regulations he supports, he could not name a single one—not one.

Mr. Wehrum's extreme views are not good for public health and, quite frankly, the legal uncertainty that stems from his judgment would not be good for American businesses. That is why I call on all of my colleagues to join me in opposition to this nomination.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, Mr. Wehrum has been nominated to serve as the EPA Assistant Administrator for the Office of Air and Radiation. He has more than three decades of experience in environmental policy. He has worked as an environmental engineer. He has been a public servant at the EPA as an environmental lawyer. His time at the EPA includes years of service as the Acting Administrator of the Office of Air and Radiation, the same office to which he has now been nominated.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

Mitch McConnell, Orrin G. Hatch, Thom Tillis, John Barrasso, Johnny Isakson, Chuck Grassley, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kentucky (Mr. PAUL), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Kansas (Mr. ROBERTS) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Montana (Mr. TESTER) are necessarily absent.

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 46, as follows:

[Rollcall Vote No. 267 Ex.]

YEAS—49

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Rounds
Burr	Hatch	Rubio
Capito	Heller	Sasse
Cassidy	Hoeven	Scott
Cochran	Inhofe	Shelby
Collins	Isakson	Strange
Corker	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—46

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Udall
Coons	Leahy	Van Hollen
Cortez Masto	Manchin	Warner
Donnelly	Markey	Warren
Duckworth	McCaskill	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	
Franken	Murray	

NOT VOTING—5

Cruz	Paul	Tester
Menendez	Roberts	

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTHCARE

Mr. ALEXANDER. Mr. President, healthcare is on the minds of the American people. According to the Washington Post, in the elections in Virginia yesterday, it was by far the biggest issue in voters' minds. Maine expanded Medicaid.

In my home State of Tennessee, because of the Affordable Care Act's structure, premiums have gone up 176 percent over the last 4 years and another 58 percent, on average, for 2018 is predicted.

Tennesseans, like millions of Americans, are going through open enrollment and have sticker shock when they see the prices of the health insurance they might buy, and the 178 mil-

lion people who are getting their insurance on the job—that is 60 percent of us—know they might lose their job, they might change their job, and they might be in the individual market themselves and might find themselves exposed to these skyrocketing premiums and the chaos that results from them.

This is especially difficult for Americans who have no government subsidy to help them buy insurance. In 2016, according to the Department of Health and Human Services, there were about 9 million of those Americans.

There are 350,000 people in Tennessee who buy insurance on the individual market. That means they don't get it on the job. They don't get it from the government. They go out and buy it themselves, and 150,000 of those pay the whole brunt. So if insurance costs go up 176 percent over 4 years, another 58 percent this year, that means the songwriter, the farmer, the self-employed person has a very difficult time buying insurance. It is a terrifying prospect. That is why healthcare is on the minds of the American people.

One would think the American people might turn around and look at Washington and ask: Why doesn't the President of the United States and why don't Members of Congress—Republicans as well as Democrats—get together and do something about the skyrocketing premiums?

Well, what would you think if I told you that last month the President of the United States, President Trump, called me and asked me to do just that?

He said: I don't want people to be hurt over the next couple of years while we are continuing to debate the long-term structure of healthcare on the individual market. So why don't you get with Senator MURRAY from Washington—she is the ranking Democrat on the Senate HELP Committee—and why don't you try to work something out so people will not be hurt during these 2 years.

He said: I have to cut off the cost-sharing payments because the court has said they are not legal, but we can put them back. Go negotiate. See what you can do. Try to get some flexibility for the States.

Fortunately, Senator MURRAY and I were already working on that and to have the President's call was encouraging to me. He called me three more times over the next 2 weeks, and the long and short of it is we produced a result.

Here is what the result looks like—and I am going to talk about it from the point of view of why Republicans are supporting it. Senator MURRAY and Democratic Senators were here earlier saying why they were supporting it. Senator ROUNDS from South Dakota, a former Governor of that State, a man who understands insurance very well and helped develop this proposal—we are here today to say this happens to be one of those bills where there are

good reasons for Democrats to support it, there are good reasons for Republicans to support it, and the President has asked for it.

Here is what it does, from my point of view. The so-called Alexander-Murray legislation, which was recommended to the Senate by Senator MURRAY and me—there were 12 Republicans and 12 Democrats who were original cosponsors, including Senator ROUNDS and myself. That doesn't happen very often here. That is one-quarter of the Senate offering a bipartisan bill on a contentious subject to the Senate.

Here is what it does. One, it lowers premiums. In 2018, where the rates are already set, it requires the States to work with the insurance companies and give rebates for the high premiums that have already been set. In 2019, it will lower premiums. That is the first thing it does and the first reason why I and many Republicans support it.

Because the premiums are lower, it also means fewer tax dollars are going to pay for ObamaCare subsidies. That is another reason Republicans and conservatives like the idea of the Alexander-Murray bill.

Another reason we like it is, because there are lower subsidies, there is less Federal debt. The Congressional Budget Office has examined our bill and has said that it saves money over 10 years, nearly \$4 billion.

