

I do. I ran for the U.S. Senate because I wanted to achieve bipartisan results on important issues. I have often been able to do that, but I literally struck out here.

When Democrats blocked these proposals from being included in the omnibus in March, I said: "Now let's look down the road . . . insurance companies will announce their rates for 2019 . . . and rates will continue going up instead of going down."

They are right about that. Already in the last few days, it has been announced that rates will go up in 2019. Millions of Americans will be hearing more about that. The Democrats could have worked with us to lower premiums by up to 40 percent. They instead chose to cling to an unworkable law, to skyrocketing rates, and to reject any change that would have temporarily reduced rates, even though the President and the Republican leaders were willing to support ideas that the Democrats, as a matter of policy, almost unanimously support.

For relief, we will have to turn to the Trump administration and to the States. I am encouraged by Labor Secretary Acosta's proposed rule on association health plans. It would help some self-employed Americans, like Marty, the farmer, and employees of small companies to buy the same kind of insurance with the same lower cost and the same protections that roughly 160 million Americans who work for large employers have today. In other words, if you work for IBM, you in effect get about a \$5,000 average tax break because of the way the tax law applies to employer insurance. We would like to give the same opportunity to the self-employed and to people in small businesses.

The Trump administration has also proposed a rule that would reaffirm the role of States in regulating short-term health insurance and that could provide a coverage option for Americans who are uninsured because plans in the Affordable Care Act markets are too expensive. Neither of these changes require the approval of Congress.

I am talking with Secretary Azar and Seema Verma, the Administrator of the Centers for Medicare and Medicaid Services, about other administrative actions they can take to give States more flexibility within the current law to help lower health insurance premiums, especially for the 9 million working Americans who do not receive a Federal subsidy in the individual market.

Those are the ones who are getting hammered. Those are the one whose rates we could have reduced by up to 40 percent over the next 3 years, but the Democrats said no.

I will be encouraging Governors and State insurance commissioners to do everything they can to repair the damage caused by the Affordable Care Act, but my own efforts as chairman of the HELP Committee will turn to other pressing healthcare issues, including

the opioid crisis, overall healthcare costs, electronic healthcare records, prescription drug prices, and the 340B program.

Contrary to the Democratic leader's speech, this is not a crisis of Republicans' making. Democrats should look in the mirror. The last 5 years and the upcoming 6 years of premium increases are the fault of a law designed, drafted, and voted on exclusively by Democrats.

Last year, Republicans freed Americans from the individual mandate requirement, which was a tax on the poor that forced many Americans to buy insurance they couldn't afford or didn't meet their needs. We tried to provide even more freedom from this unworkable law, but, as I have detailed, Democrats said no.

If you have an insurance premium that is going up 40 percent next year, on top of the more than 105 percent increases since 2013, you can thank the Democrats. If you would like greater choice and an opportunity for lower premiums, you should support Republicans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

NOMINATION OF MICHAEL BRENNAN

Ms. BALDWIN. Mr. President, I rise this afternoon to urge my colleagues to oppose the confirmation of Michael Brennan to the U.S. Court of Appeals for the Seventh Circuit. By bringing Mr. Brennan's nomination forward without my support, Chairman GRASSLEY and Leader MCCONNELL are breaking with a longstanding Senate tradition that has guaranteed a voice for home State Senators, regardless of party, in the consideration of judicial nominees.

The blue slip is an important part of this institution and its historic respect for the rights of each Senator, as well as the rights of the minority party. As the chairman of the Judiciary Committee, Mr. GRASSLEY himself wrote in 2015:

This tradition is designed to encourage outstanding nominees and consensus between the White House and home State Senators. Over the years, Judiciary Committee chairs of both parties have upheld a blue-slip process, including [most recently] Senator PATRICK LEAHY of Vermont . . . who steadfastly honored the tradition even as some in his own party called for its demise. I appreciate the value of the blue-slip process and also intend to honor it.

Today, respect for that time-honored blue slip comes to an end. Not only is Michael Brennan being considered on the Senate floor, but tomorrow the Senate Judiciary Committee will hold a hearing on a nominee for a traditional Oregon seat on the Ninth Circuit for whom neither Oregon Senator has returned a blue slip. I urge my colleagues to recognize that while today's action disrespects my role as the junior Senator from Wisconsin, tomorrow it may well be you. With the majority's choice to end this tradition, each of us is diminished in our own ability to represent the constituents who chose to send us here.

I did not return a blue slip for Michael Brennan because his nomination does not reflect the consensus between the White House and home State Senators that the chairman of Judiciary Committee, Mr. GRASSLEY, praised in 2015. Mr. Brennan did not receive the requisite support from Wisconsin's bipartisan judicial nominating commission, which has been used in some form for nearly four decades to identify candidates for Federal judgeships in my home State. Senator JOHNSON and I have worked to continue this longstanding process during my tenure in the Senate, and it has actually produced consensus nominees who have been confirmed to two vacancies on our district courts and for two U.S. attorney positions.

More troubling still is a fact made clear in Mr. Brennan's answers to the Judiciary Committee's questionnaire; namely, that President Trump never intended to respect that commission's work for this vacancy. The White House interviewed Michael Brennan for the job on the very day our bipartisan nominating commission began to solicit candidates for its consideration.

Chairman GRASSLEY has made an argument that the White House engaged me in meaningful consultation regarding this vacancy. It is true that White House Counsel Don McGahn called me to inform me that Mr. Brennan was the President's choice. I urged him, instead, to consider consensus nominees who could garner bipartisan support, including Donald Schott, who earned the requisite support of Wisconsin's nominating commission. He also garnered Senator JOHNSON's and my blue slips in the last Congress as well as the support of a bipartisan majority of the Senate Judiciary Committee. Sadly, he didn't come up for a confirmation vote due to obstruction in setting the calendar—a choice by the majority leader. Unfortunately, instead of nominating a consensus candidate, President Trump chose to move forward in a partisan manner on this vacancy.

Seven years ago, the U.S. Senate respected the prerogative of my colleague and my senior Senator, Mr. JOHNSON—then a newly elected Senator from Wisconsin—when he objected to a nominee for this very vacancy whose selection he had not had a role in. Mr. Brennan himself, at the time, coauthored an op-ed in our State's largest newspaper that praised Senator JOHNSON's refusal to return a blue slip for that nominee, Victoria Nourse. When President Obama made a second nomination for this position in 2016, I am confident Senator LEAHY would not have allowed that nominee, Donald Schott, to have advanced in the Judiciary Committee without my senior Senator's blue slip.

Today, I am not being accorded the same respect. Today, we send the message that neither this nor a future President needs to respect the role of home State Senators in the selection of judicial nominees. I urge my colleagues

to oppose this action and this nominee and this dispensing with a time-honored tradition of this institution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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. Without objection, it is so ordered.

JOINT REFERRAL—PN1884

Mr. McCONNELL. Mr. President, I ask unanimous consent that PN1884, the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the Health, Education, Labor, and Pensions and Veterans' Affairs Committees.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time on the Engelhardt nomination expire at 12 noon tomorrow, May 9, and the Senate vote on confirmation of the Engelhardt nomination with no intervening action or debate; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Mr. MERKLEY. Mr. President, I regret that, due to unforeseeable flight delays, I was unable to make it back here to Washington in time for the cloture vote on Kurt Engelhardt's nomination for the Fifth Circuit Court of Appeals. Had I been present, I would have voted against cloture.

His record on the district court is deeply troubling, particularly those concerning sexual harassment, religious discrimination, civil rights, and discriminating against women who choose to have children in the workforce—a right that should be open to every American woman without fear of losing one's job. In Mr. Engelhardt's court, ogling, groping, making sugges-

tive comments, and talking about a woman's appearance do not constitute sexual harassment or a hostile work environment. In Mr. Engelhardt's court, a woman who is ordered by her doctor to be on bedrest can be fired 2 weeks after giving birth because "the fact that Plaintiff's absences were caused by pregnancy does not dispense with the general requirement that employees must show up for work."