There are other reasons we like it. It gives States flexibility in increasing the variety and choices of the insurance policies they can recommend. That is the biggest difference of opinion we have between that side of the aisle and this side of the aisle. They want Washington to write the rules; we want the States to write the rules.

We agreed to make some changes so that States can write more rules. For example, the Iowa Senators, Mr. GRASSLEY and Mrs. ERNST, are cosponsors of the bill because the language in the Alexander-Murray amendment would permit the Federal Government to approve the Iowa waiver. Iowa has a way that it wants to use the Federal dollars to enroll more people and to give them lower costs. It would allow New Hampshire to use Medicaid savings to help pay for its Obama waiver. Both the Democratic Senators and the Republican Governor of New Hampshire have asked for that. It allows Minnesota to use a stream of Federal funding so that it can have its own waiver. It would allow Oklahoma, which has been waiting, to get its waiver approved.

What do we mean by "waivers"? What this means is that States can look at the people in their State and make their own decisions or more of their own decisions about a variety of choices. Alaska did that earlier. They are the only State that has been able to use the section 1332 innovation waiver, as we call it, and they were able to create a special fund for very sick people and then to lower rates for every-

one else by 20 percent and to do 85 percent of that with Federal dollars—no new Federal dollars, 15 percent by the States.

The reasons Republicans like the Alexander-Murray bill, the reasons we have 12 of us on this side of the aisle cosponsoring it, along with 12 Democrats, are lower premiums, fewer tax dollars for ObamaCare subsidies, less Federal debt, more flexibility for States, a new so-called catastrophic insurance policy so you can buy a policy with a lower premium and a higher deductible so that a medical catastrophe doesn't turn into a financial catastrophe. Those are all reasons to support it.

Here is the long and short of it. The American people have healthcare on their minds. It is certainly true in Tennessee, where the rates are up 58 percent. It was certainly true in Virginia yesterday. It is certainly true in Maine. I see the Senator from Maine is here, and he has been an important part of this discussion.

The people of America say: Why don't the President, the Republicans, and the Democrats in both bodies get together and do something about it? I am happy to report we have. We have a bipartisan proposal. It doesn't solve every problem, but it limits the damage. It lowers premiums. It avoids chaos. It saves Federal tax dollars. It has the support of a significant number of Republicans and Democrats, and it is done at the request of the President.

I hope that when the President returns from Asia, he will go to his desk and find a nice package there with a bow on it, presented by Senator MURRAY and me, 24 of us in the U.S. Senate—Republicans and Democrats—which does exactly what the American people, I think, want us to do: Lower premiums, avoid chaos, work together, take a step in the right direction, and let's see if we can help the American people in that way.

I know the Senator from South Dakota is here, and I thank him for his leadership on this. He, along with the Senator from Maine who is here, Mr. KING, spent a good deal of time working on this piece of legislation, which has a lot that Democrats like and a lot that Republicans like—so much so that we are able to recommend it in a bipartisan way. I know he may have things that he may want to say about the bill.

I yield the floor.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Maine.

HEALTHCARE

Mr. KING. Mr. President, I don't wish to take much of the Senate's time, but I want to emphasize and echo the comments made by the Senator from Tennessee. He and his ranking member,

PATTY MURRAY of Washington, have done a magnificent job. What I want to emphasize is not necessarily the content of the bill, which he has outlined expertly, but the process by which this bill has come to the U.S. Senate. To me, it is an example of how this place can and should work.

There were a series of essentially four all-day hearings. There were workshops to which all Senators were invited, and I think at least half of the Senate attended several of those workshops. We had a bipartisan witness list. We had Governors. We had insurance commissioners. We had experts on the health services industry from around the country. The result was a piece of negotiated, compromised but thoroughly worked through, and important legislation that can do exactly what the Senator from Tennessee outlined: Lower premiums, end the chaos in the individual market, save the Federal Government money over the period of the next 10 or 20 years, and really make a difference for the people of Maine.

I particularly want to compliment and express my appreciation to Senator ALEXANDER and Senator ROUNDS for the work they have done to bring the issue to this point. I deeply hope, as the Senator from Tennessee, Mr. ALEXANDER, just said, that when the President returns from his trip, he will see this bipartisan agreement—or in my case, a nonpartisan agreement—that has come forward to solve some serious problems. It doesn't solve all the problems, but it is a step forward. It also is exactly what the American people want us to do—to talk to each other, listen to each other, gather the data and the information, and come up with legislative proposals that make common sense and will make a better place, a better healthcare system, and serve our citizens and our people across the country in a better way than the current arrangement.

Again, I want to compliment my colleague from Tennessee and also my colleague from South Dakota, Senator ROUNDS, for the work they have done on this. We are at a place where we can really do something good, not only substantively but also by showing the Nation how this body can and should work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, let me begin by acknowledging the leadership that Chairman ALEXANDER and Ranking Member MURRAY have offered and also by saying how much I have appreciated the hard work that Senator KING from Maine has participated in, as well, in this process. They have worked together, side by side, to try to find some common ground while still retaining and protecting the principles they all hold with regard to how health insurance, long term, should be approached.

Coming to a bipartisan agreement on this very important piece of legislation