Then there is Judge Engelhardt's extremely disturbing ruling overturning the convictions of five former New Orleans police officers in the Danziger Bridge case. This was a case that was described at the time as "the most significant police misconduct prosecution since Rodney King," but Mr. Engelhardt overturned the convictions because three of the prosecutors wrote anonymous blog posts, even though the judge acknowledged that there was no evidence that any of the jurors had ever read these posts. Mr. Engelhardt's ruling in the Danziger Bridge case is exactly the kind of action that makes so many Americans distrust our criminal justice system and amplifies the racial inequalities that exist in it.

Too many Americans have been denied justice in Mr. Engelhardt's court for the Members of the U.S. Senate to reward and elevate him to a position of higher authority. Therefore, I would like it to be known on the record that I oppose Judge Engelhardt's nomination to serve on the Fifth Circuit Court of Appeals and would have voted in the negative had I been able to be here.

HONORING FIRST SERGEANT
DAVID H. QUINN

Ms. HASSAN. Mr. President, today I would like to honor the life of U.S. Marine Corps First Sergeant David H. Quinn of Temple, NH.

In 1941, First Sergeant Quinn enlisted in the U.S. Marine Corps Reserves. He would train at Parris Island, SC, and Quantico, VA, before being assigned to a newly created amphibious tractor battalion based in Dunedin, FL, which was preparing for war in the Pacific Theater.

His unit brought him to San Diego, where he was promoted to first sergeant, and eventually to New Zealand for further training in amphibious assaults. It was there that he met Zoe Boeson, who was working to become a nurse. David and Zoe were married on June 28, 1943, just 4 months before his unit shipped out.

In 1943, with Company C, 2nd Amphibious Tractor Battalion of the 2nd Marine Division, First Sergeant Quinn arrived on Betio in the Tarawa Atoll as part of Operation Galvanic. The island was critical to the U.S. island-hopping campaign and also to the Japanese, who used it as a base for attacking U.S. Forces in the Central Pacific.

The marines successfully captured Betio, but 1,029 marines were killed and approximately 2,700 men wounded on what came to be known as bloody

Tarawa. Among them was First Sergeant Quinn, who passed away on November 20, 1943. Though he and his new bride, Zoe, had spent just 4 months together prior to his death, she later remarked that they enjoyed more happiness in those 4 months than most people find in a lifetime.

Like many others, First Sergeant Quinn's remains were unidentified until 2016, when a DNA sample led to a positive match with his nieces. On May 4, 2018, nearly 75 years after his death, First Sergeant Quinn was reunited with his family and buried with full military honors back home in Temple, NH.

Though this expression of gratitude is long overdue, we must never miss an opportunity to thank those men and women in uniform who have put their life on the line to keep us safe, secure, and free. We must never forget their sacrifice.

I hope you will join me in honoring a brave Granite Stater, First Sergeant David Quinn. May he rest in peace.

TRIBUTE TO REAR ADMIRAL
LEONARD C. DOLLAGA

Mr. DAINES. Mr. President, today I wish to recognize the service and achievements of an esteemed and valued member of our Armed Forces, RDML Leonard C. Dollaga, U.S. Navy, on the unanimous confirmation of his promotion on Thursday, April 26, 2018.

Over the past 2 years, I have had the pleasure of working with Admiral Dollaga in his capacity as Director of the Navy's Appropriations Matters Office. As the principal representative of the Secretary of the Navy and the Chief of Naval Operations to the Senate and House Appropriations Committees, he has provided invaluable support to Members and committee staff in presenting the budgetary needs of the Department of the Navy for our consideration and ensured timely and transparent communication flow to support Congress's enactment of appropriations for fiscal years 2017 and 2018. Throughout that time, Admiral Dollaga has provided superior support to me during a number of engagements with political and military leaders across the Asia-Pacific region. I would like to share with you some highlights of his fine career.

For the past 28 years, Admiral Dollaga excelled in leading our Navy's sailors aboard fast-attack and fleet ballistic missile submarines. He served sea tours on the USS *Los Angeles*, SSN 688; USS *Rhode Island*, SSBN 740 (Blue); and USS *Cheyenne*, SSN 773. He commanded USS *Charlotte*, SSN 766, followed by a command tour as commodore of Submarine Development Squadron Twelve, where he was in charge of nine fast-attack submarines and led the tactical development of the U.S. Submarine Force.

Ashore, his assignments enabled him to positively impact the submarine